

ACTION MINUTES

Tuesday, June 3, 2003

Legislative Day No. 19

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027)

CALL TO ORDER – *Chairman Peter A. Shapiro called to order at 1:40 p.m. with the following Council Members present:*

*Peter A. Shapiro
Marilynn M. Bland
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
David C. Harrington
Thomas R. Hendershot
Tony Knotts
Douglas J. J. Peters*

Others Present:

*Barbara Holtz, Council Administrator
Craig S. Price, Deputy Council Administrator
Robert Williams, Jr., Associate Council Administrator
Ralph Grutzmacher, Legislative Officer
Aisha N. Braveboy, County Council Liaison, Office of the County Executive
Cheryl Ringer, Associate County Attorney
Karen Zavakos, Associate County Attorney
Frank Porter, Committee Director, PSFM
Jacqueline Brown, Committee Director, PZED*

INVOCATION – *The Invocation was provided by Ms. Patricia Bendross, a member of From the Heart Church Ministries in Temple Hills, Maryland.*

PLEDGE OF ALLEGIANCE – *The pledge was led by Council Member Exum.*

- **** *Council Member Dernoga moved to accept additional items to the agenda. The motion carried by voice vote.*

1. **CONSIDERATION OF EXECUTIVE VETO – ADDED TO THE AGENDA**

CB-32-2003 – AN ACT CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of approving the Prince George's County portion of the Maryland-National Capital Park and Planning Commission budget and making appropriations and levying certain taxes for fiscal Year 2003-2004 for the Maryland National Park and Planning Commission, pursuant to the provisions of Article 28 of the Annotated Code of Maryland, as amended ("Article 28"). - **VETO OVERRIDE CARRIED**

Enacted by the Council on 5/22/2003 by a 8-1 vote. In favor: Council Members Shapiro, Dean, Dernoga, Exum, Harrington, Hendershot, Knotts and Peters. Opposed: Council Member Bland. Vetoed by the County Executive on 6/2/2003.

Chairman Shapiro proffered the question: "Shall the earlier action of the Council be affirmed notwithstanding the objections of the executive?" Barbara L. Holtz, Council Administrator, responded to questions regarding the timeframe for Council action. Chairman Shapiro called for the vote, which carried 8-1 (Opposed: Council Member Bland).

2. **PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING (ENACTMENT)**

CB-18-2003 – AN ORDINANCE CONCERNING NONCONFORMING BUILDINGS, STRUCTURES, AND USES for the purpose of allowing certain improvements to nonconforming buildings, structures, and uses with the requirement for a special exception. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Peters and Shapiro on 4/22/2003; favorably reported out of PZED on 4/9/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 18. No persons wishing to speak, the public hearing was declared held. Council Member Harrington moved enactment of Council Bill 18; seconded by Council Member Peters. The motion carried 8-0 (Absent: Council Member Dernoga).

**PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING (ENACTMENT) –
(CONTINUED)**

**CB-23-2003 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT –
PRINCE GEORGE’S COUNTY POLICE CIVILIAN EMPLOYEES ASSOCIATION** for the purpose of amending the labor agreement by and between Prince George’s County, Maryland and the Prince George’s County Police Civilian Employees Association to provide for wage and certain other terms and conditions of employment for personnel classifications certified by the Prince George’s County Public Employee Relations Board AAA Case No. 16390 00248 01. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Shapiro, Hendershot, Peters and Dernoga on 5/6/2003; favorably reported out of PSFM on 4/29/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 23. No persons wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 23; seconded by Council Member Harrington. The motion carried 9-0.

**CB-24-2003 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE
GEORGE’S COUNTY** for the purpose of assigning certain existing classes of work to the bargaining unit represented by the Police Civilian Employees Association (PCEA). - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Shapiro, Dernoga and Peters on 5/6/2003; favorably reported out of PSFM on 4/29/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 24. No persons wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 24; seconded by Council Member Peters. The motion carried 8-1 (Opposed: Council Member Dean).

3. **RESOLUTION ELIGIBLE FOR FINAL READING (ADOPTION)**

**CR-19-2003 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS –
POLICE CIVILIANS EMPLOYEES ASSOCIATION (PCEA), SALARY SCHEDULE P,
SCHEDULE OF PAY GRADES** for the purpose of amending the Salary Plan of the County to add three new grade levels not previously utilized in Salary Schedule P in accordance with recent amendments to the Classification Plan and the terms of the labor agreement by and between Prince George’s County, Maryland and the PCEA. - **AMENDED; DR-2 ADOPTED**

(Introduced by Council Member Shapiro on 4/22/2003; favorably reported out of PSFM on 4/29/2003)

Council Member Hendershot moved amendment number one to Council Resolution 19; seconded by Council Member Peters. The motion carried by voice vote. Council Member Exum moved adoption of Council Resolution 19, Draft 2; seconded by Council Member Dean. The motion carried 9-0.

