

AGENDA MINUTES

Tuesday, March 20, 2012

Legislative Day No. 6

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING

CALL TO ORDER – *Council Chair Harrison called to order at 10:41 a.m. with the following Council Members present:*

*Andrea Harrison
Will Campos
Derrick Davis
Mel Franklin
Mary Lehman
Eric Olson
Obie Patterson
Karen Toles
Ingrid Turner (out on County Business, MACO)*

Others present:

*Robert Williams, Jr., Council Administrator
William Hunt, Deputy Council Administrator
Redis Floyd, Clerk of the Council
Donna Brown, Deputy Clerk of the Council
Karen Zavakos, Legislative Officer
Todd Turner, Legislative Officer
Kerry Watson, County Executive's Liaison to the Council
LaKeecia Watson, Office of Law
Hawi Sanu, Director of the Transportation Housing and the Environment Committee (THE)
Jackie Brown, Director of the Planning, Zoning and Economic Development Committee (PZED)*

INVOCATION – *The Invocation was provided by Edwin H. Brown, Jr., County Employee.*

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

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) Approval of County Council Minutes dated September 27, 2011 and October 4, 11, 18, 2011. **APPROVED**

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

CB-13-2012 - AN ORDINANCE CONCERNING COMMERCIAL ZONES - DEPARTMENT OR VARIETY STORES for the purpose of amending the maximum permitted gross floor area for Department or Variety Stores. **PRESENTED**

Council Bill 13 was presented by Council Members Patterson, Harrison, Olson, Lehman, Franklin and Davis and referred to the Planning Zoning and Economic Development Committee (PZED).

(c) **Introduction of Resolutions**

CR-11-2012 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLANS FY 2004, FY 2006, FY 2007, FY 2008, FY 2009, FY 2010, FY 2011, AND FY 2012 for the purpose of amending the Prince George's County FY 2004, FY 2006, FY 2007, FY 2008, FY 2009, FY 2010, FY 2011, and FY 2012 Annual Action Plans for Housing and Community Development to restructure, reprogram and approve Community Development Block Grant ("CDBG"), Emergency Shelter Grants/Emergency Solutions Grants ("ESG") activities related to housing and community development and include new ESG narrative requirements. **INTRODUCED**

Council Resolution 11, as proposed by the Chair by request of the County Executive, amends the Prince George's County FY 2004, FY 2006, FY 2007, FY 2008, FY 2009, FY 2010, FY 2011, and FY 2012 Annual Action Plans for Housing and Community Development to restructure, reprogram and approve Community Development Block Grant ("CDBG"), Emergency Shelter Grants/Emergency Solutions Grants ("ESG") activities related to housing and community development and include new ESG narrative requirements. Council Resolution 11 was introduced by Council Member Harrison and referred to the Transportation, Housing and the Environment

Committee (THE). Chair Harrison announced that a public hearing would be held.

***Council Member Davis moved to adopt the Consent Agenda; seconded by Council Member Olson. The motion carried by voice vote.(Absent: Council Member Turner).*

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

No items were considered.

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

CB-5-2012 (DR-2) - AN ORDINANCE CONCERNING ARCHITECTURAL CONSERVATION OVERLAY ZONE for the purpose of amending the provisions of the Zoning Ordinance relating to Architectural Conservation Overlay Zones in the County. **AMENDED; DR-3 INTRODUCED**

(Favorably reported out of PZED on 3/7/2012 with amendments)

Introduced by Council Members Campos and Davis

AMENDMENT #1 TO CB-5-2012 (DR-2)

Council Member Franklin, as Chair of the Planning Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee. Council Member Campos moved amendment #1; seconded by Council Member Olson. The motion carried by voice vote. (Absent: Council Member Turner). As directed by the Legislative Officer, Council member Campos moved to include amendment #1; seconded by Council Member Davis. The motion carried 8-0 (Absent Council Member Turner).

