

ACTION AGENDA

Monday, November 1, 2004

Business Meeting

(Legislative Day No. 37 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

9:30 A.M. **AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD**

10:25 A.M. **CALL TO ORDER**

INVOCATION: Ms. Sylvia Taylor, County Employee

PLEDGE OF ALLEGIANCE

Designated

DESIGNATION OF NOVEMBER 1, 2004 AS LEGISLATIVE DAY NO. 37

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) **Introduction of Resolutions**

Introduced

CR-71-2004 – A RESOLUTION CONCERNING SWIMMING POOL AND SWIMMING POOL OPERATOR FEES for the purpose of revising a schedule of fees for public swimming pool operators.

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

Introduced by Council Member Dernoga

Introduced

CR-72-2004 – A RESOLUTION CONCERNING SCHEDULE OF FEES for the purpose of adding certain fees in the County Onsite Sewage Disposal Regulations.

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

Introduced by Council Member Knotts

Introduced

CR-73-2004 – A RESOLUTION CONCERNING STATE OF MARYLAND NEIGHBORHOOD PARTNERSHIP PROGRAM for the purpose of approving the project submitted by the Housing Initiative Partnership, Inc., (HIP), to the Maryland Department of Housing and Community Development for participation in the Neighborhood Partnership Program.

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

Introduced by Council Members Harrington, Dernoga and Exum

Introduced

CR-74-2004 – A RESOLUTION CONCERNING LOANS TO INTERNOSIS, INC. (INTERNOSIS”) FROM THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND (“MEDAF”) AND PRINCE GEORGE’S COUNTY, MARYLAND (THE COUNTY) for the purpose of endorsing a loan not to exceed \$200,000 to Internosis from MEDAF and authorizing a loan by the County to Internosis not to exceed \$20,000 to acquire a leasehold and leasehold improvements and equipment in the County.

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

Introduced by Council Members Dernoga and Dean

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

None

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

None

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

*Amended;
DR-3 introduced*

CB-84-2004 (DR-2) - AN ACT CONCERNING SOLID WASTE for the purpose of establishing a Solid Waste Advisory Commission and setting forth its duties and responsibilities.

(Favorably reported out of THE on 10/28/2004 with amendments)

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

AMENDMENT # 1 TO CB-84-2004 (DR-2)

Introduced

CB-87-2004 (DR-2) – AN ACT CONCERNING BUILDING CODE for the purpose of amending the Prince George's County Building ordinance, adopting certain amendments to the 2000 Edition of the International Building Code and the International Residential Code for One and Two Family Dwellings, amending sections of the Grading, Drainage and Pollution Control ordinance and generally related to grading, drainage and building standards.

(Favorably reported out of THE on 10/28/2004 with amendments)

Introduced by Council Members Knotts and Dernoga

*Amended;
DR-3 introduced*

CB-93-2004 (DR-2) – AN ACT CONCERNING BOARD OF REGISTRATION FOR BUILDING CONTRACTORS for the purpose of amending the provisions of the County Code relating to the Board of Registration for Building Contractors.

(Favorably reported out of THE on 10/28/2004 with amendments)

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

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

CB-94-2004 – AN ACT CONCERNING BUILDING PERMITS – SUB-SURFACE WATER CONDITIONS for the purpose of requiring the submission of data concerning the presence of sub-surface water for proposed residential construction with a basement.

(Favorably reported out of THE on 10/28/2004)

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

Introduced

CB-96-2004 (DR-2) – AN ACT CONCERNING TOWING REGULATIONS for the purpose of amending provisions of the Code relating to towing regulations and establishing penalties, amending the hours for a property owner to initiate the towing of a vehicle from private property under certain circumstances and establishing the fees to be charged for private property tow services.

(Favorably reported out of THE on 10/21/2004 with amendments)

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

Introduced

CB-101-2004 – AN ACT CONCERNING BUILDING PERMIT FEES for the purpose of exempting the Board of Education from the payment of building permit fees in all circumstances.

