

# ***AGENDA MINUTES***

**Tuesday, October 9, 2007**

**Business Meeting**

**(Legislative Day No. 28 to be declared)**

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

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

**COMMITTEE OF THE WHOLE – (ROOM 2027) – (continued from 10/2/2007)**

**CR-66-2007 - A RESOLUTION CONCERNING ADJUSTMENTS TO APPROVED POSITION GRADES** for the purpose of adjusting the number of positions in each grade to the Personnel Board, Office of Human Resources Management, Office of Information Technology and Communications, Office of Central Services, Police Department, Department of Environmental Resources, Office of the Sheriff, Office of Homeland Security, Department of Public Works and Transportation, Health Department, and Department of Social Services.  
- **FAVORABLE WITH AMENDMENTS**

*Jonathan R. Seeman, Director, Office of Management and Budget, provided an overview of the actions and recommendations from the Committee of the Whole (COW) from last week (10/02/2007) to the Council. Mr. Seeman proposed draft 2 of Council Resolution 66 in lieu of draft 1, which would include only Public Safety (Police Dept., Sheriff Dept. and Homeland Security). Council Member Harrington moved favorable of Council Resolution 66 (DR-2); seconded by Council Member Knotts. The motion carried 9-0.*

**CALL TO ORDER:** - *Chair Exum called to order at 1:47 p.m. with the following Council Members present:*

*Marilynn M. Bland  
Will Campos  
Samuel H. Dean  
Thomas E. Dernoga  
Camille A. Exum  
David C. Harrington  
Tony Knotts  
Eric C. Olson  
Ingrid M. Turner*

*Others Present:*

*Craig Price, Council Administrator  
Robert J. Williams, Jr., Deputy Council Administrator  
Ralph Grutzmacher, Legislative Officer  
Todd Turner, Legislative Officer  
Hawi Sanu, THE Committee Director*

*Frank Porter, PSFM Committee Director  
Kathy Canning, Associate County Attorney  
Russell King, Associate County Attorney  
Marcus Jackson, County Council Liaison, Office of the County Executive*

**INVOCATION:** - *The Invocation was led by Pastor Gerald A. Grandison, Sr., Greater Rock Creek Baptist Church, Mt. Rainier, Maryland. Council Member Olson requested special prayers for the family of Mr. Keirfer, Riverdale Park Activist, in his passing; Council Member Dean for the family of Lawrence Lewis, in his passing and Council Member Exum in the passing of her Aunt.*

**PLEDGE OF ALLEGIANCE:** - *The pledge of allegiance was led by Council Member Dean.*

**DESIGNATION OF OCTOBER 9, 2007 AS LEGISLATIVE DAY NO. 28**

*Chair Exum designated October 9, 2007 as Legislative Day number 28*

1. **CONSENT AGENDA -- CB-42-2007 WITHDRAWN; 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.**

**MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR PRESENTATION OF BILLS AFTER SEPTEMBER 30.**

- **RULES SUSPENDED**

*Council Member Harrington moved to suspend the Council Rules of Procedure to allow for Presentation of Bills after the September 30, 2007 deadline; seconded by Council Member Knotts. The motion carried by voice vote.*

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

**CB-39-2007 – AN ACT CONCERNING NOTICE TO PURCHASERS OF REAL ESTATE IN SPECIAL TAXING DISTRICTS** for the purpose of amending the Consumer Protection Laws of the County to require disclosure in residential real estate contracts that the subject property is subject to additional taxes and fees in a Special Taxing District and to provide provisions for the failure to provide the required notice. - **PRESENTED**

*Council Bill 39 was presented by Council Member Harrington and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

**CB-40-2007 – AN ORDINANCE CONCERNING NONCONFORMING BUILDINGS, STRUCTURES, AND USES** for the purpose of allowing certain alteration, enlargement or extension to certified nonconforming buildings, structures, and uses under certain circumstances without the requirement for a special exception. - **PRESENTED**

*Council Bill 40 was presented by Council Member Campos and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

