

ACTION MINUTES

Tuesday, July 29, 2003

(Legislative Day No. 27 to be declared)

Business Meeting

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027)

CALL TO ORDER – *Chairman Peter A. Shapiro called to order at 10:27 a.m. with the following Council Members present:*

*Peter A. Shapiro
Marilynn M. Bland
Samuel H. Dean
Thomas E. Dernoga
David C. Harrington
Tony Knotts
Douglas J. J. Peters*

Absent at roll call: Thomas R. Hendershot (arrived at 10:30 a.m.)

Absent: Camille A. Exum (due to illness)

Others Present:

*Craig S. Price, Deputy Council Administrator
Robert Williams, Jr., Associate Council Administrator
Ralph Grutzmacher, Legislative Officer
Aisha N. Braveboy, County Council Liaison, Office of the County Executive
Kathy Canning, Associate County Attorney
Cheryl Ringer, Associate County Attorney
Karen Zavakos, Associate County Attorney
Jacqueline Brown, Committee Director, PZED
Sandra Eubanks, Committee Director, THE & HEHS
Frank Porter, Committee Director, PSFM*

INVOCATION – *The Invocation was provided by Rabbi Dr. Gary S. Fink of the Oseh Shalom Congregation in Laurel, Maryland.*

PLEDGE OF ALLEGIANCE – *The pledge was led by Council Member Peters.*

DESIGNATION OF JULY 29, 2003 AS LEGISLATIVE DAY NO. 27 – *Chairman Shapiro designated Tuesday, July 29, 2003 as Legislative Day number twenty-seven.*

****** *Council Member Dean moved to accept additional items to the agenda; seconded by Council Member Harrington. The motion carried by voice vote (Absent: Council Member Exum).*

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-58-2003 (SUBDIVISION BILL) - AN ACT CONCERNING PRE-APPLICATION INFORMATIONAL MAILINGS for the purpose of requiring applicants for major subdivisions to send informational mailings to civic associations, municipalities, adjoining property owners, and prior parties of record at least 30 days before filing an application for preliminary plan of subdivision. - **PRESENTED**

Council Bill 58 was presented by Council Member Dean and referred to the Planning, Zoning and Economic Development Committee.

CONSENT AGENDA – (CONTINUED)**(b) Introduction of Resolutions****CR-36-2003 – A RESOLUTION CONCERNING PARKLAND VILLAGE**

APARTMENTS for the purpose of providing the required approval to the State of Maryland Department of Housing and Community Development, Community Development Administration (CDA) of a community development project and the use of State funds for the acquisition and rehabilitation of Parkland Village; a family project to be redeveloped by RST Development, LLC. - **INTRODUCED**

Council Resolution 36, as proposed by the Chairman by request of the County Executive approves financing for the acquisition and rehabilitation of the Parkland Village Apartments in Forestville, Maryland, an approval required by State Law. Council Resolution 36 was introduced by Council Members Dernoga, Knotts and Harrington and referred to the Transportation, Housing and the Environment Committee.

****** *Council Member Harrington moved adoption of the Consent Agenda; seconded by Council Member Dernoga. The motion carried by voice vote (Absent: Council Member Exum).*

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

No items were considered.

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT -- (SEE ALSO 3(f) ON PAGE 13)

- (a) Proposed letter to Elizabeth M. Hewlett, Chairman, Prince George's County Planning Board, endorsing the recommendations of the Planning Board on the Goals, Concepts, Guidelines and Public Participation Program for the update to the Countywide Master Plan of Transportation. - **AMENDED; CHAIRMAN AUTHORIZED TO SIGN DR-2**

Chairman Shapiro, by request of the Planning Board, proposed that a letter be sent to Ms. Elizabeth Hewlett endorsing the recommendations of the Planning Board on the Goals, Concepts, Guidelines and Public Participation Program for the update to the Countywide Master Plan of Transportation. Council Member Dernoga moved an amendment to the proposed letter; seconded by Council Member Dean. The motion carried 8-0 (Absent: Council Member Exum). Council Member Hendershot moved to authorize the Chairman's signature of Draft 2 of the proposed letter; seconded by Council Member Peters. The motion carried 8-0 (Absent: Council Member Exum).

**PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT --
(CONTINUED)**

- (b) Proposed letter to Elizabeth M. Hewlett, Chairman, Prince George's County Planning Board, endorsing the recommendations of the Planning Board on the Goals, Concepts, Guidelines and Public Participation Program for the update to the Countywide Green Infrastructure Plan. -

CHAIRMAN AUTHORIZED TO SIGN

The Chairman, by request of the Planning Board, proposed that a letter be sent to Ms. Elizabeth Hewlett endorsing the recommendations of the Planning Board on the Goals, Concepts, Guidelines and Public Participation Program for the update to the Countywide Green Infrastructure Plan. Council Member Dean moved to authorize the Chairman's signature; seconded by Council Member Harrington. The motion carried 8-0 (Absent: Council Member Exum).

- (c) Proposed letter to Mr. Neil J. Pedersen, Administrator, State Highway Administration, regarding the final project planning for the MD 28/MD 198 Corridor Improvement Study. -

CHAIRMAN AUTHORIZED TO SIGN

A letter was proposed to be sent to Mr. Neil Pedersen regarding the final project planning for the MD 28/MD 198 Corridor Improvement Study. Council Member Dean, as Chairman of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the Committee. The proposed letter was favorably reported out of THE on 7/24/2003. Council Member Dernoga moved to authorize the Chairman's signature; seconded by Council Member Peters. The motion carried 8-0 (Absent: Council Member Exum).

- (d) Proposed letter to Mr. Neil J. Pedersen, Administrator, State Highway Administration, regarding the final project planning for the I-95 Contee Road Transportation Improvement Study. - **CHAIRMAN AUTHORIZED TO SIGN**

A letter was proposed to be sent to Mr. Neil Pedersen regarding the final project planning for the I-95 Contee Road Transportation Improvement Study. Council Member Dean, as Chairman of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the Committee. The proposed letter was favorably reported out of THE on 7/24/2003. Council Member Dernoga moved to authorize the Chairman's signature; seconded by Council Member Harrington. The motion carried 8-0 (Absent: Council Member Exum).

(e) Confirmation of the following appointments:

◆ **Commission for Children, Youth and Families - CONFIRMED**

Council Member Thomas R. Hendershot Appointment Effective: 7/31/2003
Replacing: Dorothy F. Bailey
Term Expires: 12/1/2004

Council Member Dean moved confirmation of Council Member Thomas R. Hendershot to the Commission for Children, Youth and Families; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

◆ **Art in Public Places Panel - CONFIRMED**

Council Chair Peter A. Shapiro Appointment Effective: 11/1/2003
Replacing: Dorothy F. Bailey
Term Expires: 12/1/2005

Council Member Harrington moved confirmation of Chairman Peter A. Shapiro to the Art in Public Places Panel; seconded by Council Member Hendershot. The motion carried 7-0-1 (Abstained: Chairman Shapiro; Absent: Council Member Exum).

◆ **Board of Appeals:** All effective 9/1/2003; term expires 12/4/2006. - **ALL APPOINTEES CONFIRMED**

Raymond Krasnick, Chairman	Reappointment
Albert C. Scott, Vice Chairman	Replacing: Christine Jowers
Anthony C. Pinnix	Replacing: Mark A. Johnson

Council Member Hendershot moved confirmation of Mr. Raymond Krasnick, Mr. Albert C. Scott and Mr. Anthony C. Pinnix to the Board of Appeals; seconded by Council Member Dean. The motion carried 8-0 (Absent: Council Member Exum).

