



Prince George's County Council

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

Meeting Minutes - Final County Council

Mel Franklin, District 9, Chairman
Derrick Leon Davis, District 6, Vice Chair
Dannielle M. Glaros, District 3
Andrea C. Harrison, District 5
Mary A. Lehman, District 1
Obie Patterson, District 8
Deni L. Taveras, District 2
Karen R. Toles, District 7
Todd M. Turner, District 4

Robert J. Williams, Jr., Council Administrator

Tuesday, October 6, 2015

1:30 PM

Council Hearing Room

1:00 P.M. - AGENDA BRIEFING - (ROOM 2027)

1:30 P.M. - PRESENTATION OF PROCLAMATIONS/COMMENDATIONS - (COUNCIL HEARING ROOM)

Presentation of Proclamations convened at 1:45 p.m.

PROCLAMATION presented to Rob Malone, The Arc of Prince George's County, recognizing the month of October 2015 as "National Disability Employment Awareness Month" in Prince George's County. (Council Vice Chair Derrick Leon Davis and Council Chairman Mel Franklin)

Council Vice Chair Derrick Leon Davis and Council Chairman Mel Franklin presented a proclamation to Rob Malone, The Arc of Prince George's County, recognizing the month of October 2015 as "National Disability Employment Awareness Month". Mr. Malone was present, accompanied by the following Arc representatives, Beatrice Rodgers, Andre' Burno Coates, Clarissa Mitchell, Michael Glanz, Deborah Goins, Rob Malone and Jessica Neely. Council Members Glaros, Harrison, Lehman, Taveras, Toles and Turner were also present.

CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order at 2:15 p.m. with nine members present at roll call.

Present: 9 - Chair Mel Franklin
Vice Chair Derrick Davis
Council Member Dannielle Glaros
Council Member Andrea Harrison
Council Member Mary Lehman
Council Member Obie Patterson
Council Member Deni Taveras
Council Member Karen Toles
Council Member Todd Turner

INVOCATION:

The Invocation was provided by Reverend L.K. Floyd, Pastor, Heart Changers Baptist Church, Silver Spring, Maryland. Council Member Davis requested prayer for residents of South Carolina in light of catastrophic flooding there. Chairman Franklin requested prayer for survivors of Domestic Violence and Breast Cancer as we acknowledge the awareness months for both.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Toles.

LEGISLATIVE DAY NO. 30**1. CONSENT AGENDA**

A motion was made by Vice Chair Davis, seconded by Council Member Turner, that the Consent Agenda be adopted and all actions approved. The motion carried by the following vote: test

Aye 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

(a) Approval of County Council Minutes[MIN 09292015](#)

County Council Minutes dated September 29, 2015.

Attachment(s): [09292015](#)**These minutes were approved**

MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR PRESENTATION OF BILLS AFTER SEPTEMBER 30.

A motion was made by Vice Chair Davis, seconded by Council Member Glaros, that the Council Rules of Procedure be suspended to allow for presentation of Bills after September 30. The motion carried by the following vote:

Aye 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

(b) First Reading of Bills (Presentation)[CB-097-2015](#)

AN ORDINANCE CONCERNING GENERAL ZONING PROCEDURES - NOTICES AND TECHNICAL STAFF REPORTS for the purpose of amending certain requirements regarding Planning Board notice and technical staff reports.

Attachment(s): [B2015097](#)
[CB-97-2015 AIS](#)

This Council Bill was presented by the Chairman, by request of the Planning Board, and referred to the Planning, Zoning and Economic Development Committee

[CB-098-2015](#)

AN ORDINANCE CONCERNING PRIVATE SCHOOLS for the purpose of permitting additional uses on a private school campus, including medical uses, under certain circumstances.

Sponsor(s): Glaros

Attachment(s): [B2015098](#)
[CB-98-2015 AIS](#)
[CB-098-2015 Report](#)

This Council Bill was presented by Council Member Glaros and referred to the Planning, Zoning and Economic Development Committee

CONSENT AGENDA - (CONTINUED)[CB-099-2015](#)

AN ORDINANCE CONCERNING IMPROVEMENTS TO EXISTING MULTIFAMILY COMMUNITIES for the purpose of removing a restriction on new access and parking improvements for established multifamily housing developments in Prince George's County.

