

AGENDA MINUTES

Tuesday, June 21, 2011

Legislative Day No. 16

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027)-*The agenda briefing was held at 9:30 a.m.*

CALL TO ORDER-*Council Chair Turner called to order at 10:04 a.m. with the following Members present:*

*Ingrid Turner
Will Campos
Mel Franklin
Andrea Harrison
Leslie Johnson
Mary Lehman
Eric Olson
Obie Patterson
Karen Toles*

Others present:

*Robert Williams, Jr., Council Administrator
William Hunt, Deputy Council Administrator
Ree Floyd, Clerk of the Council
Donna Brown, Deputy Clerk of the Council
Collette Gresham, Legislative Officer
Jackie Brown, Director of the PZED Committee
Lisa Jackson, Office of the County Executive
Frank Porter, Director of the Public Safety and Fiscal Management Committee
Josh Hamlin, Office of Law
Carmen Jackson-Brown, Legislative Officer
Todd Turner, Legislative Officer
Carol Johnson, Special Events Coordinator
Thomas Himler, Office of Management & Budget
Larry Cain, Auditor
Kathy Canning, Office of law*

INVOCATION- *The Invocation was provided by Pastor Lawrence Barbour, Expectations Bible Baptist, Suitland, Maryland.*

PLEDGE OF ALLEGIANCE-*The Pledge of Allegiance was led by Council Member Patterson.*

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)-*Council Chair Turner commenced the presentation of Proclamations/Commendations at 9:45 a.m.*

PROCLAMATION presented to **Samuel E. Wynkoop, Jr., Acting Director, Department of Environmental Resources**, recognizing the month of June 2011 as “**Flood Awareness Month**” in Prince George’s County. (Council Chair Ingrid M. Turner and County Executive Rushern L. Baker III). **PRESENTED**

*Council Chair Ingrid M. Turner and County Executive Rushern L. Baker III presented a proclamation to **Samuel E. Wynkoop, Jr., Acting Director, Department of Environmental Resources**, recognizing the month of June 2011 as “**Flood Awareness Month**” in Prince George’s County.*

1. **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) **First Reading of Bills (Presentation)**

CB-27-2011 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund Outside Sources to provide funds for costs that were not anticipated in the approved Fiscal Year 2011 Budget. **PRESENTED**

Council Chair Turner, by request of the County Executive, presented Council Bill 27. Council Bill 27 was referred to the Committee of the Whole.

CB-28-2011 – AN ACT CONCERNING PRINCE GEORGE’S COUNTY RECORDATION TAX RATE for the purpose of revising the recordation tax rate. **PRESENTED**

Council Chair Turner, by request of the County Executive, presented Council Bill 28. Council Bill 28 was referred to the Committee of the Whole.

*** Council Member Franklin moved adoption of the Consent Agenda; seconded by Council Member Patterson. The motion carried by voice vote. (Absent: Council Member Harrison).*

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

No items were considered.

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

CB-3-2011 (DR-2) – AN ACT CONCERNING TAXICABS AND LIMOUSINES for the purpose of amending provisions of the County Code regulating taxicabs relating to the transfer of and number of certificates of registration. **PUBLIC HEARING HELD; FINAL ACTION DEFERRED**

Pursuant to proper notice the Public Hearing was held. Final action was deferred.

4. **COUNTY COUNCIL SITTING AS THE BOARD OF HEALTH – (COUNCIL HEARING ROOM) -- BRIEFING HELD**

● **PRINCE GEORGE’S COUNTY HEALTH PLANNING STATUS**

- Dean Robert S. Gold (or designee), University of Maryland School of Public Health, College Park
- Donald Shell, M.D., M.A., Prince George’s County Health Officer
- Joseph L. Wright, MD, MPH, Professor & Senior Vice President, Children's National Medical Center
- Blakely Pomietto, Chief of Staff , Office of the Dean, University of Maryland School of Public Health

Dr. Robert S. Gold, University of Maryland School of Public Health, facilitated a power point presentation and responded to questions and comments raised by the Council regarding: attributable causes of death, smoke free recreation facilities, healthy food choices and potential policy to limit restaurants that do not provide healthy food options.

5. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER’S REPORT**

- (a) Proposed letter to Robert S. Gold, Dean of the University of Maryland School of Public Health expressing the County Council’s support for the collaboration of the University of Maryland School of Public Health and Prince George’s County Board of Health to promote public health and assure access to quality health care for the citizens and residents of Prince George’s County. **CHAIR AUTHORIZED TO SIGN**

Council Chair Turner proposed that a letter to be sent to Robert S. Gold, Dean of the University of Maryland School of Public Health expressing the County Council’s support for the collaboration of the University of Maryland School of Public Health and Prince George’s County Board of Health to promote public health and assure access to quality health care for the citizens and residents of Prince George’s County. Council Member Johnson moved to authorize the Chair’s signature; seconded by Council Member Toles. The motion carried 8-0 (Absent: Council Member Harrison).

