

ACTION AGENDA

Tuesday, July 24, 2007

Business Meeting

(Legislative Day No. 22 to be declared)

**COUNTY COUNCIL
OF
PRINCE GEORGE'S COUNTY, MARYLAND**

9:42 A.M.

AGENDA BRIEFING – (ROOM 2027) -- *BRIEFING HELD*

10:11 A.M.

CALL TO ORDER

INVOCATION: Reverend Eric David, West Hyattsville Baptist Church,
Hyattsville, Maryland

PLEDGE OF ALLEGIANCE

Designated

DESIGNATION OF TUESDAY, JULY 24, 2007 AS LEGISLATIVE DAY NO. 22

POINT OF PERSONAL PRIVILEGE

**Jazz Artist Emmet Roberts
2nd Annual Metropolitan International Jazz Festival (MIJF 07)**

**Presentation of proclamation to Master Charles Arnell Smith who will represent
Prince George's County and the entire United States at the 2007 World
University Games in Bangkok, Thailand in August. (Council Member Knotts)**

1. **CONSENT AGENDA -- CR-58, 59-2007 AND CB-29, 30, 31, 32-2007 ADDED
(SEE PAGE 8) ; 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.

Approved

(a) Approval of County Council Minutes dated May 22, 23, 2007; June 5, 12, 19, 2007; and July 2, 10, 2007.

(b) **Introduction of Resolutions**

Introduced

CR-54-2007 – A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF NEW CARROLLTON for the purpose of approving the enactment of Ordinance No. 07-08 adding Chapter 130 of the Code of the City of New Carrollton concerning zoning.

Introduced by Council Member Olson; referred to PZED

PUBLIC HEARING SCHEDULED FOR TUESDAY, SEPTEMBER 11, 2007 AT 10:00 A.M.

Introduced

CR-55-2007 – A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF COLLEGE PARK for the purpose of approving the enactment of Ordinance 07-O-12, amending Chapters 110 and 141 of the City of College Park Code concerning residential parking and storage.

Introduced by Council Member Olson; referred to PZED

Introduced

CR-56-2007 – A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF COLLEGE PARK for the purpose of approving the enactment of Ordinance 07-O-10, amending Chapter 125 of the City of College Park Code concerning residential parking and storage.

Introduced by Council Member Olson; referred to PZED

Introduced

CR-57-2007 – A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF COLLEGE PARK for the purpose of approving the enactment of Ordinance 07-O-14, amending Chapters 87 and 110 of the City of College Park Code concerning fences.

Introduced by Council Member Olson; referred to PZED

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA*None***3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT**

No action taken

- (a) Discussion of proposed letter regarding Council appointments to the Municipal Tax Differential Task Force.

Chairman authorized to sign

- (b) Proposed letter to R. Owen Johnson, Jr., Chair, Board of Education, approving the Board of Education's transfer request to reconcile the FY 2008 Operating Budget.
(Favorably reported out of HEHS on 7/10/2007)
- (c) Proposed letter to R. Owen Johnson, Jr., Chair, Board of Education, rejecting without prejudice the Board of Education's transfer request to reconcile the FY 2008-2013 CIP Budget.
(Favorably reported out of HEHS on 7/10/2007)
- (d) Proposed letter to Samuel J. Parker, Jr., Chairman, Prince George's County Planning Board, regarding an extension of the timeframe for preparing the Public Safety Master Plan.
The Chairman (by request – Planning Board)
- (e) Proposed letter to John D. Porcari, Secretary, Maryland Department of Transportation regarding US Route 301 Waldorf Study Alternatives to be Retained for Further Study.
(Favorably reported out of THE on 7/19/2007)

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

CB-20-2007 (SUBDIVISION BILL) - AN ACT CONCERNING PROCEDURES FOR MAJOR SUBDIVISIONS for the purpose of clarifying validity procedures for major subdivisions under certain circumstances.

(Favorably reported out of PZED on 7/11/2007)

Introduced by Council Member Dean

Introduced

CB-21-2007 (DR-2) – AN ACT CONCERNING AN INTERPROJECT TRANSFER OF APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2007 CAPITAL BUDGET for the purpose of transferring appropriations to the District VII Station, the County Building Renovations II project, the William W. Hall Elementary School, the Enterprise Resource Planning System and the Rosa L. Parks Elementary School and providing a supplementary appropriation to the Duval Wing Restoration project.

(Favorably reported out of PSFM on 7/9/2007 with amendments)

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

Introduced

CB-22-2007 (DR-2) - AN ACT CONCERNING HOMESTEAD PROPERTY TAX CREDIT for the purpose of establishing the homestead property tax credit for the County property tax for the taxable year beginning July 1, 2008.

(Favorably reported out of PSFM on 7/9/2007 with amendments)

Introduced by Council Member Exum

Introduced

CB-23-2007 – AN ACT CONCERNING CITIZEN COMPLAINT OVERSIGHT PANEL for the purpose of increasing the compensation of members of the Citizen Complaint Oversight Panel and generally relating to the Citizen Complaint Oversight Panel.