Sponsor(s): Franklin

Attachment(s): [B2015099](#)
[CB-99-2015 AIS](#)

This Council Bill was presented by Council Member Franklin and referred to the Planning, Zoning and Economic Development Committee

(c) Introduction of Resolutions[CR-059-2015](#)

A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2015 for the purpose of amending the County's Fiscal Year ("FY") 2015 Annual Action Plan for Housing and Community Development by restructuring Community Development Block Grant ("CDBG") activities from the FY 2014 and FY 2015 Annual Action Plans.

Attachment(s): [R2015059](#)
[I-CR-59-2015 Attachment A](#)
[I-CR-59-2015 Attachment B](#)
[CR-59-2015 AIS](#)
[CR-59-2015 TRANSMITTAL](#)

Council Resolution 59 amends the Fiscal Year ("FY") 2015 Annual Action Plan for Housing and Community Development by restructuring Community Development Block Grant ("CDBG") activities from the FY 2014 and FY 2015 Annual Action Plan to change the respective CDBG activities' scope of services and national objectives.

This Resolution was introduced by Council Members Glaros and Taveras and referred to the Transportation, Housing and the Environment Committee

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

There were no items considered.

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

There were no items considered.

4. SECOND READING OF BILLS – (INTRODUCTION)**[CB-059-2015](#)**

AN ACT CONCERNING AGE RESTRICTED SENIOR RENTAL LEASES for the purpose of amending the Landlord-Tenant Code to provide certain age restricted senior lessees with twenty-four month residential leases; to provide for the administration and notice of the Program; and generally relating to senior rental leases in age restricted senior housing in the County.

Sponsor(s): Taveras, Turner, Lehman and Harrison

Attachment(s): [B2015059](#)
[CB-59-2015 DR-2 Prop Amendment](#)
[CB-59-2015 AIS](#)
[CB-059-2015 Report](#)
[CB-59-2015 Fiscal Impact](#)

Council Member Lehman, as Chair of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendation of the committee. Kathleen Canning, Legislative Officer, explained the intent of amendment number one.

A motion was made by Council Member Turner, seconded by Council Member Taveras, that this Council Bill be amended (1). The motion carried by the following vote:

Aye 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Kathleen Canning, Legislative Officer, explained the intent of amendment number two.

A motion was made by Council Member Taveras, seconded by Council Member Turner, that this Council Bill be amended (2). The motion carried by the following vote:

Aye 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Council Bill 59 amends the Landlord-Tenant Code to provide certain senior tenants with twenty-four month residential leases and provides for the administration and notice of the Program.

Draft 3 of this Council Bill was introduced by Council Members Taveras, Turner, Lehman and Harrison

[CB-070-2015](#)

AN ACT CONCERNING LITTER for the purpose of ensuring enforcement and penalties for littering; prohibiting the accumulation or deposit of litter; providing for action upon noncompliance; providing for civil monetary fines and injunctive relief; providing for

removal of litter from sidewalks and debris from roadways; and generally relating to litter

Sponsor(s): Franklin

Attachment(s): [B2015070.doc](#)
[CB-70-2015 AIS](#)
[CB-70-2015 Report](#)
[CB-70-2015 Fiscal Impact](#)

Council Member Lehman, as Chair of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendation of the committee. Council Bill 70 provides for the increased civil monetary fines, enforcement and and injunctive relief for removal of litter from sidewalks and debris from roadways.

This Council Bill was introduced by Council Members Franklin, Lehman, Glaros, Davis, Taveras and Patterson

[CB-072-2015](#)

AN ACT CONCERNING TRANSPORTATION NETWORK COMPANY SERVICES - TRANSPORTATION SERVICES IMPROVEMENT FUND for the purpose of creating a Transportation Services Improvement Fund; imposing a per-trip surcharge on certain transportation network services to finance the Fund; providing for disbursements from the Fund to be used for transportation purposes; and generally regarding Transportation Network Services.