**CB-41-2007 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY** for the purpose of abolishing existing classes of work from the collective bargaining agreement between the County, the State’s Attorney’s Office, and Service Employees International Union Local 400PG, Salary Schedule V. - **PRESENTED**

*Council Bill 41 was presented by the Chairman at the request of the County Executive and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

**CB-42-2007 – AN ACT CONCERNING TOWING REGULATIONS** for the purpose of amending provisions of the Code relating to towing regulations and towing of vehicles from private property, establishing penalties and license fees, and transferring certain responsibilities regarding towing regulations from the Police Department to the Department of Environmental Resources. - **WITHDRAWN**

**CB-44-2007 - AN ORDINANCE CONCERNING TRANSFER OF DEVELOPMENT RIGHTS** for the purpose of establishing a Transfer of Development Rights program in Prince George’s County. - **PRESENTED**

*Council Bill 44 was presented by Council Member Dernoga and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

(b) **Introduction of Resolutions**

**CR-67-2007 – A RESOLUTION CONCERNING TENANT-BASED RENTAL ASSISTANCE PROGRAM** for the purpose of amending the “Consolidated Plan: FY 2006-2010,” “Annual Action Plan: FY 2007,” and “Annual Action Plan: FY 2007” of the Department of Housing and Community Development of Prince George’s County, Maryland to amend the purpose of the County’s Tenant-Based Rental Assistance Program (“TBRA Program”). - **INTRODUCED**

*Council Resolution 67 amends the “Consolidated Plan: FY 2006-2010,” “Annual Action Plan: FY 2006,” and “Annual Action Plan: FY 2007” of the Department of Housing and Community Development of Prince George’s County to amend the purpose of the Tenant-Based Rental Assistance Program. Council Resolution 67 was introduced by Council Member Exum and referred to the Transportation, Housing and the Environment (THE) Committee.*

**THIS RESOLUTION REQUIRES A PUBLIC HEARING**

**CR-68-2007 – A RESOLUTION CONCERNING HEALTH INSURANCE PLAN CONTRIBUTIONS** for the purpose of amending the employer/employee contribution percentages to certain health insurance and benefits plans. - **INTRODUCED**

*Council Resolution 68 decreases by one percentage point the County's contribution to certain health insurance and benefits plans. Council Resolution 68 was introduced by Council Member Exum and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

**CR-69-2007 – A RESOLUTION CONCERNING REVITALIZATION TAX CREDIT – BELCREST CENTER** for the purpose of approving the Belcrest Center Residential Development, proposed by Prince George's Metro Apartments, LLC, as a revitalization project qualifying for a revitalization or redevelopment tax credit, as provided in Section 10-235.02 of the Prince George's County Code. - **INTRODUCED**

*Council Resolution 69 establishes that the Belcrest Center residential project, located in census tract number 805901, qualifies for a revitalization/redevelopment tax credit, pursuant to Section 10-235.02 of the Prince George's County Code. Council Resolution 69 was introduced by Council Member Campos and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

*Council Member Harrington moved adoption of the Consent Agenda; seconded by Council Member Campos. The motion carried by voice vote.*

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

*No items were considered*

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

*No items were considered*

4. **SECOND READING OF BILLS – (INTRODUCTION) -- CB-45-2007 ADDED; (SEE PAGE 6)**

**CB-43-2007 – (SUBDIVISION BILL) – AN ACT CONCERNING JURISDICTION** for the purpose of allowing the conveyance of an existing community building to nonprofit entities under certain circumstances. - **INTRODUCED**

*Council Bill 43 concerns Jurisdiction allowing the conveyance of an existing community building to nonprofit entities under certain circumstances. Council Bill 43 was introduced by Council Member Campos and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

*Council Member Dernoga moved to accept additional items to the Agenda; seconded by Council Member Harrington. The motion carried by voice vote.*

**ADDITION TO THE AGENDA****SECOND READING OF BILLS – (INTRODUCTION) – (page 4)**

**CB-45-2007 - (SUBDIVISION BILL) AN ACT CONCERNING PRIVATE ROADS AND EASEMENTS** permitting the Planning Board to approve private roads, easements, and alleys in MARC Planned Communities developed in the I-1, I-2 or I-3 Zones in accordance with Section 27-475.06.05 under certain circumstances.