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

CB-29-2003 (DR-2) – AN ORDINANCE CONCERNING C-A ZONE for the purpose of modifying the requirements for antennas, monopoles, and related equipment buildings in the C-A Zone. - **INTRODUCED**

Council Member Harrington, as Chairman of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 29, which modifies footnote thirty (30) in the Table of Uses for the Commercial Zones, found in Section 27-416(b) of the Zoning Ordinance, to permitting six carriers on one monopole in the C-A Zone, was favorably reported out of PZED on 7/23/2003 with amendments. Council Bill 29, Draft 2 was introduced by Council Members Bland, Dean and Peters.

CB-44-2003 (DR-2) (SUBDIVISION BILL) – AN ACT CONCERNING PRIVATE ROADS AND EASEMENTS for the purpose of permitting the Planning Board to approve private rights-of-way or easements in the C-S-C, M-A-C, M-X-C, and M-X-T Zones under certain circumstances. - **INTRODUCED**

Council Member Harrington, as Chairman of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 44, which permits the Planning Board to approve private rights-of-way or easements to serve lots within integrated shopping centers located in certain zones, was favorably reported out of PZED on 7/23/2003 with amendments. Council Bill 44, Draft2 was introduced by Council Members Peters, Dean, Harrington.

CB-57-2003 – AN ORDINANCE CONCERNING DEFINITIONS for the purpose of amending the definition of “street”. - **INTRODUCED**

Council Member Harrington, as Chairman of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 57, which amends the definition of "street", was favorably reported out of PZED on 7/23/2003. Council Bill 57 was introduced by Council Members Peters, Dean and Harrington.

SECOND READING OF BILLS (INTRODUCTION) – (CONTINUED)

CB-59-2003 - AN ACT CONCERNING THE 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, 2004, as required by State law. - **INTRODUCED**

The Chairman (by request – County Executive)

Council Member Exum, as Chairman of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 59, which establishes the homestead property tax credit at two percent (2%) for the County property tax for the taxable year beginning July 1, 2004, was favorably reported out of PSFM on 7/23/2003. Council Bill 59 was introduced by Council Member Shapiro.

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

CB-19-2003 (DR-2) – AN ORDINANCE CONCERNING PEOPLE’S ZONING COUNSEL for the purpose of amending the powers and duties of the People’s Zoning Counsel and amending the qualifications and term of office. - **PUBLIC HEARING HELD; AMENDED; DR-3 ENACTED**

(Introduced by Council Members Harrington, Dernoga, Knotts, Peters, Shapiro and Dean on 6/17/2003; favorably reported out of PZED on 6/4/2003 with amendments)

Pursuant to proper notice, the public hearing convened on Council Bill 19. Draft 2. No persons wishing to speak, the public hearing was declared held. Council Member Peters moved enactment of Council Bill 19, Draft 2; seconded by Council Member Knotts. Council Member Dernoga proffered a substitute motion to amend Council Bill 19, Draft 2; seconded by Council Member Dean. The motion carried 8-0 (Absent: Council Member Exum). The main motion, now to enact Council Bill 19, Draft 3 carried 8-0 (Absent: Council Member Exum).

CB-42-2003 – AN ORDINANCE CONCERNING M-U-I ZONE for the purpose of authorizing the District Council to approve the M-U-I Zone (Mixed Use, Infill) on property owned by a municipality, modifying the M-U-I Zone application and approval requirements, and making related amendments to the Zoning Ordinance. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Harrington, Dean and Hendershot on 7/8/2003; favorably reported out of PZED on 7/1/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 42. Mr. David Warrington spoke in support of the legislation on behalf of the Mayor and Council of the Town of Cheverly. All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrington moved enactment of Council Bill 42; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

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

**CB-56-2003 – AN ORDINANCE CONCERNING VEHICLE, MOBILE HOME AND
CAMPING TRAILER SALES AND SERVICE** for the purpose of extending the
amortization period for certain vehicle sales lots which are less than 25,000 square feet. -
PUBLIC HEARING HELD; POSTPONED INDEFINITELY