Sponsor(s): Turner, Franklin, Lehman and Glaros

Attachment(s): [B2015072.doc](#)
[CB-72-2015 AIS](#)
[CB-72-2015 Report](#)
[CB-72-2015 Fiscal Impact](#)

Council Member Lehman, as Chair of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendation of the committee. Council Bill 72 creates a Transportation Services Improvement Fund to consist of revenue received from a new per-trip surcharge on certain transportation network services to be used to finance transportation purposes within the County.

This Council Bill was introduced by Council Members Turner, Franklin, Lehman, Glaros and Taveras

[CB-080-2015](#)

(SUBDIVISION BILL) AN ACT CONCERNING VALIDITY PERIODS FOR PRELIMINARY PLANS OF SUBDIVISION for the purpose of temporarily extending the validity periods of all approved applications for Preliminary Plans of Subdivision that were in a valid status as of January 1, 2015.

Sponsor(s): Turner and Franklin

Attachment(s): [B2015080](#)
[CB-80-2015 AIS](#)
[CB-80-2015 Prop Amendment](#)
[CB-080-2015 Report](#)

Council Member Harrison, as Chair of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the committee. Jackie Brown, Director of the PZED Committee, spoke to the intent of amendment number one.

A motion was made by Vice Chair Davis, seconded by Council Member Turner, that this Council Bill be amended (1). The motion carried by the following vote:

Aye 8 - Franklin, Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner
Nay 1 - Lehman

Council Bill 80 extends the validity periods for approved Preliminary Plans of Subdivision applications that were valid as of January 1, 2015 to mitigate the lingering effects of the 2007 national recession and slower economic growth rates in Prince George's County.

Draft 2 of this Council Bill was introduced by Council Members Turner and Franklin

[CB-081-2015](#)

AN ORDINANCE CONCERNING VALIDITY PERIODS FOR DETAILED SITE PLANS AND SPECIFIC DESIGN PLANS for the purpose of temporarily extending the validity periods of all approved applications for Detailed Site Plans and Specific Design Plans that were in a valid status as of January 1, 2015.

Sponsor(s): Turner and Franklin

Attachment(s): [B2015081](#)
[CB-81-2015 AIS](#)
[CB-81-2015 Prop Amendment](#)
[CB-081-2015 Report](#)

Council Member Harrison, as Chair of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the committee. Jackie Brown, Director of the PZED Committee, spoke to the intent of amendment number one.

A motion was made by Vice Chair Davis, seconded by Council Member Turner, that this Council Bill be amended (1). The motion carried by the following vote:

Aye 8 - Franklin, Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner
Nay 1 - Lehman

Council Bill 81 extends the validity periods for approved Details Site Plan and Special Design Plan applications that were valid as of January 1, 2015 to mitigate the lingering effects of the 2007 national recession and slower economic growth rates in Prince George's County.

Draft 2 of this Council Bill was introduced by Council Members Turner and Franklin

[CB-082-2015](#)

(SUBDIVISION BILL) AN ACT CONCERNING PRELIMINARY PLANS AND FINAL PLATS OF SUBDIVISION for the purpose of shortening and establishing more consistent time periods for review by the Planning Board of preliminary plans and final plats of subdivision.

Sponsor(s): Franklin and Davis

Attachment(s): [B2015082](#)
[CB-82-2015 AIS](#)
[CB-082-2015 Report](#)

Council Member Harrison, as Chair of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the committee. Council Bill 82 amends the Subdivision Regulations of the County to shorten the time periods for consideration of applications of preliminary plans and final plats of subdivision by altering the 70-day period to 60 days with an optional one-time extension, not to exceed 30 days.

