

Prince George's County Council

County Administration Building 14741 Governor Oden Bowie Drive Upper Marlboro, Maryland 20772-3050

Meeting Minutes - Final Sitting as the Committee of the Whole

Thursday, September 30, 2021

10:00 AM

VIRTUAL MEETING

VIEW USING THE LINK PROVIDED AT: https://pgccouncil.us/LIVE

CALL TO ORDER

The meeting was convened by Chair Calvin S. Hawkins, II at 10:05 a.m. with nine members present.

Present

9 - Calvin S. Hawkins

Monique Anderson-Walker

Derrick Davis Thomas Dernoga Mel Franklin Dannielle Glaros

Jolene Ivey Deni Taveras Todd Turner

Absent Sydney Harrison

Rodney Streeter

Also present:

Robert J. Williams, Jr., Council Administrator
William M. Hunt, Deputy Council Administrator
Colette Gresham, Associate Council Administrator
Donna J. Brown, Clerk of the Council
Leonard Moses, Office of the Clerk of the Council
James Walker-Bey, Office of the Clerk of the Council
Terry L. Bell, Council Liaison
Amanda Denison, Associate County Attorney
Nancy Lineman, Associate County Attorney
J. Kenneth Battle, TIEE Committee Director
Kathy Canning, Legislative Officer

Jackie Brown, PHED Committee Director

Karen Zavakos, Legislative & Zoning Counsel Dinora Hernandez, Legislative Officer Josh Hamlin, A&I

ORDER OF PROCEEDINGS:

LEGISLATION

CB-038-2021

Draft 1

AN ACT CONCERNING WATER RESOURCES PROTECTION AND **GRADING CODE OF PRINCE GEORGE'S COUNTY** for the purpose of adopting additional permit fees for Site Road permit applications; specifically, two new fees: (1) fees for multiple plan reviews and (2) fees for multiple plan reviews for failure to include public roads and clarifies extension fees for grading, storm drain, and stormwater management outside the public right of way.

Attachment(s): B2021038

CB-038-2021 AIS

CB-038-2021 Transmittal

CB-38-2021 PROPOSED DRAFT 2

CB-38-2021 OOL Comments (Draft 2)

CB-38-2021 OOL Comments (Revised 06-16-2021)

CB-038-2021 Fiscal and Policy Note

Convened at 10:06 a.m.. Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided an overview of CB-038-2021. The Office of Law sees no legal impediments to its enactment. Terry Bell, Council Liaison, to the County Executive, introduced Gary Cunningham, Deputy Director, DPIE and Dawit Abraham, DPIE, who spoke to the need for the legislation. Amanda Denison, Associate County Attorney, provided an overview the Proposed Draft 2A. Concluded at 10:19 a.m.

PANEL GUESTS:

Garry Cunningham, Deputy Director, DPIE Lori Parris, DPIE Behdad Kashania, DPIE Eric Wardford, DPIE Val Carey, DPIE Rey DeGuzman, DPIE Dawit Abraham, DPIE

Warren Burris, A&I

A motion was made by Member Franklin, seconded by Vice Chair Taveras, that Draft 2A of this Council Bill be Favorably recommended with amendments to the County Council. The motion carried by the following vote:

9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Aye:

Glaros, Ivey, Taveras and Turner

Harrison and Streeter **Absent:**

CB-061-2021

Draft 1

AN ACT CONCERNING THE BUILDING CODE OF PRINCE GEORGE'S

COUNTY for the purpose of increasing civil fines imposed through an administrative citation for Building Code Violations.

Attachment(s): B2021061

CB-061-2021 AIS

CB-061-2021 Transmittal Letter

CB-061-2021 PAFI Building Code of PGC- Final CB-061-2021-- Public Comments AOBA Position

Statement-- Final

Convened at 10:19 a.m.. Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided an overview of *CB-061-2021.* The Office of Law sees no legal impediments to its enactment. Terry Bell, Council Liaison, to the County Executive, noted that the County Executive supports the bill. Concluded at 10:23 a.m.