(Introduced by Council Members Peters, Hendershot, Dean and Knotts on 7/8/2003;
unfavorably reported out of PZED on 7/23/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 56. Mr. Cerdon Laderas, Ms. Thelma Gazeo, Mr. Tony Sia, Mr. Ephrain Merion, Mr. Steve Wistort, Mr. Luigi Saglimbu, Mr. Santos Joel Cruz and Mr. Verna Wolverton spoke in opposition to the measure. All persons wishing to speak having done so, the public hearing was declared held. Council Member Dernoga moved to postponed Council Bill 56 indefinitely; seconded by Council Member Harrington. The motion carried 6-2 (Opposed: Council Members Hendershot and Peters; Absent: Council Member Exum).

Prior to final action on Emergency Bills, the Chairman shall read the bill by short title and shall read the claimed emergency as contained in the bill. Emergency Bills require six votes to enact.

**CB-41-2003 (DR-2) (EMERGENCY BILL) – AN EMERGENCY ACT CONCERNING
BUILDING CODE** for the purpose of amending the Building Code to include a provision authorizing the Building Code Official to abate unsafe conditions. - **PUBLIC HEARING HELD; ENACTED**

A public emergency exists affecting the public health, safety, or welfare; said emergency being the need to amend the County Building Code to authorize the Building Code Official to cause the demolition of structures deemed to be unsafe, posing an imminent danger or threat to the public safety, health, and human life.

(Introduced by Council Members Knotts, Bland and Exum on 7/8/2003; favorably reported out of THE on 7/2/2003 with amendments)

Pursuant to proper notice, the public hearing convened on Council Bill 41, Draft 2. Mr. Samuel Carcane spoke in opposition to the legislation. All persons wishing to speak having done so, the public hearing was declared held. Council Member Knotts moved enactment of Council Bill 41, Draft 2; seconded by Council Member Bland. The motion carried 8-0 (Absent: Council Member Exum).

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

**CB-45-2003 – AN ACT CONCERNING GENERAL AVIATION AIRPORT
ENVIRONMENT DISCLOSURE NOTICE** for the purpose of amending the role of real estate agents in disclosing the proximity of certain airports in real estate contracts. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Dean and Peters on 7/8/2003; favorably reported out of THE on 7/2/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 45. No persons wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 45; seconded by Council Member Peters. The motion carried 8-0 (Absent: Council Member Exum).

**CB-38-2003 (DR-2) - AN ACT CONCERNING SUPPLEMENTARY
APPROPRIATIONS AND INTERDEPARTMENTAL TRANSFER OF
APPROPRIATIONS** for the purpose of appropriating to the General Fund revenue in excess of budget estimates, to provide funds for costs that were not anticipated in the approved FY 2002-2003 budget for various agencies and to transfer surplus appropriations reflecting savings from various County Departments. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Dean and Exum on 7/8/2003; favorably reported out of PSFM on 7/2/2003 with amendments)

Pursuant to proper notice, the public hearing convened on Council Bill 38, Draft 2. No persons wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 38, Draft 2; seconded by Council Member Harrington. The motion carried 8-0 (Absent: Council Member Exum).

CB-40-2003 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of appropriating additional revenue from prior year available and uncommitted fund balance to the Drug Enforcement and Education Special Revenue Fund, to provide funds for costs that were not anticipated in the Approved Fiscal Year 2002-2003 Budget for the Drug Enforcement and Education Special Revenue Fund. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Dean and Exum on 7/8/2003; favorably reported out of PSFM on 7/2/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 40. No persons wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 40; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

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

CB-48-2003 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-five Million Seven Hundred Eighty-Eight Thousand Dollars (\$45,788,000), 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. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Bland, Dean, Exum, Harrington, Peters and Knotts on 7/8/2003; favorably reported out of PSFM on 7/2/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 48. No persons wishing to speak, the public hearing was declared held. Council Member Harrington moved enactment of Council Bill 48; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