This Council Bill was introduced by Council Members Franklin and Davis

5. PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)**CB-016-2015**

AN ACT CONCERNING FOOD SERVICE FACILITIES – MOBILE UNITS – FOOD TRUCK HUBS for the purpose of providing certain limited exemptions to County licensing and health requirements for Food Truck Hubs, in order to encourage economic development, increase public access to healthy food options, minimize or eliminate food deserts in underserved areas of the County, and promote innovative entrepreneurship and revitalization in furtherance of the public safety, health, and welfare of the citizens and residents of Prince George's County

Sponsor(s): Glaros, Lehman, Toles and Davis

Attachment(s): [B2015016](#)
[CB-16-2015 Prop Amendment](#)
[CB-16-2015 AIS](#)
[CB-16-2015 Report.doc](#)

Pursuant to proper notice, the public hearing was convened at 2:36 p.m. Doug Povich, Miranda Braatz, Corries Hardy, Sydney Dagle and Barry Abrams provided verbal testimony. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held for this Council Bill.

Leroy Maddox, Legislative Officer, spoke to the intent of amendment number one. Under discussion, Council Members Patterson and Davis urged their colleagues' support. Council Member Toles expressed her opposition and posed several questions. Nathaniel Tutt, III, Council Liaison, Natalie Monkon, Assistant DCAO for Economic Development and Public Infrastructure and Brad Frome, Assistant Deputy Chief Administrative Officer for Economic Development and Public Infrastructure responded on behalf of the County Executive. Council Members Lehman and Glaros spoke to the amendment and Council Member Glaros moved to call the question.

A motion was made by Council Member Glaros, seconded by Vice Chair Davis, that this Council Bill be called for the previous question. The motion carried by the following vote:

Aye 5 - Davis, Glaros, Harrison, Patterson and Taveras
Nay 4 - Franklin, Lehman, Toles and Turner

A motion was made by Council Member Patterson, seconded by Council Member Taveras, that this Council Bill be amended (1). The motion carried by the following vote:

Aye 6 - Franklin, Davis, Glaros, Patterson, Taveras and Turner
Nay 3 - Harrison, Lehman and Toles

Under discussion, Council Members Lehman, Toles, Glaros and Turner thanked stakeholders for their participation during the legislative process. Council Member Taveras explained her concerns about mobile vending and expressed a need to move forward with caution. Council Member Davis sought to clarify the program outlined in the bill and the importance for vendors to understand the new regulations and associated penalties. Council Members Patterson and Franklin spoke to the bill and thanked the lead sponsors.

A motion was made by Council Member Toles, seconded by Council Member Glaros, that Draft 3 of this Council Bill be enacted. The motion carried by the following vote:

Aye 8 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Toles and Turner
Nay 1 - Taveras

[CB-017-2015](#)

AN ACT CONCERNING FOOD SERVICE FACILITIES-MOBILE UNITS-FOOD TRUCK HUBS for the purpose of clarifying fixed locations for food service facilities for temporary periods and providing certain limited exemptions to County licensing and health requirements for Food Truck Hubs in order to encourage economic development, increase public access to healthy food options, minimize or eliminate food deserts in underserved areas of the County, and promote innovative entrepreneurship and revitalization in furtherance of the public safety, health, and welfare of the citizens and residents of Prince George's County.

Sponsor(s): Glaros, Lehman and Toles

Attachment(s): [B2015017.doc](#)
[CB-17-2015 AIS](#)
[CB-17-2015 Report.doc](#)

Pursuant to proper notice, the public hearing was convened at 3:42 p.m. Che' Riddei Tabsola and Tahira Goldson provided verbal testimony. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held for this Council Bill.

Under discussion, Council Members Toles and Glaros clarified the intent of the legislation. Council Member Toles expressed her concerns regarding the legislation and explained her vote. Council Members Taveras and Davis spoke to community concerns regarding mobile vending and the need to exempt certain communities from the pilot program.

A motion was made by Council Member Toles, seconded by Council Member Lehman, that this Council Bill be enacted. The motion carried by the following vote:

Aye 8 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Toles and Turner
Nay 1 - Taveras

[CB-051-2015](#)

AN ACT CONCERNING SPECIAL FOOD SERVICE FACILITIES - MOBILE UNITS LICENSE for the purpose of establishing a business license for Special Food Service Facilities - Mobile Units.

Sponsor(s): Glaros, Lehman, Toles, Davis and Taveras

Attachment(s): [B2015051.doc](#)
[CB-51-2015 AIS](#)
[CB-051-2015 Report](#)

Pursuant to proper notice, the public hearing was convened at 3:57 p.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held for this Council Bill.