4. **PUBLIC HEARING/RESOLUTION ELIGIBLE FOR FINAL READING (ADOPTION)**

CR-29-2003 (DR-2) - A RESOLUTION CONCERNING COUNTY INCOME TAX RATE
for the purpose of increasing the income tax rate to 3.20% of the State taxable income. - **DR-2**
SUBSTITUTED; ADOPTED

(Introduced by Council Members Shapiro and Hendershot on 5/13/2003; favorably reported out of C.O.W. on 5/19/2003 with amendments)

Pursuant to proper notice, the public hearing convened on Council Resolution 29. No persons wishing to speak, the public hearing was declared held. Council Member Harrington moved to substitute Council Resolution 29, Draft 2, in lieu of Draft 1; seconded by Council Member Knotts. The motion carried 7-2 (Opposed: Council Members Dernoga and Peters). Council Member Hendershot moved adoption of Council Resolution 29, Draft 2; seconded by Council Member Harrington. The motion carried 7-2 (Opposed: Council Members Dernoga and Peters).

5. **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD; ALL APPOINTEES CONFIRMED**

◆ **Appointment of the following individuals to the Redevelopment Authority for Prince George's County:**

Mr. Lanard M. Geddings Appointment/Vice Chairman
Replacing: The Honorable David Harrington
Term Expiring: 7/28/2004

Pursuant to proper notice, the public hearing convened on the appointment of Mr. Lanard M. Geddings to the Redevelopment Authority for Prince George's County. Mr. Michael Herman, Chief of Staff, introduced Mr. Geddings to the Council. Mr. Geddings was present and spoke on his own behalf. All persons wishing to speak having done so, the public hearing was declared held.

Ms. Giovanna Vannall Appointment
Replacing: Colette Youngblood
Term Expiring: 7/28/2005

Pursuant to proper notice, the public hearing convened on the appointment of Ms. Giovanna Vannall to the Redevelopment Authority for Prince George's County. Mr. Michael Herman, Chief of Staff, introduced Ms. Vannall to the Council. Ms. Vannall was present and spoke on her own behalf. All persons wishing to speak having done so, the public hearing was declared held.

** *Chairman Shapiro welcomed County Executive Jack B. Johnson to the session and provided him the opportunity to speak. County Executive Johnson spoke briefly regarding Mr. Geddings, Ms. Vannall and Mr. Webster and urged the Council's support for the nominees.*

Council Member Exum moved confirmation of the nominees to the Redevelopment Authority, terms as listed; seconded by Council Member Knotts. The motion carried 7-0 (Absent: Council Members Dean and Dernoga).

POINTS OF PERSONAL PRIVILEGE – Council Member Harrington applauded the County Executive for his choice of nominations to the Redevelopment Authority and his choice of a new Chairman. He assured the executive of his support for the additional nominees, listed on the agenda, for appointment to the Personnel Board and Citizens Complaint Oversight Panel, although he would not be present for the votes. Council Member Harrington left shortly thereafter to attend a meeting in Annapolis, Maryland.

Council Member Knotts thanked Council Member Harrington for his hard work and the legacy he left as former Chairman of the Redevelopment Authority.

6 **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD; ALL APPOINTEES CONFIRMED**

◆ **Appointment of the following individuals to the Personnel Board for Prince George's County:**

Mr. John C. Hardwick Appointment
 Replacing: Alfred Haynes
 Term Expiring: 12/4/2006

Pursuant to proper notice, the public hearing convened on the appointment of Mr. John C. Hardwick to the Personnel Board for Prince George's County. County Executive Jack B. Johnson introduced Mr. Hardwick to the Council. Mr. Hardwick was present and spoke on his own behalf. All persons wishing to speak having done so, the public hearing was declared held.

Ms. Yvonne V. Hefley Appointment
(unable to attend) Replacing: Carolyn Headen
 Term Expiring: 12/4/2006

Pursuant to proper notice, the public hearing convened on the appointment of Ms. Yvonne V. Hefley to the Personnel Board for Prince George's County. County Executive Jack B. Johnson addressed the Council regarding Ms. Hefley's character and credentials. Ms. Hefley was unable to attend the hearing. All persons wishing to speak having done so, the public hearing was declared held.

Ms. Iris L. Lee Appointment/Chair
(unable to attend) Replacing: Mary Godfrey
 Term Expiring: 12/4/2006

Pursuant to proper notice, the public hearing convened on the appointment of Ms. Iris L. Lee to the Personnel Board for Prince George's County. County Executive Jack B. Johnson spoke to the Council regarding Ms. Lee's character and credentials. Ms. Hefley was unable to attend the hearing. All persons wishing to speak having done so, the public hearing was declared held.

