

ACTION AGENDA

Tuesday, October 21, 2008

Legislative Day No. 30

**COUNTY COUNCIL
OF
PRINCE GEORGE'S COUNTY, MARYLAND**

9:15 A.M.

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

10:12 A.M.

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)

Presented

Joint Proclamation **recognizing October 20-24, 2008 as “National Business Women’s Week” in Prince George’s County.** (Council Chairman Samuel H. Dean, County Executive Representative Marcus Jackson, and Council Members Marilynn M. Bland, Eric C. Olson, Will A. Campos, Ingrid M. Turner, Tony Knotts and Andrea C. Harrison)

Presented

Proclamation **recognizing Lenita Antoinette Walker as the Prince George’s County Business and Professional Women 2008 “Woman of the Year” in Prince George’s County.** (Council Chairman Samuel H. Dean, Council Vice Chair Marilynn M. Bland and Council Members Eric C. Olson, Will A. Campos, Ingrid M. Turner, Tony Knotts and Andrea C. Harrison)

Presented

Proclamation **recognizing United Communities Against Poverty, Inc. as the Prince George’s County Business and Professional Women 2008 Employer of the Year” in Prince George’s County.** (Council Chairman Samuel H. Dean, Council Vice Chair Marilynn M. Bland and Council Members Eric C. Olson, Will A. Campos, Ingrid M. Turner, Tony Knotts and Andrea C. Harrison)

Presented

Proclamation **recognizing October 24, 2008 as “Student Pledge Against Gun Violence Day” in Prince George’s County.** (Council Chairman Samuel H. Dean, Council Vice Chair Marilynn M. Bland and Council Members Eric C. Olson, Will A. Campos, Ingrid M. Turner, Tony Knotts and Andrea C. Harrison)

Presented

Proclamation **presented to Deborah and Dwayne Holmes recognizing the month of October, 2008 as “National Physical Therapy Month” in Prince George’s County.** (Council Chairman Samuel H. Dean, Council Members Eric C. Olson, Marilynn M. Bland, Will A. Campos, Ingrid M. Turner, Tony Knotts and Andrea C. Harrison)

Presented

Proclamation **recognizing the month of October, 2008 as “Native American Indian Month” in Prince George’s County.** (Council Chairman Samuel H. Dean, Council Members Will Campos, Marilynn M. Bland, Eric C. Olson, Ingrid M. Turner, Tony Knotts and Andrea C. Harrison)

10:53 A.M.

CALL TO ORDER

INVOCATION: Ms. Sherrell Myers, County Employee

PLEDGE OF ALLEGIANCE

1. **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD**

- **Appointment of the following individual to the Animal Control Commission for Prince George’s County:**

Confirmed

Ms. Mary Virginia May

Appointment/Citizen Representative
Term Expiration: 3/30/2010

(Favorably reported out of THE on 10/9/2008)

- **Appointment of the following individuals to the Board of Registration for Master Electricians, Journeyman Electricians, Apprentice Electricians and Electrical Contractors for Prince George’s County:**

Confirmed

Mr. Franklin S. Vasquez

Appointment/Master Electrician
Replacing: Isaac M. Meredith
Term Expiring: 1/1/2009

Confirmed

Ms. Tiffany Williams

Appointment/Citizen Member
Replacing: Andrew C. Hanko
Term Expiring: 1/1/2009

Confirmed

Mr. Alvin J. Biagas, Jr.

Appointment/Electrical Contractor
Term Expiring: 1/1/2010

Confirmed

Mr. Rodney Creecy

Appointment/Citizen Member
Term Expiring: 1/1/2010

Confirmed

Mr. Michael F. Dugan

Appointment/Master Electrician
Term Expiring: 1/1/2009

(Favorably reported out of THE on 10/9/2008)

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

Introduced

CB-47-2008 (DR-2) – AN ACT CONCERNING THE PROHIBITION OF THE SALE, OFFER OR DISTRIBUTION OF CERTAIN CIGAR PRODUCTS for the purpose of prohibiting the sale, offer or distribution of cigar and cigar products intended for use, or designed for use, in ingesting, inhaling, or otherwise introducing marihuana, cocaine, hashish, or hashish oil into the human body, to minors and in less than packages of five.