Under discussion, Council Member Toles clarified the intent of the bill and stated the compliance penalties for the record. Council Member Toles noted a technical correction to the Agenda Item Summary. Council Member Glaros and Davis further clarified the enforcement provisions. Council Member Taveras expressed her support for this measure.

A motion was made by Council Member Toles, seconded by Council Member Glaros, that this Council Bill be enacted. The motion carried by the following vote:

Aye 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

6. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

[CR-015-2015](#)

A RESOLUTION CONCERNING FOOD TRUCK HUB OVERSIGHT COMMITTEE for the purpose of establishing the Food Truck Hub Oversight Committee to provide continuing oversight and support of the Food Truck Hub Program created by CB-16-2015 and CB-17-2015.

Sponsor(s): Glaros, Lehman, Toles, Taveras and Turner

Attachment(s): [R2015015](#)
[CR-15-2015 AIS](#)
[CR-15-2015 Report](#)

Council Member Toles, as Chair of the Health, Education and Human Services

Committee, provided a verbal report of the actions and recommendations of the committee.

A motion was made by Council Member Toles, seconded by Council Member Lehman, that this Resolution be adopted. The motion carried by the following vote:

Aye 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

[CR-051-2015](#)

A RESOLUTION CONCERNING RIGHT OF FIRST REFUSAL for the purpose of designating areas in which the County will exercise the Right of First Refusal where the owner of a multi-family rental facility of 20 units or more intends to sell said multi-family rental facility.

Sponsor(s): Lehman, Taveras, Glaros and Turner

Attachment(s): [R2015051.doc](#)
[CR-51-2015 AIS](#)
[CR-51-2015 Fiscal Impact](#)
[CR-051-2015 Report](#)

Council Member Lehman, as Chair of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendation of the committee. Under discussion, Chairman Franklin requested clarification on the legality of the right of first refusal provisions and expressed his opposition to the legislation. Rajesh Kumar, People's Zoning Counsel provided a legal opinion. Council Members Lehman, Glaros and Turner spoke to the issue.

A motion was made by Council Member Lehman, seconded by Council Member Toles, that this Resolution be adopted. The motion carried by the following vote:

Aye 7 - Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner
Nay 2 - Franklin and Davis

ADDITIONS TO THE AGENDA

A motion was made by Council Member Harrison, seconded by Vice Chair Davis, to accept the additions package. The motion carried by the following vote:

Aye 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

6. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

[CR-055-2015](#)

A RESOLUTION CONCERNING PAYMENTS IN LIEU OF TAXES (“PILOT”) AGREEMENT FOR WOODLAND SPRINGS for the purpose of approving the terms and conditions of a Payments in Lieu of Taxes (“PILOT”) Agreement between Prince

George's County, Maryland (the "County") and Woodland Springs, L.P. (the "Owner").

Sponsor(s): Franklin and Davis

Attachment(s): [R2015055](#)
[CR-55-2015 Attachment B.doc](#)
[CR-55-2015 Schedule B.pdf](#)
[CR-55-2015 Report](#)
[CR-55-2015 TRANSMITTAL](#)

Council Member Patterson, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the committee.

A motion was made by Vice Chair Davis, seconded by Council Member Glaros, that this Resolution be adopted. The motion carried by the following vote:

Aye	7 -	Franklin, Davis, Glaros, Harrison, Lehman, Patterson and Taver
Absent		Toles
Abstain	1 -	Turner

COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

APPT-058

Appointment of the following individuals to the Maryland-National Capital Park and Planning Commission for Prince George's County:

Dorothy F. Bailey
Reappointment
Term Expiration: 6/15/2019

Manuel R. Geraldo, Esq.
Reappointment
Term Expiration: 6/15/2019

John P. Shoaff
Reappointment
Term Expiration: 6/15/2018

The Committee of the Whole was held. See separate Committee of the Whole report for details.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

ADJOURN

The meeting was adjourned at 4:23 p.m.

Prepared by:

Donna J. Brown, Deputy Clerk of the Council

Submitted by:

Redis C. Floyd, Clerk of the Council