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

CR-9-2012 - A RESOLUTION CONCERNING STATE OF MARYLAND SUSTAINABLE COMMUNITY DESIGNATION for the purpose of approving the designation of a portion of Prince George’s County as a Sustainable Community by the Maryland Department of Housing and Community Development (“DHCD”).

ADOPTED

(Introduced by Council Members Harrison and Lehman on 3/6/2012; favorably reported out of THE on 3/14/2012)

Council Member Lehman as Chair of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the Committee. Council Member Davis moved adoption of Council Resolution 9; seconded by Council Member Lehman. The motion carried 8-0 (Absent: Council Member Turner).

5. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-10-2012 – A RESOLUTION CONCERNING PREPARATION OF A NEW SECTOR PLAN AND SECTIONAL MAP AMENDMENT (SMA) AND APPROVAL OF GOALS, CONCEPTS, GUIDELINES, AND PUBLIC PARTICIPATION PROGRAM FOR THE METRO GREEN LINE CORRIDOR AREA, PART OF PLANNING AREAS 75A AND 76A for the purpose of initiating a Sector Plan and concurrent Sectional Map Amendment for the four stations along the Metro Green Line and adjacent communities in southern Prince George’s County, and approving goals, concepts, guidelines, and a public participation program in order to develop a comprehensive approach to implement and/or update the recommendations of the *Master Plan and Sectional Map Amendment for the Heights and Vicinity* (2000); *Suitland Mixed-Use Town Center Development Plan* (2006); *Branch Avenue Corridor Sector Plan and Sectional Map Amendment* (2008); and, the *Subregion 4 Master Plan and Sectional Map Amendment* (2010) to ensure that future development is consistent with County policies.

INTRODUCED; RULES SUSPENDED ADOPTED

The Chair and Council Member Toles (by request – Planning Board)

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

Council Resolution 10, as proposed by the Chair and Council Member Toles by request of the Planning Board, initiates a Sector Plan and concurrent Sectional Map Amendment for the four stations along the Metro Green Line and adjacent communities in southern Prince George's County, and approving goals, concepts, guidelines, and a public participation program in order to develop a comprehensive approach to implement and/or update the recommendations of the Master Plan and Sectional Map Amendment for the Heights and Vicinity (2000); Suitland Mixed-Use Town Center Development Plan (2006); Branch Avenue Corridor Sector Plan and Sectional Map Amendment (2008); and, the Subregion 4 Master Plan and Sectional Map Amendment (2010) to ensure that future development is consistent with County policies. Council Resolution 10 was introduced by Council Members Franklin, Davis and Patterson. Council Member Davis moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 10; seconded by Council Member Toles. The motion carried 8-0 (Absent: Council Member Turner). Council Member Olson moved adoption of Council Resolution 10; seconded by Council Member Toles. The motion carried 8-0 (Absent: Council Member Turner).

ADDITIONS TO THE AGENDA

Council Member Olson moved to accept the additions package; seconded by Council Member Davis. The motion carried 8-0 (Absent: Council Member Turner).

***Council Member Franklin moved to convene in Executive Session; seconded by Council Member Olson. The motion carried 7-0 (Absent: Council Members Lehman and Turner).*

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

Chair Harrison convened C.O.W. at 10:54 a.m.

● **STATE BUDGET PRIORITIES FOR PRINCE GOERGE'S COUNTY**

Proposed Joint signature letter to The Honorable Douglas J.J. Peters, Chair Prince George's County Senate Delegation, The Honorable Melony G. Griffith, chair Prince George's County House Delegation, the Honorable Edward J. Kasemeyer, Chair Senate Budget and Taxation Committee and The Honorable Norman H. Conway, Chair, House Appropriations Committee transmitting the joint position of the county Executive and the County Council on several unresolved issues. **FAVORABLE**

Lisa Jackson, on behalf of the County Executive, provided an overview of the State Budget priorities and outlined the County Executive's position. Council Member

Olson moved a favorable committee recommendation on the letter; seconded by Council Member Toles. The motion carried 7-0 (Absent: Council Member Lehman and Turner).