(Favorably reported out of HEHS on 10/16/2008 with amendments)

Introduced by Council Members Dean, Campos, Exum, Bland and Harrison

Introduced

CB-64-2008 – AN ACT CONCERNING MARYLAND EMERGENCY MANAGEMENT ASSISTANCE COMPACT for the purpose of adopting the Maryland Emergency Management Assistance Compact, Section 14-803 of the Public Safety Article of the Annotated Code of Maryland.

(Favorably reported out of PSFM on 10/14/2008)

Introduced by Council Members Exum, Bland, Dean, Knotts and Dernoga

Introduced

CB-66-2008 (DR-2) - AN ACT CONCERNING PROPERTY TAX CREDIT – AGRICULTURAL LAND for the purpose of granting a tax credit against property taxes imposed on agricultural land subject to State or County agricultural land preservation programs.

(Favorably reported out of PSFM on 10/14/2008 with amendments)

Introduced by Council Members Dernoga, Bland and Olson

Introduced

CB-67-2008 (DR-2) – AN ACT CONCERNING TELECOMMUNICATIONS TRANSMISSION FACILITY COORDINATING COMMITTEE for the purpose of amending procedures pertaining to the Prince George’s County Telecommunications Transmission Facility Coordinating Committee and repealing provisions of the Telecommunications Franchise Law.

(Favorably reported out of PSFM on 10/14/2008 with amendments)

Introduced by Council Member Dean

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

*Introduced;
expedited*

CB-54-2008 (DR-2) - AN ORDINANCE CONCERNING INFORMATIONAL MAILINGS AND CIVIC ASSOCIATION REGISTRATION for the purpose of making changes to informational mailing requirements for applications.

(Favorably reported out of PZED on 10/15/2008 with amendments)

Introduced by Council Members Exum, Bland, Harrison and Dean

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-54-2008 (DR-2)

*Introduced;
expedited*

CB-56-2008 (DR-2) - AN ORDINANCE CONCERNING PUBLIC HEARING SIGNS for the purpose of making changes to the design, content and posting requirements for public hearing signs.

(Favorably reported out of PZED on 10/15/2008 with amendments)

Introduced by Council Members Exum, Bland, Harrison, Turner, Knotts and Dean

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-56-2008 (DR-2)

*Introduced;
expedited*

CB-65-2008 (DR-2) - AN ORDINANCE CONCERNING TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT for the purpose of amending procedures for adopting Transit District Overlay Zoning Map Amendments.

(Favorably reported out of PZED on 10/15/2008 with amendments)

Introduced by Council Members Exum, Bland, Dernoga and Dean

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-65-2008 (DR-2)

*Introduced;
expedited*

CB-68-2008 (DR-2) - AN ORDINANCE CONCERNING RESIDENTIAL ZONES for the purpose of amending the regulations concerning Recreational Community Developments.

(Favorably reported out of PZED on 10/15/2008 with amendments)

Introduced by Council Members Dean and Bland

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-68-2008 (DR-2)

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

Introduced

CB-69-2008 (DR-2) – AN ACT CONCERNING BENEFIT PERFORMANCES for the purpose of clarifying the number of charitable gaming events that may be held in a location in any single week.