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

CR-27-2011 – A RESOLUTION CONCERNING ACCESS TO HEALTH CARE

for the purpose of expressing the County Council's support for establishing a Health Care Improvement Plan which assesses Health and Healthcare in Prince George's County and promotes access to quality healthcare for the residents of the County, including a long-term solution to the County healthcare system. **ADOPTED**

(Introduced by Council Members Turner, Harrison, Franklin, Toles, Olson, Johnson and Lehman; favorably reported out of HEHS on 6/2/2011)

Carmen Jackson-Brown, Legislative Officer provided a verbal overview of the actions and recommendations from the Committee to the Council. Council Member Turner moved adoption of Council Resolution 27; seconded by Council Member Johnson. The motion carried 8-0 (Absent: Council Member Harrison).

CR-20-2011 - A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (DECEMBER 2010 CYCLE OF AMENDMENTS)

for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan. **ADOPTED**

(Introduced by Council Member Turner on 3/15/2011; public hearing held on 4/26/2011; favorably reported out of THE on 6/9/2011)

Council Member Olson, as Chair of the Transportation Housing and Environment Committee, provided a verbal overview of the actions and recommendations from the Committee to the Council. Council Member Olson moved adoption of Council Resolution 20; seconded by Council Member Patterson. The motion carried 8-0 (Absent: Council Member Harrison).

CR-50-2011 - A RESOLUTION CONCERNING PUBLIC SAFETY

SURCHARGE for the purpose of adjusting the Public Safety surcharge for inflation for Fiscal Year 2012, beginning July 1, 2011, as required by State law. **ADOPTED**

(Introduced by Council Member Turner on 6/14/2011; favorably reported out of PSFM on 6/15/2011)

Council Member Campos, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal overview of the actions and recommendations from the Committee to the Council. Council Member Toles moved adoption of Council Resolution 50; seconded by Council Member Campos. The motion carried 8-0 (Absent: Council Member Harrison).

CR-51-2011 - A RESOLUTION CONCERNING SCHOOL FACILITIES SURCHARGE for the purpose of adjusting the school facilities surcharge for inflation for Fiscal Year 2012, beginning July 1, 2011, as required by State law. **ADOPTED**

(Introduced by Council Member Turner on 6/14/2011; favorably reported out of PSFM on 6/15/2011)

Council Member Campos, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal overview of the actions and recommendations from the Committee to the Council. Council Member Toles moved adoption of Council Resolution 51; seconded by Council Member Patterson. The motion carried 8-0 (Absent: Council Member Harrison).

7. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-53-2011 - A RESOLUTION CONCERNING THE TAX RATES FOR FY 2011-2012 for the purpose of imposing and levying the tax rates and causing to be raised the amount of taxes required by the adopted budget so as to balance the budget as to proposed income and expenditures for the fiscal year beginning July 1, 2011; and to set forth the State tax levy and the Stormwater Management District tax levy. **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 53, which is for the purpose of imposing and levying the tax rates and causing to be raised the amount of taxes required by the adopted budget so as to balance the budget as to proposed income and expenditures for the fiscal year beginning July 1, 2011 and sets forth the State tax levy and the Stormwater Management District tax levy, was introduced by Council Chair Turner. Council Member Olson moved to suspend the Council Rules of Procedure to allow for immediate adoption of the Council Resolution 53; seconded by Council Member Patterson. The motion carried 8-0 (Absent: Council Member Harrison). Council Member Olson moved adoption of Council Resolution 53; seconded by Council

Member Campos. The motion carried 8-0 (Absent: Council Member Harrison).

8. **COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM)**

- **Appointment of the following individual as Director of the Office of Finance for Prince George’s County: FAVORABLE RECOMMENDATION**

Ms. Gail D. Francis

Frank Porter, Director of the Public Safety and Fiscal Management Committee provided a verbal overview of the nominee. Council Member Olson moved favorable recommendation for the Appointment of Ms. Gail Francis as the Director of Finance; seconded by Council Member Patterson. The motion carried 8-0 (Absent: Council Member Harrison).

- **Appointment of the following individual as Director of the Office of Management and Budget for Prince George’s County: FAVORABLE RECOMMENDATION**

Mr. Thomas M. Himler

Frank Porter, Director of the Public Safety and Fiscal Management Committee provided a verbal overview of the nominee. Council Member Olson moved favorable recommendation for the Appointment of Mr. Thomas Himler as the Director of the Office of Management; seconded by Council Member Johnson. The motion carried 8-0 (Absent: Council Member Harrison).

