

AGENDA MINUTES

Tuesday, September 27, 2011

Business Meeting

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) – BRIEFING HELD

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM) – *Chair Turner commenced presentation of proclamations/commendations at 1:43 p.m.*

PROCLAMATION presented to **Calvin Hawkins, Citizen's Corp Liaison** and **Kevin Woolbright, President of Prince George's Citizen's Corp Council**, recognizing the month of September 2011, as "***Emergency Preparedness Month***" in Prince George's County. (Council Chair Ingrid M. Turner and Council Vice Chair Eric C. Olson) - **PRESENTED**

A proclamation was presented by Council Chair Ingrid M. Turner and Council Vice Chair Eric C. Olson to Calvin Hawkins, Citizen's Corp Liaison and Kevin Woolbright, President of Prince George's Citizen's Corp Council, recognizing the month of September 2011, as "Emergency Preparedness Month" in Prince George's County. Council Members Obie Patterson, Karen R. Toles, Will Campos, Mary A. Lehman and Mel Franklin were present for the presentation. Mr. Hawkins, Mr. Woolbright and representatives of public safety and emergency preparedness agencies were present to accept.

Presentation of proclamations/commendations concluded at 1:50 p.m.

CALL TO ORDER - *Council Chair Turner called to order at 1:54 p.m. with the following Council Members present:*

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

District 6 Vacant

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 R. Watson, County Executive's Liaison to the Council

Joseph R. Hamlin, Office of Law

INVOCATION: - *The Invocation was provided by Howard W. Stone, Jr., County Employee.*

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

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-43-2011 - AN ACT CONCERNING MINORITY BUSINESS ENTERPRISE CERTIFICATIONS for the purpose of amending provisions of the County Code to allow issuance of minority business enterprise certifications to entities at least fifty-one percent (51%) owned by minority individuals; add Native Americans to the definition of minority individuals; refine the definitions of certain groups identified in the definition of minority individuals; and generally relating to certifications of minority business enterprises and generally relating to certifications of minority business enterprises... - **PRESENTED**

Council Bill 43 was presented by the Chair by request of the County Executive and referred to the Public Safety and Fiscal Management Committee.

CB-44-2011 - AN ACT CONCERNING CODE OF ETHICS for the purpose of amending the Code of Ethics in order to comply with State law. - **PRESENTED**

Council Bill 44 was presented by the Chair by request of the County Executive and referred to the Committee of the Whole.

CONSENT AGENDA – (CONTINUED)

CB-45-2011 – (EXECUTIVE ORDER NO. 41-2011) REORGANIZATIONAL PROPOSAL relating to the Fire/Emergency Medical Services Department. - **PRESENTED**

On September 16, 2011, the County Executive transmitted Executive Order No. 41-2011 proposing a Reorganization of the Fire/Emergency Medical Services Department. Pursuant to Charter Section 503, this Reorganization will become effective on November 15, 2011 unless disapproved by a majority vote of the full Council prior to that date.

Council Bill 45 was presented by the Chair by request of the County Executive and referred to the Public Safety and Fiscal Management Committee.

CB-46-2011 – (EXECUTIVE ORDER NO. 42-2011) REORGANIZATIONAL PROPOSAL relating to the Office of Human Relations. - **PRESENTED**

On September 16, 2011, the County Executive transmitted Executive Order No. 42-2011 proposing a Reorganization of the Office of Community Relations. Pursuant to Charter Section 503, this Reorganization will become effective on November 15, 2011 unless disapproved by a majority vote of the full Council prior to that date.

Council Bill 46 was presented by the Chair by request of the County Executive and referred to the Committee of the Whole.

CB-47-2011 - AN ACT CONCERNING HUMAN RELATIONS COMMISSION for the purpose of amending the provisions of the County Code relating to the Executive Director, staff, and budget of the Human Relations Commission. - **PRESENTED**

Council Bill 47 was presented by the Chair by request of the County Executive and referred to the Committee of the Whole.

CB-48-2011 - AN ACT CONCERNING INTRADEPARTMENTAL TRANSFER OF APPROPRIATIONS AND SUPPLEMENTARY APPROPRIATIONS for the purpose of transferring General Fund Non-Departmental appropriations from Contingencies to Grants and Transfer Payments in order to provide funds for a transfer to the Special Revenue Fund for Economic Development Incentive and declaring additional revenue and appropriating to the Internal Service Fund and Special Revenue Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2012 Budget. - **PRESENTED**

Council Bill 48 was presented by the Chair by request of the County Executive and referred to the Public Safety and Fiscal Management Committee.

CONSENT AGENDA – (CONTINUED)

CB-49-2011 – AN ORDINANCE CONCERNING VIDEO LOTTERY TERMINALS for the purpose of prohibiting video lottery terminals in Prince George's County. - **PRESENTED**

Council Bill 49 was presented by Council Members Olson, Campos and Harrison and referred to the Planning, Zoning and Economic Development Committee.

CB-50-2011 – AN ACT CONCERNING FOOD SERVICE FACILITIES for the purpose of eliminating the exemption for facilities located on Federal or State-owned property from inspection from the Prince George's County Health Department. - **PRESENTED**

Council Bill 50 was presented by Council Member Patterson and referred to the Health, Education and Human Services Committee.