PANEL GUESTS:

Garry Cunningham, Deputy Director, DPIE

Lori Parris. DPIE

Behdad Kashania, DPIE

Eric Wardford, DPIE

Val Carey, DPIE

Rev DeGuzman, DPIE

Dawit Abraham, DPIE

Warren Burris, A&I

A motion was made by Member Dernoga, seconded by Member Franklin, that this Council Bill be Favorably recommended to the County Council. The motion carried by the following vote:

9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Aye:

Glaros, Ivey, Taveras and Turner

Harrison and Streeter **Absent:**

CB-062-2021

Draft 1

AN ACT CONCERNING THE ISSUANCE AND SALE 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 Act, Sections 12-201 through 12-213, inclusive, of the Economic Development Article of the Annotated Code of Maryland, as amended (the "Tax Increment Act"), Section 10-269 of the Prince George's County Code, as amended and Section 21-501 through Section 21-523 of the Local Government Article of the Annotated Code of Maryland, as amended (collectively, the "Special Taxing District Act") and CR-25-2004 of the County Council of Prince George's County, Maryland (the "Formation Resolution") in an amount not to exceed the aggregate principal amount of Fifty Million Dollars (\$50,000,000) in order for the County to refund the outstanding aggregate principal amount of Prince George's County, Maryland Special Obligation Bonds (National Harbor Project) Series 2004 (the "2004 Bonds"); 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, first, from the amounts levied and deposited in the Tax Increment Fund (as defined in the Formation Resolution) including certain County hotel occupancy taxes and other tax revenues, secondly, to the extent the Tax Increment Fund does not contain monies in an amount sufficient for payment of debt service on such special obligation bonds and to the extent amounts are required for deposit in funds and accounts created within the indenture providing for the issuance of the special obligation bonds to replenish deficiencies therein and to pay the administrative expenses of the County, from the special tax to be levied and deposited in the Special Taxing District Fund (as defined in the Formation Resolution) and, lastly, to the extent amounts in the Tax Increment Fund and the Special Taxing District Fund are not sufficient to meet the obligations referenced above, from payments made, subject to appropriation, by the County pursuant to a funding agreement approved by the County under the provisions of Section 819 of the County Charter, (the "County Contract Payments") 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, the Hotel Tax, the National Harbor Convention Center Excess Development District Taxes and the Special Tax (each 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 refunding of the 2004 Bonds 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.

Attachment(s): B2021062

CB-062-2021 AIS

CB-062-2021 Transmittal Letter
CB-62-2021 OOL Comments

CB-062-2021 PAFI Issuance and Sale of Special

Obligation Bonds - Final Agenda Item Summary

Convened at 10:23 a.m. Howard W. Stone, Director of the Government Operations and Fiscal Policy Committee (GOFP), provided an overview of CB-062-2021. Stephen McGibbon, Director, OOF, and Ron Halper, OOF, spoke on the benefits of the legislation. Concluded at 10:40 a.m.

PANELIST GUESTS:

Stephen McGibbon, Director, OOF

Ron Halper, OOF

P. Andrew Spicknall, Esq. (Bond Council)

Malcolm Moody, A&I

A motion was made by Member Davis, seconded by Vice Chair Taveras, that this Council Bill be Favorably recommended to the County Council. The motion carried by the following vote:

Aye: 8 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Taveras and Turner

Absent: Harrison, Ivey and Streeter

CB-063-2021

Draft 1

AN ACT CONCERNING BUILDING CODE OF PRINCE GEORGE'S

<u>COUNTY</u> for the purpose of creating a Zoning Compliance Letter, adopting an additional fee for the investigation and issuance of the Zoning Compliance Letter, and clarifying the different Site Development Concept Plan fees.

Attachment(s): B2021063

CB-063-2021 AIS

CB-063-2021 Transmittal Letter

CB-063-2021 PAFI Building Code of PGC- Zoning

Compliance Letter - Final CB-63-2021 OOL Comments

CB-063-2021 ZHE Comments 09292021

Convened at 10:45 a.m. Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided an overview of CB-063-2021. Terry Bell, Council Liaison, to the County Executive, noted that the County Executive supports the legislation and introduced Gary Cunningham, Deputy Director, DPIE and Lori Parris, DPIE, who spoke to the need for the legislation. Maureen McNeil, Chief, Zoning Hearing Examiner, provided comments. Rana Hightower, Intergovernmental Affairs Coordinator, M-NCPPC provided comments along with Chad Williams, Chad Williams, Project Manager, M-NCPPC. Karen Zavakos, Legislative & Empty Zoning Counsel, provided comments. Concluded at 11:06 a.m.

PANEL GUESTS:

Garry Cunningham, Deputy Director, DPIE

Lori Parris, DPIE

Behdad Kashania, DPIE

Eric Wardford, DPIE

Val Carey, DPIE

Rev DeGuzman, DPIE

Dawit Abraham. DPIE

Warren Burris, A&I

A motion was made by Chair Hawkins, seconded by Member Davis, that this Council Bill be Held in Committee. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Ivey, Taveras and Turner

of amending provisions of the County Code relating to required 'waste stream

AN ACT CONCERNING SOLID WASTE STREAM ANALYSIS for the purposes

Absent: Harrison and Streeter

CB-064-2021 Draft 1

analysis', and amending the frequency from once every two (2) years to once every three (3) years, and coincide with timing of the Ten-Year Solid Waste Plan.