CB-46-2003 - 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 One Hundred Two Million Four Hundred Eighty-four Thousand Dollars (\$102,484,000) 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 construction, acquisition, improvement or extension of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2004, . . . - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Knotts, Bland, Dean, Exum and Peters on 7/8/2003; favorably reported out of PSFM on 7/2/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 46. No persons wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 46; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

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

CB-47-2003 - 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, pursuant to Title 3, Subtitle 2 of Article 29 of the Annotated Code of Maryland (1997 Replacement Volume and 2002 Supplement), Section 2C of Article 31, Annotated Code of Maryland (1997 Replacement Volume, 2002 Supplement), and the Maryland Water Quality Financing Administration Act, Sections 9-1601 to 9-1622, inclusive, of the Maryland Annotated Code, Environment Article (1996 Replacement Volume and 2002 Supplement) to issue and sell an amount not to exceed Four Million Four Hundred Seventy-six Thousand Dollars (\$4,476,000) in aggregate principal amount of general obligation stormwater management bonds for the purpose of providing funds for financing in whole or in part costs of the planning, construction, reconstruction, acquisition, 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, 2004, . . . - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Bland, Dean, Exum and Knotts on 7/8/2003; favorably reported out of PSFM on 7/2/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 47. No persons wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 47; seconded by Council Member Peters. The motion carried 8-0 (Absent: Council Member Exum).

CB-49-2003 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT-PRINCE GEORGE'S COUNTY POLICE CIVILIANS EMPLOYEES ASSOCIATION for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the Prince George's County Police Civilian Employees Association to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employees Relations Board. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Hendershot, Dean, Exum, Harrington, Peters and Knotts on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 49. No persons wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 49; seconded by Council Member Harrington. The motion carried 8-0 (Absent: Council Member Exum).

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

**CB-50-2003 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT-
DEPUTY SHERIFF'S ASSOCIATION OF PRINCE GEORGE'S COUNTY, INC.**

(CIVILIAN UNITS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the Deputy Sheriff's Association of Prince George's County, Inc. (Civilian Units) to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employees Relations Board. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Knotts, Hendershot, Dean, Exum, Harrington and Peters on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 50. No persons wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 50; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

**CB-51-2003 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT-
DEPUTY SHERIFF'S ASSOCIATION OF PRINCE GEORGE'S COUNTY, INC.**

(DEPUTY SHERIFFS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the Deputy Sheriff's Association of Prince George's County, Inc. (Deputy Sheriffs) to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employees Relations Board. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Knotts, Hendershot, Dean, Exum, Harrington and Peters on 7/8/2003; favorably reported out of PSFM on 7/23/2002)

Pursuant to proper notice, the public hearing convened on Council Bill 51. No persons wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 51; seconded by Council Member Harrington. The motion carried 8-0 (Absent: Council Member Exum).

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

CB-52-2003 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT-AMERICAN FEDERATION OF STATE COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO AND ITS AFFILIATED LOCAL 241 (SCHOOL CROSSING GUARDS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the American Federation of State County and Municipal Employees, AFL-CIO and its affiliated Local 241 (School Crossing Guards) to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employees Relations Board. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Knotts, Hendershot, Dean, Harrington and Peters on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Pursuant to proper notice, the public hearing convened on Council Bill . No persons wishing to speak, the public hearing was declared held. Council Member moved enactment of Council Bill; seconded by Council Member.