- **INTRODUCED**

*Council Bill 45 permits the Planning Board to approve private roads, easements, and alleys in MARC Planned Communities developed in the I-1, I-2 or I-3 Zones in accordance with Section 27-475.06.05 under certain circumstances. Council Bill 45 was introduced by Council Member Dernoga and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

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

**CR-66-2007 - A RESOLUTION CONCERNING ADJUSTMENTS TO APPROVED POSITION GRADES** for the purpose of adjusting the number of positions in each grade to the Personnel Board, Office of Human Resources Management, Office of Information Technology and Communications, Office of Central Services, Police Department, Department of Environmental Resources, Office of the Sheriff, Office of Homeland Security, Department of Public Works and Transportation, Health Department, and Department of Social Services.

- **DR-2 SUBSTITUTED; ADOPTED**

*Craig Price, Council Administrator, provided a verbal report of the actions and recommendations of Council Resolution 66 from the Committee of the Whole (COW) to the Council. Council Resolution 66 concerns Adjustments to Approved Position Grades for the purpose of adjusting the number of positions in each grade to the Personnel Board, Office of Human Resources Management, Office of Information Technology and Communications, Office of Central Services, Police Department, Department of Environmental Resources, Office of the Sheriff, Office of Homeland Security, Department of Public Works and Transportation, Health Department, and Department of Social Services. Council Resolution 66 was introduced by Council Member Exum on 10/02/2007 and was favorably reported out of the Committee of the Whole (COW) on 10/09/2007 with amendments. Council Member Harrington moved to substitute Draft 2 in lieu of Draft 1 of Council Resolution 66; seconded by Council Member Campos. The motion carried by voice vote. Council Member Harrington moved adoption of Council Resolution 66 (DR-2); seconded by Council Member Campos. The motion carried 9-0.*

**REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL**

*No persons wish to address the Council*

**BRIEFINGS – (COUNCIL HEARING ROOM) - BRIEFINGS HELD**

● **GAS SAFETY POLICY TASK FORCE**

M.H. Jim Estep, Chairman

**WASHINGTON GAS**

Mr. Ralph Fisher

● **WASHINGTON SUBURBAN SANITARY COMMISSION (WSSC)**

Andrew D. Brunhart, General Manager, WSSC  
Thomas C. Traber, Chief Financial Officer, WSSC

30 Year Infrastructure Study  
10 Year Fiscal Plan  
FY 2009 Spending Affordability

**RECESS:** - *Chair Exum recessed the meeting at 3:17 p.m.*

**BRIEFING – (ROOM 2027) -- CANCELLED**

**INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED FOR MONDAY, OCTOBER 15, 2007.**

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE – (ROOM 2027) - COMMITTEE MEETING HELD**

**RECONVENE:** - *Chair Exum reconvened the meeting at 7:13 p.m.*

6. **JOINT PUBLIC HEARING: -- PUBLIC HEARING HELD**

**COUNTY COUNCIL OF PRINCE GEORGE’S COUNTY AND THE PRINCE GEORGE’S COUNTY PLANNING BOARD OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

**CAPITOL HEIGHTS PRELIMINARY TRANSIT DISTRICT DEVELOPMENT PLAN AND PROPOSED TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT**

The Prince George’s County Council, sitting as the District Council for the Maryland-Washington Regional District, and the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission joint public hearing on the Capitol Heights Preliminary Transit District Development Plan and Proposed Transit District Overlay Zoning Map Amendment.

**(SEE SEPARATE AGENDA)**

**ADJOURN:** - *Chair Exum adourned at 8:12 p.m.*

Prepared By:

Submitted By:

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Shirley T. Blake, Administrative Aide

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Redis C. Floyd, Clerk of the Council