- Proposed correspondence to the Honorable Douglas J.J. Peters, Chair of the Prince George's County Senate Delegation and the Honorable Melony G Griffith, Chair of the Prince George's County House Delegation expressing the positions of the Prince George's County Council on Senate Bill 892/House Bill 1265 (gaming – video Lottery Terminals and Table Games). **FAVORABLE WITH AMENDMENTS**

Todd Turner, Legislative Officer, provided an overview of proposed State Legislation and detailed important timelines for hearing and adoption and by the Maryland General Assembly He responded to questions posed by the Council. After discussion and several votes on amendments to the letter, Council Member Davis moved a favorable committee recommendation on the letter as amended; seconded by Council Member Patterson. The motion carried 7-0 (Absent: Council Members Lehman and Turner).

The C.O.W. concluded at 12:55 p.m.

RECONVENE – Council Chair Harrison reconvened the meeting at 12:56 p.m.

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

- (a) Proposed Joint signature letter to The Honorable Douglas J.J. Peters, Chair Prince George's County Senate Delegation, The Honorable Melony G. Griffith, chair Prince George's County House Delegation, the Honorable Edward J. Kasemeyer, Chair Senate Budget and Taxation Committee and The Honorable Norman H. Conway, Chair, House Appropriations Committee transmitting the joint position of the county Executive and the County Council on several unresolved issues. **CHAIR AUTHORIZED TO SIGN**

(Favorably reported out of C.O.W. on 3/20/2012)

A joint signature letter was proposed to be sent to The Honorable Douglas J.J. Peters, Chair Prince George's County Senate Delegation, The Honorable Melony G. Griffith, chair Prince George's County House Delegation, the Honorable Edward J. Kasemeyer, Chair Senate Budget and Taxation Committee and The Honorable Norman H. Conway, Chair, House Appropriations Committee transmitting the joint position of the county Executive and the County Council on several unresolved issues. Council Member Harrison moved to authorize the Chair's signature; seconded by Council Member Olson. The motion carried 7-0 (Absent: Council Members Lehman and Turner).

- (b) Proposed correspondence to the Honorable Douglas J.J. Peters, Chair of the Prince George's County Senate Delegation and the Honorable Melony G Griffith, Chair of the Prince George's County House Delegation expressing the positions of the Prince George's County Council on Senate Bill 892/House Bill 1265 (gaming – video Lottery Terminals and Table Games). **CHAIR AUTHORIZED TO SIGN**

(Favorably reported out of C.O.W. on 3/20/2012 with amendments)

Correspondence was proposed to be sent to the Honorable Douglas J.J. Peters, Chair of the Prince George's County Senate Delegation and the Honorable Melony G Griffith, Chair of the Prince George's County House Delegation expressing the positions of the Prince George's County Council on Senate Bill 892/House Bill 1265 (gaming – video Lottery Terminals and Table Games). Council Member Harrison moved to authorize the Chair's signature; seconded by Council Member Davis. The motion carried 7-0 (Absent: Council Members Lehman and Turner).

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

-None-

Motion to convene in Executive Session made by Council Member Franklin, seconded by Council Member Olson. Motion carried 8-0 (Absent: Council Member Turner).

ADJOURNED – Council Chair Harrison adjourned the meeting at 1:01 p.m.

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM) **-- EXECUTIVE SESSION HELD**

- (a) Discussion of personnel issues in accordance with Section 10-508(a)(1), State Government, Annotated Code of Maryland, discussion of pending or potential litigation and to consult with counsel to seek legal advice in accordance with Section 10-508(a)(7, 8), State Government, Annotated Code of Maryland.

Topics Discussed:

Discussion of appointments to the EDI Financial Advisory Board
Discussion of appointments to the Board of Registration of Building Contractors
District Council Litigation Update

Reaching Hearts v. Prince George's County
Washington Gas v. Prince George's County
Patricia Mugg O'Neal v. Prince George's County Council
Lawrence Property Mgmt v. Prince George's County Council

Prepared by:

Sherry Bias, Administrative Aide

Submitted by:

Redis C. Floyd, Clerk of the Council