Pursuant to proper notice, the public hearing convened on Council Bill 52. No persons wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 52; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

CB-53-2003 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT-AMERICAN FEDERATION OF STATE COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO AND ITS AFFILIATED LOCAL 3389 (HEALTH DEPARTMENT) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the American Federation of State County and Municipal Employees, AFL-CIO and its affiliated Local 3389 (Health Department) to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employees Relations Board. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Knotts, Hendershot, Dean, Exum, Harrington and Peters on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 53. No persons wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 53; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

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

CB-54-2003 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT-AMERICAN FEDERATION OF STATE COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO AND ITS AFFILIATED LOCAL 3279 (DER CLERICAL UNITS I & II) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the American Federation of State County and Municipal Employees, AFL-CIO and its affiliated Local 3279 (DER Clerical Units I & II) to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employees Relations Board. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Knotts, Hendershot, Dean, Exum, Harrington and Peters on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 54. No persons wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 54; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

CB-55-2003 - AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE'S COUNTY for the purpose of adding new classes of work, abolishing certain classes of work and changing grade levels for certain classes of work. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Knotts, Dean and Exum on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Pursuant to proper notice, the public hearing convened on Council Bill 55. No persons wishing to speak, the public hearing was declared held. Council Member Knotts moved enactment of Council Bill 55; seconded by Council Member Hendershot. The motion carried 8-0 (Absent: Council Member Exum).

6. **RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION)**

CR-34-2003 (DR-2) – A RESOLUTION CONCERNING THE 2001 WATER AND SEWERAGE PLAN (APRIL 2003 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan. - **DR-2 SUBSTITUTED; AMENDED; DR-3 ADOPTED**

(Introduced by Council Members Shapiro, Dean and Exum on 6/17/2003; favorably reported out of THE on 7/24/2003 with amendments)

Council Member Harrington moved to substitute Draft 2 in lieu of Draft 1 of Council Resolution 34; seconded by Council Member Dean. The motion carried by voice vote (Absent: Council Members Exum and Knotts). Council Member Dernoga moved amendment number one to Council Resolution 34, Draft 2; seconded by Council Member Dean. The motion carried by voice vote (Absent: Council Members Exum and Knotts). Council Member Dean moved adoption of Council Resolution 34, Draft 3; seconded by Council Member Harrington. The motion carried 7-0 (Absent: Council Members Exum and Knotts).

CR-44-2003 – A RESOLUTION CONCERNING THE ENACTMENT OF CERTAIN ORDINANCES OF THE TOWN OF EDMONSTON for the purpose of approving the enactment of Ordinance No. 03-003 amending Section 44-5 of the Code of the Town of Edmonston concerning residential parking. - **ADOPTED**

(Introduced by Council Member Harrington on 7/15/2003; favorably reported out of PZED on 7/23/2003) The motion carried 8-0 (Absent: Council Member Exum).

Council Member Dean moved adoption of Council Resolution 44; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

CR-38-2003 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, THE PRINCE GEORGE'S COUNTY POLICE CIVILIAN EMPLOYEES ASSOCIATION - SALARY SCHEDULE P for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreements by and between Prince George's County, Maryland and the Prince George's Police Civilian Employees Association. - **ADOPTED**

(Introduced by Council Members Hendershot, Dean, Exum, Peters, Harrington and Knotts on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Council Member Dernoga moved adoption of Council Resolution 38; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION) – (CONTINUED)**CR-39-2003 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, DEPUTY SHERIFF'S ASSOCIATION OF PRINCE GEORGE'S COUNTY, INC.**

(CIVILIAN UNITS) - SALARY SCHEDULE Z for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George's County, Maryland and the Deputy Sheriff's Association of Prince George's County, Inc. (Civilian Units). - **ADOPTED**

(Introduced by Council Members Hendershot, Dean, Exum, Harrington, Peters and Knotts on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Council Member Hendershot moved adoption of Council Resolution 39; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

CR-40-2003 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, DEPUTY SHERIFF'S ASSOCIATION OF PRINCE GEORGE'S COUNTY, INC.

(DEPUTY SHERIFFS) - SALARY SCHEDULE W for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George's County, Maryland and the Deputy Sheriff's Association of Prince George's County, Inc. (Deputy Sheriffs). - **ADOPTED**

(Introduced by Council Members Hendershot, Dean, Exum, Harrington, Peters and Knotts on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Council Member Knotts moved adoption of Council Resolution 40; seconded by Council Member Hendershot. The motion carried 8-0 (Absent: Council Member Exum).