CB-51-2011 - AN ORDINANCE CONCERNING CAR SHARING – MIXED USED AND OVERLAY ZONES – PARKING INCENTIVES for the purpose of providing incentives for car sharing facilities in the Mixed Use, Transit District, and Development District Overlay Zones. - **PRESENTED**

Council Bill 51 was presented by Council Members Olson, Campos and Franklin and referred to the Planning, Zoning and Economic Development Committee.

CB-52-2011 - AN ORDINANCE CONCERNING MIXED-USE TOWN CENTER (M-U-TC) ZONE for the purpose of providing a right of appeal to the District Council for certain applications in the Mixed-Use Town Center (M-U-TC) Zone. - **PRESENTED**

Council Bill 52 was presented by Council Member Olson and referred to the Planning, Zoning and Economic Development Committee.

CB-53-2011 - AN ORDINANCE CONCERNING THE TRANSIT DISTRICT OVERLAY ZONE for the purpose of amending the regulations for the Transit District Overlay Zone to include adequate public facilities review under certain circumstances. - **PRESENTED**

Council Bill 53 was presented by Council Member Olson and referred to the Planning, Zoning and Economic Development Committee.

CB-54-2011 – AN ACT CONCERNING AMENDMENT OF SECTION 305, CHARTER OF PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 305 of the Charter of Prince George's County to expand representation on the Prince George's Redistricting Commission under certain circumstances. - **PRESENTED**

Council Bill 54 was presented by Council Member Olson and referred to the Committee of the Whole.

CONSENT AGENDA – (CONTINUED)

CB-55-2011 - AN ORDINANCE CONCERNING NURSING OR CARE HOMES for the purpose of allowing Nursing or Care Homes in the R-80 Zone under certain circumstances. - **PRESENTED**

Council Bill 55 was presented by Council Member Olson and referred to the Planning, Zoning and Economic Development Committee.

CB-56-2011 - AN ORDINANCE CONCERNING USE AND OCCUPANCY PERMITS for the purpose of amending the definitions, and amending the requirements, for certain commercial or industrial uses in Commercial and Industrial Zones. - **PRESENTED**

Council Bill 56 was presented by Council Member Olson and referred to the Planning, Zoning and Economic Development Committee.

CB-57-2011 – AN ACT CONCERNING CODE ENFORCEMENT AND PENALTIES for the purpose of making amendments to certain code enforcement provisions related to violations, fines and appeals in the County; and generally relating to code enforcement. - **PRESENTED**

Council Bill 57 was presented by Council Member Lehman and referred to the Transportation, Housing and the Environment Committee.

CB-58-2011 – AN ACT CONCERNING VACANT RESIDENTIAL AND COMMERCIAL PROPERTY MAINTENANCE for the purpose of amending registration requirements; providing maintenance standards for residential and commercial property subject to foreclosure; providing for enforcement by the Department of Environmental Resources; and generally relating to maintenance of foreclosed property. - **PRESENTED**

Council Bill 58 was presented by Council Member Patterson and referred to the Transportation, Housing and the Environment Committee.

CB-60-2011 – AN ACT CONCERNING FIRE SAFETY for the purpose of amending the method of appointment for members of the Fire Commission; expanding the duties and responsibilities of the Fire Commission; amending the composition and Function of the Volunteer Fire Service Qualifications Review Board; and generally relating to fire safety. - **PRESENTED**

Council Bill 60 was presented by the Chair by request of the County Executive and referred to the Public Safety and Fiscal Management Committee.

CB-61-2011 – AN ACT CONCERNING PROSTITUTION FREE ZONES for the purpose of establishing Prostitution Free Zone and enforcement provisions. - **PRESENTED**

Council Bill 61 was presented by Council Member Harrison and referred to the Public Safety and Fiscal Management Committee.

CONSENT AGENDA – (CONTINUED)

CB-62-2011 - 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 62 was presented by Council Members Patterson, Olson, Franklin and Lehman and referred to the Planning, Zoning and Economic Development Committee.

CB-63-2011 - AN ORDINANCE CONCERNING ZONING CODE ENFORCEMENT AND PENALTIES for the purpose of making amendments to certain code enforcement provisions related to violations, fines and appeals in the County; and generally relating to zoning code enforcement. - **PRESENTED**

Council Bill 63 was presented by Council Member Lehman and referred to the Planning, Zoning and Economic Development Committee.

(b) **Introduction of Resolutions**

CR-63-2011 - A RESOLUTION CONCERNING PROCUREMENT REGULATIONS REGARDING MINORITY BUSINESS ENTERPRISES for the purpose of approving amendments to the Prince George's County Procurement Regulations to add Native Americans to the definition of minority individuals and refine the definitions of certain groups identified in the definition of minority individuals. - **INTRODUCED**

Council Resolution 63, as proposed by the Chair by request of the County Executive, refines the definition of "minority individuals" in the County's Procurement Regulations, adds the group "Native Americans" and increases the specificity of the groups within the definition. Council Resolution 63 was Introduced by Council Members Campos and Olson and referred to the Public Safety and Fiscal Management Committee.