(Favorably reported out of THE on 10/28/2004)

Introduced by Council Members Dean, Harrington and Exum

Introduced

CB-44-2004 (DR-2) – AN ACT CONCERNING FEES for the purpose of increasing certain fees for services, permits and licenses rendered by the Health Department's Division of Environmental Health.

(Favorably reported out of HEHS on 10/27/2004 with amendments)

Introduced by Council Members Dernoga, Exum and Bland

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

CB-85-2004 – AN ACT CONCERNING ANIMAL LICENSING FEE EXEMPTIONS AND REQUIREMENTS FOR RABIES VACCINATION CERTIFICATES for the purpose of exempting licensing fees for certain individuals and adding a provision related to rabies vaccination reporting by veterinarians.

(Favorably reported out of HEHS on 10/27/2004)

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

*Removed from
the Agenda*

CB-29-2004 – AN ACT CONCERNING VICIOUS ANIMALS for the purpose of amending the provisions pertaining to potentially dangerous dogs, providing criminal penalties for violations, and repealing breed-specific prohibitions concerning pit bull terriers.

(Presented and referred to HEHS on 4/27/2004; held in HEHS on 6/15/2004; There has been no committee recommendation)

To be introduced by Council Member Hendershot

*Introduced;
expedited*

CB-43-2004 (DR-2) – AN ORDINANCE CONCERNING CONVEYANCE OF LAND TO THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of providing that property conveyed to the Maryland-National Capital Park and Planning Commission shall be placed in the R-O-S Zone.

(Favorably reported out of PZED on 10/26/2004 with amendments)

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

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-43-2004

*Introduced;
expedited*

CB-71-2004 – AN ORDINANCE CONCERNING DEVELOPMENT DISTRICT OVERLAY ZONE for the purpose of allowing Development District Standards of a Development District Overlay Zone to permit uses prohibited in the underlying zone.

(Favorably reported out of PZED on 10/26/2004)

Introduced by Council Member Knotts

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-71-2004

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

*Introduced;
expedited*

CB-72-2004 (DR-2) – AN ORDINANCE CONCERNING C-S-C AND C-M ZONES for the purpose of permitting a Commercial Revitalization use within the C-S-C and C-M Zones, and setting standards and requirements for the use.

(Favorably reported out of PZED on 10/26/2004 with amendments)

Introduced by Council Member Knotts

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-72-2004

*Introduced;
expedited*

CB-90-2004 (DR-2) – AN ORDINANCE CONCERNING R-E ZONE for the purpose of permitting elderly housing in the R-E Zone subject to certain requirements.

(Favorably reported out of PZED on 10/26/2004)

Introduced by Council Member Knotts

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-90-2004

*Amended;
DR-2 introduced;
expedited*

CB-92-2004 – AN ORDINANCE CONCERNING I-3 ZONE for the purpose of permitting additional industrial uses and modifying development regulations in the I-3 Zone under certain circumstances.

(Favorably reported out of PZED on 10/20/2004)

Introduced by Council Members Dernoga, Harrington, Dean and Exum

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-92-2004

*Deferred to next
legislative
session*

CB-99-2004 – AN EMERGENCY ACT CONCERNING BUILDING PERMITS for the purpose of limiting the number of building permits that may be issued in the Rural Tier, as designated in the Approved General Plan, and providing for certain exceptions.

(Favorably reported out of PZED on 10/20/2004)

To be introduced by Council Members Bland, Dernoga and Harrington

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

*Deferred to next
legislative
session*

CB-100-2004 (DR-2) – AN ORDINANCE CONCERNING RURAL TIER for the purpose of developing new development standards and procedures for the Rural Tier including the establishment and imposition of temporary zoning regulations restricting development in the Rural Tier established by the Approved General Plan for a period of time to expire on August 1, 2005. This Ordinance provides for an annual allocation of building permits, establishes interim guidelines for residential development, and it requires site plan approval as a prerequisite for the issuance of permits.

