

ACTION AGENDA

Tuesday, September 30, 2003

Business Meeting

(Legislative Day No. 31 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

9:30 A.M.

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

10:13.M.

CALL TO ORDER

INVOCATION: Reverend Nathaniel Thomas, New Redeemer Missionary Baptist Church, Forestville, Maryland

PLEDGE OF ALLEGIANCE

Designated

DESIGNATION OF SEPTEMBER 30, 2003 AS LEGISLATIVE DAY NO. 31

1. **CONSENT AGENDA -- CB-77, 78, 79, 80, 81, 82, 83, 84-2003 ADDED; ADOPTED AND ALL ACTIONS APPROVED – (SEE PAGE 6)**

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 July 8, 2003; July 15, 2003; July 22, 2003 and July 29, 2003.

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

Presented

CB-62-2003 – AN ACT CONCERNING SCHOOL FACILITIES SURCHARGE – EXEMPTION STUDENT HOUSING for the purpose of eliminating the payment of the school facilities surcharge for certain multifamily projects designated as student housing, providing for the assessment of the school facilities surcharge under certain conditions and making other amendments concerning the school facilities surcharge.

Council Member Hendershot; referral to PZED

Presented

CB-66-2003 – AN ACT CONCERNING ELECTRICAL CODE for the purpose of amending the Electrical Code and adopting the 2002 National Electrical Code.

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

Presented

CB-67-2003 – AN ORDINANCE CONCERNING R-30 ZONE for the purpose of exempting multifamily dwellings in the R-30 Zone from bedroom percentage requirements under certain circumstances.

Council Member Peters; referral to PZED

Presented

CB-68-2003 – AN ACT CONCERNING THE CREATION OF A SCHOOL CAPITAL PROJECT for the purpose of adding a school capital project to the Approved Fiscal Year 2004 Capital Budget by transferring appropriations in the amount of \$5,000,000 from the Contingency Fund and amending the Approved Fiscal Year 2004-2009 Capital Improvement Program with regard to expenditures and financing beyond the budget year.

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

CONSENT AGENDA – (CONTINUED)*Presented*

CB-69-2003 – AN ACT CONCERNING AN INTERPROJECT TRANSFER OF APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2004 CAPITAL BUDGET for the purpose of transferring appropriations between capital projects in the amount of \$1,050,000 from the Contingency Fund to the Samuel P. Massie Elementary School capital project.

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

Presented

CB-70-2003 – AN ORDINANCE CONCERNING R-T ZONE for the purpose of permitting retail uses in the R-T Zone under certain circumstances.

Council Member Harrington; referral to PZED

Presented

CB-71-2003 (SUBDIVISION BILL) – AN ACT CONCERNING SUBDIVISIONS – CLUSTER SUBDIVISIONS for the purpose of deleting the provisions of the Subdivision Ordinance pertaining to cluster subdivisions.

Council Member Dernoga; referral to PZED

Presented

CB-72-2003 (SUBDIVISION BILL) – AN ACT CONCERNING SUBDIVISIONS – ADEQUATE PUBLIC ROAD FACILITIES for the purpose of deleting certain provisions of the Subdivision Ordinance that allow the development of certain property notwithstanding the inadequacy of public road facilities.

Council Member Dernoga; referral to PZED

Presented

CB-73-2003 (SUBDIVISION BILL) – AN ACT CONCERNING SUBDIVISIONS – FUNDING FOR PUBLIC ROAD FACILITIES for the purpose of amending the criteria for approving a subdivision when adequate public road facilities are programmed for construction.

Council Member Dernoga; referral to PZED

Presented

CB-74-2003 – AN ACT CONCERNING BOARD OF APPEALS for the purpose of amending the schedule of filing fees to be paid to the Board of Appeals when submitting appeals or variance applications.

The Chairman (by request – Board of Appeals); referral to PSFM

CONSENT AGENDA – (CONTINUED)

Presented

CB-75-2003 AN ORDINANCE CONCERNING C-O ZONE for the purpose of permitting multifamily dwellings in the C-O Zone under certain circumstances.

Council Member Hendershot; referral to PZED

Presented

CB-76-2003 – AN ORDINANCE CONCERNING R-55 ZONE for the purpose of permitting an animal hospital, veterinary office in the R-55 Zone under certain circumstances.

Council Member Hendershot; referral to PZED

(c) **Introduction of Resolutions**

Introduced

CR-58-2003 – A RESOLUTION CONCERNING EXEMPT EMPLOYEES IN THE POLICE DEPARTMENT for the purpose of establishing certain exempt positions in the Police Department.