(Favorably reported out of PSFM on 7/9/2007)

Introduced by Council Members Turner, Dean, Harrington, Knotts, Campos, Bland and Olson.

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

Public hearing held; amended; DR-4 enacted

CB-18-2007 (DR-3) - AN ORDINANCE CONCERNING O-S ZONE (OPEN SPACE) for the purposes of defining "Rural Entertainment Park" and permitting the use in the O-S Zone (Open Space), subject to approval of a Special Exception and making related amendments to the Zoning Ordinance.

(Introduced by Council Members Bland, Dean and Exum on 6/19/2007; favorably reported out of PZED on 6/13/2007 with amendments)

Public hearing held; amended; DR-3 enacted

CB-24-2007 (DR-2) - AN ACT CONCERNING THE PRINCE GEORGE'S COUNTY HISTORIC AGRICULTURAL RESOURCE PRESERVATION PROGRAM for the purpose of establishing the Prince George's County Historic Agricultural Resource Preservation program.

(Introduced by Council Members Dernoga, Bland, Turner and Dean on 7/2/2007; favorably reported out of PZED on 7/11/2007)

AMENDMENT #1 TO CB-24-2007 (DR-2)

Public hearing held; enacted

CB-12-2007 (DR-2) – AN ACT CONCERNING SALES AND USE TAX ON TELECOMMUNICATIONS SERVICE for the purpose of increasing the levy and imposition of the sales and use tax on telecommunications service in Prince George's County; and generally relating to the sales and use tax on telecommunications service.

(Introduced by Council Members Exum, Dean, Dernoga, Bland and Harrington on 7/2/2007; favorably reported out of C.O.W. on 7/2/2007 with amendments)

Public hearing held; enacted

CB-27-2007 - AN ACT CONCERNING BORROWING TO FINANCE SCHOOL PROJECTS for the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full faith and credit, at any time and from time to time, in an aggregate principal amount not exceeding Forty-nine Million One Hundred Forty-six Thousand Dollars (\$49,146,000), to finance the construction, including the design, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, repair or modernization, of school buildings in the County; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; and providing generally for the issuance of such bonds.

(Introduced by Council Members Exum, Knotts, Dean, Harrington, Dernoga, Turner, Olson and Bland on 7/2/2007; favorably reported out of PSFM on 7/9/2007)

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) – (CONTINUED)

Public hearing held; enacted

CB-25-2007 – AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Four Hundred Forty-Three Million Six Hundred and Sixty-eight Thousand Dollars (\$443,668,000) in aggregate principal amount of general obligation bonds with serial maturities, including mandatory sinking fund installments in lieu of serial maturities, for the purpose of providing funds for financing in whole or in part costs of the planning, construction, reconstruction, establishment, extension, enlargement, demolition, improvement or acquisition of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2008,

(Introduced by Council Member Exum on 7/2/2007; favorably reported out of PSFM on 7/9/2007)

Public hearing held; enacted

CB-26-2007 – AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION STORMWATER MANAGEMENT BONDS for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Seventeen Million Five Hundred and Seventy-one Thousand Dollars (\$17,571,000) in aggregate principal amount of general obligation stormwater managements bonds for the purpose of providing funds for financing in whole or in part costs of planning, acquisition, construction, reconstruction, establishment, extension, enlargement, demolition or purchase of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2008,

(Introduced by Council Member Exum on 7/2/2007; favorably reported out of THE on 7/19/2007)

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

Public hearing held; adopted

CR-48-2007 (DR-2) – A RESOLUTION CONCERNING COUNTY REAL PROPERTY for the purpose of declaring certain parcels of County-Owned Real Property as surplus, and approving the County Executive's plan for disposal of such parcels.

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

(Introduced by Council Member Turner on 7/2/2007; favorably reported out of PSFM on 7/9/2007 with amendments)

7. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) -- CR-49-2007 ADDED (SEE PAGE 10)**

Adopted

CR-45-2007 - A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE, AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount \$12,269,172 to the Circuit Court, Office of the State's Attorney, Office of the Sheriff, Police, Fire/EMS, Office of Homeland Security, Departments of Social Services, Family Services, Health, and Public Works and Transportation and Housing and Community Development.

(Introduced by Council Member Exum on 7/2/2007; favorably reported out of PSFM on 7/9/2007)

Adopted

CR-50-2007 - A RESOLUTION CONCERNING SCHOOL FACILITIES SURCHARGE for the purpose of adjusting the school facilities surcharge for inflation for Fiscal Year 2008, beginning July 1, 2007, as required by State law.

(Introduced by Council Members Turner, Dean and Dernoga on 7/2/2007; favorably reported out of PSFM on 7/9/2007)

Adopted

CR-51-2007 - A RESOLUTION CONCERNING PUBLIC SAFETY SURCHARGE for the purpose of adjusting the Public Safety surcharge for inflation for Fiscal Year 2008, beginning July 1, 2007, as required by State law.