PUBLIC HEARINGS - Appointment of the following individuals to the Personnel Board for Prince George's County: - (CONTINUED)

Ms. Yvonne K. Walker Appointment
Replacing: Dr. Clem Solomon
Term Expiring: 12/4/2006

Pursuant to proper notice, the public hearing convened on the appointment of Ms. Yvonne K. Walker to the Personnel Board for Prince George's County. County Executive Jack B. Johnson introduced Ms. Walker to the Council. Ms. Walker was present and spoke on her own behalf. All persons wishing to speak having done so, the public hearing was declared held.

Ms. Sybil R. Wiggins Appointment
Replacing: Carla Nelson
Term Expiring: 12/4/2006

Pursuant to proper notice, the public hearing convened on the appointment of Ms. Sybil R. Wiggins to the Personnel Board for Prince George's County. County Executive Jack B. Johnson introduced Ms. Wiggins to the Council. Ms. Wiggins was present and spoke on her own behalf. All persons wishing to speak having done so, the public hearing was declared held.

****** *Council Member Knotts moved confirmation of the nominees to the Personnel Board, terms as listed; seconded by Council Member Hendershot. The motion carried 6-0 (Absent: Council Members Dean ,Dernoga and Harrington).*

7 PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD; ALL APPOINTEES CONFIRMED

◆ Appointment of the following individuals to the Citizen Complaint Oversight Panel for Prince George's County:

Mr. Clyde B. Davis Appointment
Replacing: Stephen Del Giudice
Term Expiring: 1/8/2007

Pursuant to proper notice, the public hearing convened on the appointment of Mr. Clyde B. Davis to the Citizen Complaint Oversight Panel for Prince George's County. County Executive Jack B. Johnson introduced Mr. Davis to the Council. Mr. Davis was present and spoke on his own behalf. All persons wishing to speak having done so, the public hearing was declared held.

Ms. Alice M. Bishop Appointment
Replacing: Calvin Brown
Term Expiring: 1/8/2007

Pursuant to proper notice, the public hearing convened on the appointment of Ms. Alice M. Bishop to the Citizen Complaint Oversight Panel for Prince George's County. County Executive Jack B. Johnson introduced Ms. Bishop to the Council. Ms. Bishop was present and spoke on her own behalf. All persons wishing to speak having done so, the public hearing was declared held.

RECESS – Chairman Shapiro recessed the session at 3:09 p.m.

RECONVENE – Chairman Shapiro reconvened the session at 6:20 p.m.

8 **PUBLIC HEARING/BILL ELIGIBLE FOR THIRD READING (ENACTMENT)**

CB-1-2003 (DR-2) - AN ACT CONCERNING WAGE REQUIREMENTS FOR COUNTY SERVICE CONTRACTS for the purpose of requiring that certain service contracts include minimum wage requirements under certain circumstances. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Hendershot, Harrington, Peters, Exum, Dean and Shapiro on 5/6/2003; favorably reported out of PSFM on 4/29/2003 with amendments)

Pursuant to proper notice the public hearing convened on Council Bill 1, Draft 2. A separate agenda was distributed for this public hearing, see Administrative Day File dated June 3, 2003 for details. All persons wishing to speak having done so, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 1, Draft 2; seconded by Council Member Dean. The motion carried 7-1 (Absent: Council Member Harrington; Opposed: Vice-Chairman Knotts).

9 **PUBLIC HEARING:**

CR-20-2003 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN FY 2004 for the purpose of approving and adopting the Prince George's County Annual Action Plan FY 2004 consisting of federal programs, including their federal funding applications which, along with other resources, serve to implement housing and community development strategies set forth in the County's FY 2001-2005 Consolidated Plan, adopted by CR-10-2000, which Plan was required by the U.S. Department of Housing and Urban Development (HUD) as a prerequisite to consideration of the funding applications. - **PUBLIC HEARING HELD**

(Introduced by Council Members Shapiro and Harrington on 4/22/2003)

Pursuant to proper notice the public hearing convened on Council Resolution 20. A separate agenda was distributed for this public hearing, see Administrative Day File dated June 3, 2003 for details. All persons wishing to speak having done so, the public hearing was declared held. Chairman Shapiro announced that Council Resolution 20 would be considered during the Transportation, Housing and the Environment Committee Meeting scheduled for June 5, 2003 at 9:30 a.m.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

ADJOURN – *Chairman Shapiro adjourned the Session at 8:18 p.m.*

Prepared by:

Donna J. Brown, Office Manager

Submitted by:

Redis C. Floyd, Clerk of the Council