(Favorably reported out of PZED on 10/15/2008 with amendments)

Introduced by Council Members Dernoga, Campos, Knotts, Olson and Turner

*Introduced;
expedited*

CB-70-2008 (DR-2) – AN ORDINANCE CONCERNING VOLUNTEER FIRE, AMBULANCE, OR RESCUE STATION for the purpose of amending regulations for volunteer, fire, ambulance, or rescue stations

(Favorably reported out of PZED on 10/15/2008 with amendments)

Introduced by Council Members Dernoga, Campos, Knotts, Olson and Turner

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-70-2008 (DR-2)

*Introduced;
expedited*

CB-72-2008 – AN ORDINANCE CONCERNING FENCES AND WALLS for the purpose of amending the regulations for fences in residential zones.

(Favorably reported out of PZED on 10/15/2008)

Introduced by Council Members Olson and Turner

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-72-2008

*DR-2 substituted;
introduced;
expedited*

CB-78-2008 - AN ORDINANCE CONCERNING AGRICULTURAL-CONSERVATION ZONE (A-C ZONE) for the purpose of establishing an Agricultural-Conservation Zone (A-C Zone) in Prince George’s County and making amendments to the use table in the Zoning Ordinance generally related to the A-C Zone.

(Reported out of PZED on 10/15/2008 with no recommendation)

MOTION TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO INTRODUCTION

Introduced by Council Members Dernoga, Bland and Olson

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-78-2008 (DR-2)

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

*DR-2 substituted;
amended;
DR-3 introduced;
Expedited*

CB-80-2008 - AN ORDINANCE CONCERNING TRANSFER OF DEVELOPMENT RIGHTS for the purpose of establishing a Transfer of Development Rights program in Prince George’s County.

(Reported out of PZED on 10/15/2008 with no recommendation)

**MOTION TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO INTRODUCTION
AMENDMENT #1 TO CB-80-2008 (DR-2)**

Introduced by Council Members Dernoga and Bland

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-80-2008 (DR-3)

*Introduced;
expedited*

CB-81-2008 - AN ORDINANCE CONCERNING RESIDENTIAL ZONES for the purpose of permitting barber shops in residential zones by special exception subject to certain requirements.

Introduced by Council Member Knotts; referral to PZED

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-81-2008

*Introduced;
expedited*

CB-82-2008 - AN ORDINANCE CONCERNING THE R-T ZONE for the purpose of allowing multi-family dwellings and commercial uses in the R-T Zone under certain circumstances.

Introduced by Council Member Exum; referral to PZED

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-82-2008

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

Adopted

CR-85-2008 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM for the purpose of approving the project submitted by the Prince George’s Financial Services Corporation (“FSC First”), to the Maryland Department of Housing and Community Development for participation in the Department’s Community Investment Tax Credit Program.

(Introduced by Council Members Dernoga, Knotts and Dean on 9/30/2008; favorably reported out of The on 10/9/2008)

ADDITIONS TO THE AGENDA

2. **SECOND READING OF BILLS – (INTRODUCTION) - (page 4)**

Introduced

CB-52-2008 (DR-2) - AN ACT CONCERNING BUSINESS INCUBATOR REAL PROPERTY TAX CREDIT for the purpose of establishing a tax credit for real property used for publicly supported business incubator programs.

(Favorably reported out of PSFM on 9/23/2008 with amendments)

Introduced by Council Member Knotts and Turner

Introduced

CB-61-2008 (DR-2) – AN ACT CONCERNING BROWNFIELDS PROPERTY TAX CREDIT for the purpose of enabling the County to participate in the State of Maryland’s brownfields Revitalization Incentive Program; providing a property tax credit for the redevelopment of certain brownfields properties; and generally providing for a brownfields property tax credit as authorized by State law.

(Favorably reported out of PSFM on 10/20/2008 with amendments)

Introduced by Council Members Dean and Dernoga

Introduced

CB-79-2008 (DR-2) - AN ACT CONCERNING AN INTERPROJECT TRANSFER OF APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2009 CAPITAL BUDGET for the purpose of transferring appropriations to the High School Classroom Addition at Potomac, to the Planning Subregion VI Elementary, and the Land Acquisition Projects.