Attachment(s): B2021064

CB-064-2021 AIS

CB-064-2021 Transmittal Letter

CB-064-2021 PAFI Solid Waste Stream Analysis -

Final

CB-64-2021 OOL Comments

Convened at 11:07 a.m. Kenneth J. Battle, Director of the Transportation, Infrastructure, Environment and Enforcement Committee (TIEE), provided a brief overview of CB-064-2021. Terry Bell, Council Liaison, to the County

Executive, introduced Marilyn Naumann, Associate Director (DOE), who spoke to the need for the legislation. Concluded at 11:16 a.m.

A motion was made by Member Turner, seconded by Member Davis, that this Council Bill be Held in Committee. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Ivey, Taveras and Turner

Absent: Harrison and Streeter

CB-065-2021

AN ORDINANCE CONCERNING I-3 ZONE-DEVELOPMENT

Draft 1

REGULATIONS for the purpose of amending the development regulations in the I-3 (Planned Industrial/Employment Park) Zone for Warehousing uses on properties with certain minimum acreage and location requirements.

Attachment(s): B2021065

CB-065-2021 AIS

CB-65-2021 OOL Comments

CB-065-2021 Planning Votes Letter and Analyses

CB-065-2021 CB-066-2021 CB-067-2021 Copy of

List of I-3 Zone Properties with 15 acrs or less

CB-065-2021 CB-066-2021 CB-067-2021

CB-068-2021 CB-069-2021 CB-072-2021 Planning

Votes Letter and Analyses

CB-065-2021 CB-066-2021 CB-067-2021 Copy of List

of R-55 zoned TDOZ Properties

CB-065-2021 CB-066-2021 CB-067-2021 Map of I-3

Properties with 15 acres of less

CB-065-2021 CB-066-2021 CB-067-2021 Map of

R-18 and C-S-C Zoned Property

CB-065-2021 CB-066-2021 CB-067-2021 Map of

R-55 zoned Properties in TDOZS

CB-065-2021 Public Comments 09292021 Thomas

Haller attachment CB-65-2021

The Chair indicated a desire to hold the bill for one week.

A motion was made by Chair Hawkins, seconded by Member Ivey, that this Council Bill be Held in Committee. The motion carried by the following vote:

Aye:

9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Ivey, Taveras and Turner

Absent:

Harrison and Streeter

CB-066-2021

Draft 1

AN ORDINANCE CONCERNING R-18 AND C-S-C ZONES for the purpose of amending the Residential and Commercial table of uses in the Zoning Ordinance to permit mixed-use development in the R-18 (Multifamily Medium Density Residential Development) and C-S-C (Commercial Shopping Center) Zones of Prince George's County, under certain circumstances.

Attachment(s): B2021066

CB-066-2021 AIS

CB-066-2021 Planning Votes Letter and Analyses

CB-66-2021 OOL Comments

CB-066-2021 Copy of Information on Property

CB-066-2021 ZHE Comments

CB-065-2021 CB-066-2021 CB-067-2021 Copy of

<u>List of I-3 Zone Properties with 15 acrs or less</u>

CB-065-2021 CB-066-2021 CB-067-2021

CB-068-2021 CB-069-2021 CB-072-2021 Planning

Votes Letter and Analyses

CB-065-2021 CB-066-2021 CB-067-2021 Copy of List

of R-55 zoned TDOZ Properties

CB-065-2021 CB-066-2021 CB-067-2021 Map of I-3

Properties with 15 acres of less

CB-065-2021 CB-066-2021 CB-067-2021 Map of

R-18 and C-S-C Zoned Property

CB-065-2021 CB-066-2021 CB-067-2021 Map of

R-55 zoned Properties in TDOZS

CB-066-2021 was withdrawn by the sponsor in writing.

This Council Bill was withdrawn by the sponsor.

CB-067-2021

Draft 1

AN ORDINANCE CONCERNING APPEALS AND

<u>VARIANCES-AUTHORITY OF BOARD OF APPEALS</u> for the purpose of amending the powers and duties of the County Board of Zoning Appeals to authorize the consideration and disposition of applications for variances from the strict application of the prohibition of front yard driveways for property in the R-55 (One Family Detached Residential) and T-D-O (Transit District Overlay) Zones of Prince George's County.