(Introduced by Council Members Knotts, Turner, Dean and Dernoga on 7/2/2007; favorably reported out of PSFM on 7/9/2007)

Adopted

CR-47-2007 – A RESOLUTION CONCERNING NEIGHBORHOOD BUSINESS DEVELOPMENT PROGRAM for the purpose of supporting the financing of the Business Community Empowerment Opportunity Program under the Neighborhood Business Development Program of the Maryland Department of Housing and Community Development.

(Introduced by Council Member Exum on 7/2/2007; favorably reported out of THE on 7/19/2007)

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (CONTINUED)

*DR-2
substituted;
amended; DR-3
adopted*

CR-25-2007 (DR-2) – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2008 for the purpose of approving and adopting the Prince George's County Fiscal Year 2008 Housing and Community Development Annual Action Plan consisting of federal programs, including their federal funding applications which, along with other resources, serve to implement housing and community development strategies set forth in the County's FY 2006-2010 Consolidated Plan, adopted by CR-41-2005, which Plan was required by the U.S. Department of Housing and Urban Development (HUD) as a prerequisite to consideration of the funding applications.

(Introduced by Council Member Exum on 5/1/2007; public hearing held on 6/5/2007; favorably reported out of THE on 7/19/2007 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

ADDITIONS TO THE AGENDA

1. **CONSENT AGENDA – (page 2)**

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.

(b) **Introduction of Resolutions**

Introduced

CR-58-2007 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS GENERAL SCHEDULE EMPLOYEES - SALARY SCHEDULE G for the purpose of amending the Salary Plan of the County to reflect pay rates and other modified benefits for General Schedule employees.

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

Introduced by Council Member Exum

CONSENT AGENDA – (CONTINUED)*Introduced*

CR-59-2007 – A RESOLUTION CONCERNING THE INTER COUNTY CONNECTOR for the purpose of expressing and restating the Prince George's County Council's long standing opposition to construction of the Inter County Connector (ICC) on the basis that the ICC will further sprawl development, and thus cause or exacerbate an increase in vehicle miles traveled, shift jobs away from Prince George's County, and cause substantial local and regional environmental impact and contribute negatively to climate change, and that there is a lack of need for the ICC, that the cost of it is too great and that there are reasonable and better transportation alternatives that will reduce sprawl development and its impacts.

Introduced by Council Members Dernoga, Bland, Turner, Olson, Campos and Harrington; referral to THE

(c) **First Reading of Bills (Presentation)***Presented*

CB-29-2007 – AN ORDINANCE CONCERNING C-M ZONE for the purpose of allowing department or variety stores in the C-M Zone under certain circumstances.

To be presented by Council Member Knotts; referral to PZED

Presented

CB-30-2007 – AN ORDINANCE CONCERNING C-M ZONE for the purpose of allowing food or beverage stores in the C-M Zone under certain circumstances.

To be presented by Council Member Knotts; referral to PZED

Presented

CB-31-2007 – AN ORDINANCE CONCERNING HOME OCCUPATIONS for the purpose of amending certain criteria relating to home occupations in the County.

To be presented by Council Member Knotts; referral to PZED

Presented

CB-32-2007 – AN ORDINANCE CONCERNING R-R ZONE for the purpose of amending the lot coverage requirement in the R-R Zone under certain circumstances.

To be presented by Council Member Turner; referral to PZED

7. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (page 7)**

Adopted

**CR-49-2007 – A RESOLUTION CONCERNING THE 2006
TELECOMMUNICATIONS TRANSMISSION FACILITY MASTER PLAN** for
the purpose of changing the 2006 Telecommunications Transmission Facility Master
Plan to identify areas in the County where additional sites for telecommunications
transmission facilities are anticipated to be needed to provide service for public and
private uses.

(Introduced by Council Member Exum on 7/2/2007; favorably reported out of PSFM
on 7/23/2007)

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

(a) Discussion of personnel issues in accordance with Maryland Annotated Code, State
Government, Section 10-508 (a)(1)(i)(ii).

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

*Ms. D.J. Campbell of Bowie, Maryland addressed the Council regarding concerns
facing senior citizens in Prince George's County.*

1:18 P.M.

ADJOURN

REMINDERS

Wed. July 25, 2007	9:30 a.m.	HEHS Committee Meeting – (Room 2027)
Thurs. July 26, 2007	9:30 a.m.	THE Committee Meeting – (Room 2027)
AUGUST RECESS		
Mon., Sept. 3, 2007	LABOR DAY HOLIDAY	
Tues., Sept. 4, 2007	NO COUNCIL SESSION	
Mon., Sept. 10, 2007	9:30 a.m.	District Council Agenda Briefing (Room 2027)
	10:00 a.m.	Call to Order (Council Hearing Room)
Tues., Sept. 11, 2007	9:30 a.m.	County Council Agenda Briefing (Room 2027)
	10:00 a.m.	Call to Order (Council Hearing Room)
Wed., Sept. 12, 2007	9:30 a.m.	HEHS Committee Meeting (Room 2027)
	7:00 p.m.	Joint Public Hearing (Subregion I Master Plan)