(Favorably reported out of PZED on 10/20/2004 with amendments)

To be introduced by Council Members Bland, Dernoga and Harrington

**THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF
CB-100-2004 (DR-2)**

*Introduced;
expedited*

CB-109-2004 (DR-2) – AN ORDINANCE CONCERNING R-18 ZONE for the purpose of modifying the lot coverage and building height requirements in the R-18 Zone, permitting multifamily dwellings in the R-18 Zone and exempting certain multifamily dwellings in the R-18 Zone from bedroom percentage requirements under certain circumstances.

(Favorably reported out of PZED on 10/26/2004 with amendments)

Introduced by Council Members Exum and Dean

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-109-2004

*Introduced;
expedited*

CB-110-2004 (DR-2) – AN ORDINANCE CONCERNING R-R ZONE for the purpose of permitting assisted living facilities under certain circumstances.

(Favorably reported out of PZED on 10/20/2004 with amendments)

Introduced by Council Members Dean, Harrington and Exum

**THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF
CB-110-2004 (DR-2)**

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

*Introduced;
expedited*

CB-111-2004 (DR-2) – AN ORDINANCE CONCERNING I-2 ZONE for the purpose of clarifying that asphalt mixtures are asphalt mixing plants and permitting asphalt mixing plants and concrete batching or cement mixing plants in the I-2 Zone without the requirement for a special exception under certain circumstances.

(Favorably reported out of PZED on 10/26/2004 with amendments)

Introduced by Council Members Harrington, Dean and Exum

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-111-2004

*Introduced;
expedited*

CB-112-2004 – AN ORDINANCE CONCERNING R-18 ZONE for the purpose of permitting townhouses in the R-18 Zone under certain circumstances.

(Favorably reported out of PZED on 10/26/2004)

Introduced by Council Members Harrington, Dernoga, Dean and Exum

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-112-2004

Introduced

CB-79-2004 (DR-2) – AN ACT CONCERNING HIGH TECHNOLOGY FACILITIES – TAX CREDIT for the purpose of repealing Section 2 of Chapter 28, 2001 Laws of Prince George's County, Maryland, concerning the sunset provision relating to a property tax credit for certain manufacturing, fabrication, assembling, or research and development facilities.

(Favorably reported out of PSFM on 10/27/2004 with amendments)

Introduced by Council Members Knotts, Dean and Dernoga

Introduced

CB-82-2004 – AN ACT CONCERNING IMPOUNDMENT OF MOTOR VEHICLES FROM PRIVATE PROPERTY for the purpose of requiring that photographs be taken whenever a motor vehicle is impounded from private property under certain circumstances.

(Favorably reported out of PSFM on 10/27/2004)

Introduced by Council Members Dean, Exum and Bland

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)*Introduced***CB-83-2004 (DR-2) – AN ACT CONCERNING COURT SYSTEM – PRINCE GEORGE’S COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL**

for the purpose of establishing the Prince George’s County Criminal Justice Coordinating Council; providing for the purpose, membership, duties, quorum, and frequency of meetings of the Criminal Justice Coordinating Council; providing that the function of the Criminal Justice Coordinating Council is advisory, establishing reporting requirements; and generally relating to the Prince George’s County Criminal Justice Coordinating Council.

(Favorably reported out of PSFM on 10/27/2004 with amendments)

Introduced by Council Members Dean and Knotts

Introduced

CB-104-2004 (DR-2) – AN ACT CONCERNING OFF-ROAD VEHICLES for the purpose of amending provisions of the County Code relating to Off-the-Road Motorcycles; defining Off-Road Vehicles and requiring such vehicles to be registered with the County; and imposing restrictions and penalties on the operation of Off-Road Vehicles.

(Favorably reported out of PSFM on 10/27/2004 with amendments)

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

*Removed from
the Agenda*

**CB-105-2004 – AN ACT CONCERNING INCOME TAX REFUND
ANTICIPATION LOAN BUSINESSES**

for the purpose of providing for the licensing of businesses that advance money in anticipation of receiving income tax refunds, providing standards for operation, and providing penalties for violations.