Attachment(s): B2021067

CB-067-2021 AIS

CB-067-2021 BOA Memo

CB-067-2021 Planning Votes Letter and Analyses

CB-067-2021 BOA Memo

CB-67-2021 OOL Comments

CB-065-2021 CB-066-2021 CB-067-2021 Copy of

List of I-3 Zone Properties with 15 acrs or less

CB-065-2021 CB-066-2021 CB-067-2021

CB-068-2021 CB-069-2021 CB-072-2021 Planning

Votes Letter and Analyses

CB-065-2021 CB-066-2021 CB-067-2021 Copy of List

of R-55 zoned TDOZ Properties

CB-065-2021 CB-066-2021 CB-067-2021 Map of I-3

Properties with 15 acres of less

CB-065-2021 CB-066-2021 CB-067-2021 Map of

R-18 and C-S-C Zoned Property

CB-065-2021 CB-066-2021 CB-067-2021 Map of

R-55 zoned Properties in TDOZS

Convened at 11:18 a.m. Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided an overview of CB-067-2021. Council Member Glaros, as the proposer, provided comments. Karen Zavakos, Legislative & Doning Counsel, provided comments. Rana Hightower, Intergovernmental Affairs Coordinator, M-NCPPC provided comments. Barbara Stone, Administrator, BOA, provided comments. Lan Tsubata, Kate Tsubata, and Jose Machuca, signed up to speak. Terry Bell, Council Liaison to the County Executive, noted that the County Executive supports the bill with the M-NCPPC amendments. Concluded at 11:51 a.m.

A motion was made by Member Glaros, seconded by Member Davis, that this Council Bill be Favorably recommended with amendments to the County Council. The motion carried by the following vote:

Aye: 8 - Hawkins, Davis, Dernoga, Franklin, Glaros, Ivey, Taveras

and Turner

Nay: 1 - Anderson-Walker

Absent: Harrison and Streeter

CB-068-2021

AN ORDINANCE CONCERNING URBAN

Draft 1

<u>FARMS-DEFINITIONS-RESIDENTIAL ZONES</u> for the purpose of amending the Zoning Ordinance to expand the definition of the use "Urban Farm" to include

the limited keeping of fowl in chicken coops and lofts, subject to certain restrictions and requirements, and permitting the use in certain Residential Zones of Prince George's County.

<u>Attachment(s)</u>: <u>B2021068</u>

CB-068-2021 AIS

CB-068-2021 Proposed DR-2

CB-068-2021 Planning Votes Letter and Analyses

<u>CB-068-2021 (DR1) SCD Comment</u>

CB-68-2021 OOL Comment

CB-065-2021 CB-066-2021 CB-067-2021

CB-068-2021 CB-069-2021 CB-072-2021 Planning

Votes Letter and Analyses

Convened at 11:51 a.m. Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided an overview of CB-068-2021. Council Member Glaros, as the proposer, provided comments. Harrison Palmer, Sydney Daigle, Linda Jones, and Chris Jones, signed up to speak. Karen Zavakos, Legislative & Damp; Zoning Counsel, provided an overview of Proposed DR-2. Terry Bell, Council Liaison to the County Executive, noted that the County Executive is in opposition to the bill. Rana Hightower, Intergovernmental Affairs Coordinator, M-NCPPC provided comments and noted that the Planning Board supports the amendments. Concluded at 12:45 p.m.

A motion was made by Member Glaros, seconded by Member Davis, that this Council Bill be Held in Committee. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Ivey, Taveras and Turner

Absent: Harrison and Streeter

CB-069-2021 Draft 1

AN ORDINANCE CONCERNING HOME OCCUPATIONS-PET

GROOMING for the purpose of amending the definition of the use Home Occupation in the Zoning Ordinance to include Pet Grooming Service businesses as a Home Occupation in the Residential Zones of Prince George's County, Maryland, under certain circumstances.

Attachment(s): B2021069

CB-069-2021 AIS

CB-069-2021 Planning Votes Letter and Analyses

CB-69-2021 OOL

CB-069-2021 Public Comments -Letter E. Taylor CB-069-2021 Public Comments-Photos E. Taylor

CB-069-2021 Public Comments - Ethal

Taylor email and attachments

CB-069-2021 Public Comments - RCA Letter (1)

CB-069-2021 Public Comments- Scanned Documents

E. Taylor

Convened at 12:46 p.m. Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided an overview of CB-069-2021. Terry Bell, Council Liaison to the County Executive, noted that the County Executive is in support of the bill. Council Member Davis, as the proposer, provided comments. Ethel Taylor signed up to speak. Karen Zavakos, Legislative and Zoning Counsel, provided comments. Concluded at 1:03 p.m.