(Favorably reported out of PSFM on 10/20/2008 with amendments)

Introduced by Council Member Dean

Introduced

CB-83-2008 – AN ACT CONCERNING VACANT RESIDENTIAL PROPERTY REGISTRATION AND MAINTENANCE for the purpose of providing for the registration of vacant or unoccupied residential structures with the Department of Environmental Resources; providing civil penalties for failure to register; and providing criminal penalties for failure to maintain such properties.

Introduced by Council Member Campos; referral to THE

RESOLUTION TO BE DISCHARGED FROM COMMITTEE

*Discharged from
PSFM Committee;
convened as
C.O.W.;
DR-2 substituted;
DR-2 amended;
DR-3 recommitted
to PSFM*

CR-23-2008 (DR-2) – A RESOLUTION CONCERNING THE ISSUANCE OF SPECIAL OBLIGATION BONDS for the purpose of providing that special obligation bonds may be issued from time to time under the provisions of this Resolution in the aggregate principal amount of Thirty-Five Million Dollars (\$35,000,000) in order for the County to finance or reimburse costs related to the construction of certain infrastructure improvements as more particularly described herein; making certain findings and determinations, among others, concerning the public benefit and purpose of such special obligation bonds; providing for the levy of a special tax in the form of a special hotel rental tax, the creation of a special fund and the allocation of such special tax with respect to the special taxing district to be paid over to such special fund; providing that such special obligation bonds authorized to be issued hereby shall be payable from the special hotel rental tax collected and deposited in the special fund, as described below, and that the special obligation bonds shall not constitute a general obligation debt of the County or a pledge of the County's full faith and credit or taxing power other than the taxes representing the Special Hotel Rental Tax ; specifying certain terms and conditions with respect to the issuance of the special obligation bonds; authorizing the County Executive of the County to specify, prescribe, determine, provide for and approve certain details, forms, documents or procedures in connection with such special obligation bonds issued hereunder and any other matters necessary or desirable in connection with the authorization, issuance, delivery and payment of such special obligation bonds; authorizing the County Executive to take certain actions, to execute documents and make certain commitments on behalf of the County in connection with the issuance and delivery of such special obligation bonds; authorizing the execution and delivery of such special obligation bonds and such other documents as may be necessary and desirable to effectuate the financing of the infrastructure improvements and the issuance and delivery of such special obligation bonds; generally providing for, and determining various matters in connection with, the issuance, delivery and payment of such special obligation bonds.

(Introduced by Council Members Knotts and Campos on 4/1/2008; amended in PSFM on 4/1/2008)

MOTION REQUIRED TO DISCHARGE CR-23-2008 FROM COMMITTEE - (6 VOTES REQUIRED)

MOTION REQUIRED TO CONVENE AS THE COMMITTEE OF THE WHOLE

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

AMENDMENT #1 TO CR-23-2008 (DR-2)

MOTION TO RECOMMIT CR-23-2008 (DR-3) TO PSFM COMMITTEE

PUBLIC HEARING TO BE HELD TUESDAY, NOVEMBER 18, 2008 AT 10:00 A.M.

4. **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) **Introduction of Resolutions**

Introduced

CR-95-2008 – A RESOLUTION CONCERNING ADJUSTMENTS TO APPROVED POSITION GRADES for the purpose of adjusting the number of positions in certain grades in the County Council, Human Relations Commission, Office of the State’s Attorney, Department of Corrections, Department of Public Works and Transportation, and the Health Department.

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

Introduced by Council Member Dean

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Mr. Willie Ringo – Economic Development

12:11 P.M.

ADJOURN

BRIEFING – (ROOM 2027) -- CANCELLED

INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED FOR MONDAY, OCTOBER 27, 2008.

REMINDER

Thurs., Oct. 23, 2008	10:00 a.m.	THE Committee Meeting (Room 2027)
Mon., Oct. 27, 2008	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)