CR-64-2011 – A RESOLUTION CONCERNING MARYLAND-NATIONAL PARK AND PLANNING COMMISSION for the purpose of amending certain revenues and expenditures in the Approved Maryland-National Capital Park and Planning Commission's Annual Budget for the Fiscal Year 2011. - **INTRODUCED**

Council Resolution 64, as proposed by the Chair by request of the Planning Board, amends revenues and expenditures in the Approved Maryland-National Capital Park and Planning Commission's Annual Budget for the Fiscal Year 2011 to allow for a transfer of funds from the Central Administrative Services (CAS) Department of Human Resources Management (DHRM) to the Merit System Board. Council Resolution 64 was Introduced by Council Member Turner and referred to the Planning, Zoning and Economic Development Committee. The Chair announced that the Public Hearing for Council Resolution is scheduled for Tuesday, November 1, 2011 @ 1:30 p.m.

** *Council Member Franklin moved adoption of the Consent Agenda; seconded by Council Member Patterson. The motion carried by voice vote (Council District 6 - vacant)*

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

No items were considered.

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

No items were considered.

** *Council Member Harrison moved to accept an addition to the agenda; seconded by Council Member Franklin. The motion carried 8-0 (Council District 6-vacant).*

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

RECESS – *Chair Turnere recessed the meeting at 2:09 p.m.*

4. **COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM) -- COMMITTEE MEETING HELD**

BRIEFINGS:

● **PEPCO/BGE – HURRICANE IRENE BRIEFING**

Thomas H. Graham, President, Pepco Region
Jerry Pasternak, Vice President, Pepco Region, Maryland Affairs
Charles R. Dickerson, Vice President, Customer Service
Pete Pedersen, Emergency Preparedness Manager
Peter E. Meier, Vice President, Legal Services

Chris Burton, Senior Vice President, Gas & Electric Operations & Planning, BGE
Jeannette Mills, Senior Vice President, Customer Relations & Account Services, BGE
Darryl Stokes, Vice President, Engineering & Standards, BGE
Michael Fowler, Manager, Local Affairs, Constellation Energy

Chair Turner commenced the briefing at 2:18 p.m. Mr. Thomas Graham, PEPCO, provided remarks and turned to Mr. Jerry Pasternak who facilitated a power-point presentation entitled, “Overview of Hurricane Irene” (See file copy). The presenters and other PEPCO representatives responded to questions and comments raised by the Council.

Mr. Michael Fowler, Constellation Energy, facilitated a power-point presentation entitled, "Hurricane Irene Preparation and Response" (See file copy). He and other BGE representatives responded to questions and comments posed by the Council. (See Administrative Day file for detailed Clerk's notes.) The briefing concluded at 3:58 p.m.

- **MARKETING AND BRANDING STUDY FOR PRINCE GEORGE'S COUNTY - UPDATE**

J. Matthew Neitzey, Executive Director, Conference and Visitors Bureau
Derrick Hollie, CEO GA1 (Global Advertising 1st)

Chair Turner commenced the briefing at 4:21 p.m. Mr. J. Matthew Neitzey and Mr. Derrick Hollie facilitated a brief power point presentation and spoke to the concepts and phasing of the study and responded to comments proffered by the Council. (See Administrative Day file for detailed Clerk's notes.) The briefing concluded at 5:10 p.m.

RECONVENE – *Chair Turner reconvened the meeting at 7:20 p.m.*

5. **PUBLIC HEARING: - (COUNCIL HEARING ROOM) – PUBLIC HEARING HELD**

THE 2011 REDISTRICTING PLAN

The County Council of Prince George's County, Maryland, public hearing on the proposed Councilmanic Redistricting Plan, prepared pursuant to Section 305 of the Charter of Prince George's County, Maryland, by the Redistricting Commission and submitted by said Commission to the County Council.

(SEE SEPARATE ACTION AGENDA)

Pursuant to proper notice, Chair Turner convened the public hearing on the 2011 Redistricting Plan (See 2011 Redistricting Plan file for detailed notes and transcript.)

ADJOURNMENT – *Chair Turner adjourned the meeting at 10:17 p.m.*

ADDITION TO THE AGENDA

● **COMMITTEE OF THE WHOLE SCHEDULE - IN CONJUNCTION WITH THE 2011 REDISTRICTING PLAN**

Chair Turner commenced the discussion at 10:33 p.m. Each Council Member discussed the plan as related to his/her respective Councilmanic District. (See Administrative Day file for detailed Clerk's notes.) The following schedule was released in conjunction with the plan:

Tues., Sept. 27, 2011	After conclusion of 7:00 p.m. Public Hearing	Committee of the Whole Worksession – Council Hearing Room
Wed., Sept. 28, 2011	9:00 a.m.	Committee of the Whole Worksession – (Carryover if needed) – Room 2027
Mon., Oct. 3, 2011	10:00 a.m.	Committee of the Whole Worksession – Final Review of Redistricting Map – Room 2027

Prepared by:

Donna J. Brown, Deputy Clerk

Submitted by:

Redis C. Floyd, Clerk of the Council