A motion was made by Member Davis, seconded by Vice Chair Taveras, that this Council Bill be Favorably recommended to the County Council. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Ivey, Taveras and Turner

Absent: Harrison and Streeter

<u>CB-072-2021</u>

Draft 1

AN ORDINANCE CONCERNING R-R ZONE for the purpose of amending the Residential Table of Uses to permit development of Townhouse uses in the R-R (Rural Residential) Zone of Prince George's County, under certain specified circumstances.

<u>Attachment(s)</u>: <u>B2021072</u>

CB-072-2021 AIS

CB-072-2021 Planning Votes Letter and Analyses

<u>CB-072-2021 ZHE Memo</u> <u>CB-72-2021 OOL Comments</u>

CB-065-2021 CB-066-2021 CB-067-2021

CB-068-2021 CB-069-2021 CB-072-2021 Planning

Votes Letter and Analyses

Public Comments - 09292021 Edward Gibb attachment

CB-72-2021

Convened at 1:04 p.m. Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided an overview of CB-072-2021. Terry Bell, Council Liaison to the County Executive, noted that the County Executive takes no position on the legislation. Council Member Turner, as the proposer, provided comments. Edward Gibbs, Esq., signed up to speak. Amanda Denison, Associate County Attorney, provided comments. Maureen McNeil, Chief, Zoning Hearing Examiner, provided comments. Concluded at 1:22 p.m.

A motion was made by Member Turner, seconded by Member Davis, that this Council Bill be Held in Committee. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Ivey, Taveras and Turner

Absent: Harrison and Streeter

<u>CR-085-2021</u>

Draft 1

A RESOLUTION CONCERNING CONTRACT APPROVALS for the purpose of approving a multi-year funding agreement (the "Funding Agreement") to secure the obligations related to the special obligation refunding bonds (the "Bonds") issued pursuant to CB-XXX-2021 (the "Refunding Act") in connection with the National Harbor Project, but only to the extent amounts in the Tax Increment Fund and Special Taxing District Fund (as such terms are defined in the Refunding Act) are not sufficient to meet all the obligations related to the Bonds as described in the Refunding Act.

<u>Attachment(s)</u>: R2021085

CR-085-2021AIS

<u>CR-085-2021 Transmittal Letter</u> CR-85-2021 OOL Comments

CR-085-2021 PAFI Contract Approvals - Final

Convened at 10:42 a.m. Howard W. Stone, Director of the Government

Operations and Fiscal Policy Committee (GOFP), provided an overview of CR-085-2021. Terry Bell, Council Liaison to the County Executive, noted that the County Executive supports the legislation. Amanda Denison, Associate County Attorney, and Stephen McGibbon, Director, OOF, suggested technical amendments to the legislation. Vice Chair Taveras indicated that she would like to be sponsor at the next opportunity (2nd reading). Concluded at 10:45 a.m.

A motion was made by Member Franklin, seconded by Member Davis, that this Resolution be Favorably recommended to the County Council. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Ivey, Taveras and Turner

Absent: Harrison and Streeter

REC19-21

Draft 1

RECESS

The meeting was recessed at 1:24 p.m.

Meeting went into Recess

The meeting was reconvened at 1:48 p.m.

Meeting Reconvened

A motion was made by Member Dernoga, seconded by Member Turner, that this meeting be recessed. The motion carried by the following vote:

Ave: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Ivey, Taveras and Turner

Absent: Harrison and Streeter

RECONVENED

The meeting was reconvened at 1:48 p.m.

BR 09302021

AGENCY PROGRAMMATIC/OPERATIONS

Draft 1

OFFICE OF THE STATE'S ATTORNEY Aisha N. Braveboy, State's Attorney

Convened at 1:48 p.m. Panel Guests: Aisha Braveboy, State's

Attorney, Kassandra Fields, Audits and Investigations (A&I), Jason Abbott, Principal Deputy, Perry Paylor, Deputy & Deputy & amp; Guns and Drugs, Jonathon Church, Deputy & Deputy & Danso, COS, Doyle Niemann, Operations & Director &

This Briefing was held.

ADJ46-21 Draft 1 **ADJOURN**

THE COW MEETING WAS ADJOURNED AT 3:07 PM. (9-0)

This meeting was adjourned.