(Presented and referred to PSFM on 10/5/2004. There has been no committee recommendation)

To be introduced by Council Member Hendershot

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

*Removed from
the Agenda*

CB-106-2004 – AN ACT CONCERNING THE ISSUANCE AND SALE OF SPECIAL OBLIGATION BONDS for the purpose of providing that one or more series of special obligation bonds may be issued from time to time under the provisions of this Act, Article 41, Sections 14-201 through 14-214 of the Annotated Code of Maryland, as amended (2003 Replacement Volume) (the “Tax Increment Act”), and Resolution No. 63-2004 of the County Council of Prince George’s County, Maryland (the “Formation Resolution”) in an amount not to exceed the aggregate principal amount of Fourteen Million Dollars (\$14,000,000) in order for the County to finance the construction of the parking improvements and 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 that such special obligation bonds authorized to be issued hereby shall be payable, from the amounts levied and deposited in the Tax Increment Fund (as defined in the Formation Resolution) and any other tax revenues deposited therein 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 levy on the Tax Increment (as defined in the Formation Resolution); 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, sale 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, sale 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, sale and delivery of such special obligation bonds; and generally providing for, and determining various matters in connection with, the issuance, sale, delivery and payment of such special obligation bonds.

(Presented and referred to PSFM on 10/5/2004. There has been no committee recommendation)

To be introduced by Council Member Hendershot

*Introduced;
expedited*

CB-114-2004 – AN ORDINANCE CONCERNING C-M ZONE for the purpose of requiring Detailed Site Plan review for car washes in the C-M Zone.

Introduced by Council Members Harrington, Exum, Dean, and Bland; referred to PZED

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-114-2004

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

CR-60-2004 – A RESOLUTION CONCERNING FEDERAL FUNDING FOR NATIONAL GUARD CHALLENGE PROGRAM for the purpose of expressing the County Council's support of proposed legislation to increase the maximum Federal share of the costs of State programs under the National Guard Challenge Program.

(Introduced by Council Member Peters, Harrington, Dernoga, Knotts, Dean, Exum and Bland on 9/28/2004; favorably reported out of PSFM on 10/27/2004)

ADDITIONS TO THE AGENDA4. **SECOND READING OF BILLS – (INTRODUCTION) (page 3)***Introduced*

CB-116-2004 – AN ACT CONCERNING TAX INCREMENT DEVELOPMENT DISTRICT CREATED BY THE CITY OF LAUREL, MARYLAND AND DESIGNATED AS CENTRE AT LAUREL DEVELOPMENT DISTRICT for the purpose of authorizing the pledge by the County of a portion of its property taxes levied on the tax increment pertaining to a contiguous area located on the northwest corner of Contee Road and Baltimore Washington Boulevard Route 1 in Prince George's County, such area having been designated by the City of Laurel, Maryland as a "development district"

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

Introduced by Council Members Harrington, Dernoga, Exum and Dean

Introduced

CB-117-2004 – AN ACT CONCERNING DISPOSITION OF SURPLUS REAL PROPERTY for the purpose of authorizing the County Executive to dispose of certain surplus real property that is no longer needed for stormwater management purposes and establishing that the price to be paid is the same price paid by the County at the time of acquisition.

Introduced by Council Members Bland, Dean and Exum; referred to PSFM

11:26 A.M.**DISTRICT COUNCIL ITEM**

(SEE SEPARATE ACTION AGENDA)

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

*Various towing companies addressed concerns regarding CB-96-2004 (DR-2)
(See Administrative Day File for list)*

12:20 P.M.**ADJOURN****BRIEFING – (ROOM 2027) -- CANCELLED**

**INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS
SCHEDULED FOR MONDAY, NOVEMBER 8, 2004.**

REMINDER

Tues., Nov. 2, 2004	NO COUNCIL SESSION – (ELECTION DAY)
Wed., Nov. 3, 2004	9:30 a.m. HEHS Committee Meeting (Room 2027) (CANCELLED)
	1:30 p.m. PZED Committee Meeting (Room 2027)
Thurs., Nov. 4, 2004	10:00 a.m. THE Committee Meeting (Room 2027)
Mon., Nov. 8, 2004	1:00 p.m. District Council Agenda Briefing (Room 2027) 1:30 p.m. Call to Order 7:00 p.m. District Council Continued (SP 03033)