- **CB-27-2011 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS** for the purpose of declaring additional revenue and appropriating to the General Fund Outside Sources to provide funds for costs that were not anticipated in the approved Fiscal Year 2011 Budget. **FAVORABLE RECOMMENDATION**

Larry Cain provided a verbal overview of the Legislation. Council Member Patterson moved favorable Committee recommendation for adoption of Council Bill 27; seconded by Council Member Olson. The motion carried 8-0 (Absent; Council Member Harrison).

- **CB-28-2011 – AN ACT CONCERNING PRINCE GEORGE’S COUNTY RECORDATION TAX RATE** for the purpose of revising the recordation tax rate. **FAVORABLE RECOMMENDATION**

Thomas Himler provided a verbal overview of the Committee recommendations to the Council. Council Member Olson moved favorable recommendation for the adoption of Council Bill 28; seconded by Council Member Patterson. The motion carried 8-0 (Absent Council Member Harrison).

RECONVENE-Council Chair Turner reconvened the meeting at 12:48 p.m.

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

CB-27-2011 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund Outside Sources to provide funds for costs that were not anticipated in the approved Fiscal Year 2011 Budget. **INTRODUCED**

Frank Porter, Director of the Public Safety and Fiscal Management Committee provided a verbal overview of the Legislation. Council Bill 27 which declares additional revenue and appropriating to the General Fund Outside Sources to provide funds for costs that were not anticipated in the approved Fiscal Year 2011 Budget was introduced by Council Chair Turner.

CB-28-2011 – AN ACT CONCERNING PRINCE GEORGE’S COUNTY RECORDATION TAX RATE for the purpose of revising the recordation tax rate. **INTRODUCED**

Josh Hamlin provided a verbal overview of the Legislation. Council Bill 28 which revises the recordation tax rate, was introduced by Council Chair Turner.

CB-14-2011 (DR-2) – AN ORDINANCE CONCERNING CHURCHES OR SIMILAR PLACES OF WORSHIP for the purpose of allowing buildings or

structures used by Churches or Similar Places of Worship located in residential zones to be eighty (80) feet in height, provided that, for each one (1) foot increase in height, every yard is increased by one (1) foot. **INTRODUCED**

Council Bill 14, which allows buildings or structures used by Churches or Similar Places of Worship located in residential zones to be eighty (80) feet in height, provided that, for each one (1) foot increase in height, every yard is increased by one (1) foot was introduced by Council Members Campos, and Patterson and was favorably reported out of PZED on 6/15/2011 with amendments

CB-18-2011 (DR-2) – AN ACT CONCERNING DANCE HALLS or the purpose of amending County regulations concerning dance hall premises, owners, lessors, operators, managers, promoters and patrons, establishing license requirements, setting penalties for violators, and declaring specific legislative intent to establish reasonable and uniform laws to reduce the number of violent crimes that occur as a result of events at dance halls and to promote the health, safety, and welfare of the citizens and residents of Prince George’s County. **AMENDED; DR-3 INTRODUCED**

Council Bill 18, which amends County regulations concerning dance hall premises, owners, lessors, operators, managers, promoters and patrons, establishing license requirements, setting penalties for violators, and declaring specific legislative intent to establish reasonable and uniform laws to reduce the number of violent crimes that occur as a result of events at dance halls and to promote the health, safety, and welfare of the citizens and residents of Prince George’s County was introduced by Council Chair Turner and Council Members Toles, Franklin, Johnson, Lehman, Campos and Olson. Collette Gresham spoke to the contents of the amendments. Council Member Toles moved to include amendment #1; seconded by Council Member Johnson. The motion carried 8-0 (Absent: Council Member Harrison).

)

ADDITION TO THE AGENDA

Council Member Patterson moved to accept the additions; seconded by Council Member Olson. The motion carried by voice vote. (Absent: Council Member Harrison).

SECOND READING OF BILLS – (INTRODUCTION) – (page 5)

CB-15-2011 (DR-2) – AN ACT CONCERNING WATER QUALITY

RESOURCES AND GRADING CODE for the purpose of enacting Subtitle 32, the Water Quality Resources and Grading Code, concerning grading, drainage and pollution control; erosion and sediment control; STORMWATER MANAGEMENT; and accessibility for the disabled; and for the purpose of repealing certain provisions of Subtitle 4, the Building Code, and codifying them within subtitle 32.

INTRODUCED

Council Bill 15 was introduced by Council Chair Turner and reported out of the Transportation Housing and Environment Committee on June 20, 2012 with amendments.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Mr. Bill Orleans, Hyattsville, Maryland addressed the Council regarding CB-3-2011 (Taxicab Bill).

ADDITIONS

ADJOURNED-*Council Chair Turner adjourned the meeting at 1:11 p.m.*

Prepared by:

Submitted by:

Sherry Bias, Administrative Assistant

Redis Floyd, Clerk of the Council