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

Introduced by Council Members Shapiro and Dernoga

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

None

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

Chairman authorized to sign

(a) Proposed letter to Elizabeth M. Hewlett, Chairman, Prince George’s County Planning Board, endorsing the goals, concepts, guidelines and public participation process for the Bowie and Vicinity Master Plan and concurrent Sectional Map Amendment.

The Chairman (by request – Planning Board)

4 **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD; ALL CONFIRMED****Appointment of the following individuals to the Art in Public Places Panel for Prince George's County:**

Confirmed **Ms. Nancy C. Lineman** Appointment/County Executive Representative
Replacing: Joyce Rumburg
Term Expiring: 12/1/2005

Confirmed **Mr. Isiaka A. Odebe** Appointment/Citizen Representative
Replacing: Dr. Narcisa Polonio
Term: 12/2/2003 - 12/1/2006

Confirmed **Ms. Grace K. Simmons** Appointment/Citizen Representative
Replacing: Sydney Moore
Term Expiring: 12/1/2004

5 **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD; ALL CONFIRMED****Appointment of the following individuals to the Animal Control Commission for Prince George's County:**

Confirmed **Mr. Frank E. Enty** Appointment/Citizen Representative
Replacing: Clarence Foreman
Term Expiring: 3/30/2005

Confirmed **Mr. Douglas E. Wych, Sr.** Reappointment/Kennel Owner Representative
Term Expiring: 3/30/2005

6. **BILLS ELIGIBLE FOR FINAL READING (ENACTMENT)**

Amended; rules suspended DR-3 enacted

CB-8-2003 (DR-2) – AN ORDINANCE CONCERNING CLASS 3 FILLS for the purpose of defining class 3 fills, requiring a special exception for class 3 fills in all zones where they are permitted and providing a limitation on grading permit renewals for Class 3 fills.

(Introduced by Council Members Dean, Shapiro, Exum and Harrington on 4/8/2003; favorably reported out of PZED on 3/26/2003 with amendments (DR-2); public hearing held and recommitted to PZED on 5/20/2003; (DR-2) reported out of PZED, without further action, on 9/24/2003)

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

Presented

CB-77-2003 – AN ACT CONCERNING BENEFIT PERFORMANCES – LIMITATION ON PRIZES for the purpose of clarifying the limitation on certain prizes.

Council Member Dernoga; referral to PSFM

Presented

CB-78-2003 – AN ORDINANCE CONCERNING HOME OCCUPATIONS AND COMMERCIAL VEHICLES for the purpose of amending the definitions in the Zoning Ordinance for home occupations and commercial vehicles and providing special conditions for home occupations.

Council Member Dernoga; referral to PZED

Presented

CB-79-2003 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – PRINCE GEORGE’S CORRECTIONAL OFFICERS’ ASSOCIATION, INC. (CORRECTIONAL OFFICERS) for the purpose of amending the labor agreement by and between Prince George’s County, Maryland and Prince George’s Correctional Officers’ Association, Inc. (Correctional Officers) to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George’s County Public Employee Relations Board.

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

CONSENT AGENDA – (CONTINUED)

Presented

CB-80-2003 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – PRINCE GEORGE’S CORRECTIONAL OFFICERS’ ASSOCIATION, INC. (CIVILIAN UNIT) for the purpose of approving the labor agreement by and between Prince George’s County, Maryland and Prince George’s Correctional Officers’ Association, Inc. (Civilian Unit) to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George’s County Public Employee Relations Board.

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

Presented

CB-81-2003 - AN ACT CONCERNING RESIDENTIAL PARKING ON UNPAVED AREAS for the purpose of prohibiting the standing or parking of vehicles on unpaved areas of residential lots.

Council Member Dernoga; referral to THE

Presented

CB-82-2003 - AN ORDINANCE CONCERNING FRONT YARDS OF DWELLINGS for the purpose of designating an area in the front yards of dwellings where construction of parking areas is not permitted, and making related amendments to the zoning ordinance.

Council Member Dernoga; referral to PZED

Presented

CB-83-2003 – AN ORDINANCE CONCERNING LOT COVERAGE AND GREEN AREA IN RESIDENTIAL ZONES for the purpose of providing lot coverage and green area ratios for uses in proximity to drinking water reservoirs.

Council Member Dernoga; referral to PZED

Presented

CB-84-2003 – AN ORDINANCE CONCERNING C-S-C ZONE for the purpose of permitting multifamily dwellings in the C-S-C Zone under certain circumstances.

Council Member Hendershot; referral to PZED

10:50 A.M.

ADJOURN

EXECUTIVE SESSION – (ROOM 2027) -- EXECUTIVE SESSION HELD

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

REMINDER

Mon., Oct. 6, 2003

1:00 p.m.
1:30 p.m.

District Council Agenda Briefing
Call to Order