CR-41-2003 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, COUNCIL 67, AMERICAN FEDERATION OF STATE COUNTY AND MUNICIPAL EMPLOYEES, (AFSCME) AFL-CIO, AND ITS AFFILIATED LOCAL 241 (SCHOOL CROSSING GUARDS) - SALARY SCHEDULE X

for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George's County, Maryland and AFSCME Local 241. - **ADOPTED**

(Introduced by Council Members Hendershot, Dean, Exum, Harrington, Peters and Knotts on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Council Member Harrington moved adoption of Council Resolution 41; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

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

CR-42-2003 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, COUNCIL 67, AMERICAN FEDERATION OF STATE COUNTY AND MUNICIPAL EMPLOYEES, (AFSCME) AFL-CIO, AND ITS AFFILIATED LOCAL 3389 (HEALTH DEPARTMENT) - SALARY SCHEDULE J for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George's County, Maryland and AFSCME Local 3389. - **ADOPTED**

Introduced by Council Members Hendershot, Dean, Exum, Harrington, Peters and Knotts on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Council Member Knotts moved adoption of Council Resolution 42; seconded by Council Member Hendershot. The motion carried 8-0 (Absent: Council Member Exum).

CR-43-2003- A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, COUNCIL 67, AMERICAN FEDERATION OF STATE COUNTY AND MUNICIPAL EMPLOYEES, (AFSCME) AFL-CIO, AND ITS AFFILIATED LOCAL 3279 (DER CLERICAL UNITS I & II)- SALARY SCHEDULE C for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George's County, Maryland and AFSCME Local 3279. - **ADOPTED**

(Introduced by Council Members Hendershot, Dean, Exum, Harrington, Peters and Knotts on 7/8/2003; favorably reported out of PSFM on 7/23/2003)

Council Member Knotts moved adoption of Council Resolution 43; seconded by Council Member Hendershot. The motion carried 8-0 (Absent: Council Member Exum).

CR-47-2003 - A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS for the purpose of funding grants to the Department of Family Services, Health Department, Police Department, Fire Department, Office of the State's Attorney, Department of Social Services, Circuit Court and Office of the Sheriff. - **ADOPTED**

(Introduced by Council Members Shapiro, Dean, Exum, Knotts, Harrington and Peters on 7/22/2003; favorably reported out of PSFM on 7/23/2003)

Council Member Dean moved adoption of Council Resolution 47; seconded by Council Member Peters. The motion carried 8-0 (Absent: Council Member Exum).

7. **INTRODUCTION AND ADOPTION OF RESOLUTIONS -- (CR-49 & CR-50 ADDED)**

CR-48-2003 - A RESOLUTION CONCERNING THE PETITION FOR THE INCORPORATION OF THE CITY OF LARGO for the purpose of setting forth in writing the reasons for the rejection of the referendum request for the proposed incorporation of the City of Largo and establishing procedures by which a reconsideration of the rejection of the referendum request can be undertaken. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

(Public hearing held on 6/16/2003. Council voted (9-0) to reject the referendum request and referred to staff for preparation of document)

Council Resolution 48, which rejects the referendum request for the proposed incorporation of the City of Largo, was introduced by Council Members Dean, Shapiro, Bland and Knotts. Council Member Dean moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 48; seconded by Council Member Harrington. The motion carried by voice vote (Absent: Council Member Exum). Council Member Dean moved adoption of Council Resolution 48; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).

CR-49-2003 – A RESOLUTION CONCERNING A CERTAIN EXEMPT POSITION IN THE HEALTH DEPARTMENT for the purpose of establishing a certain exempt position in the Health Department. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 49, as proposed by the Chairman by request of the County Executive, establishes a certain exempt position in the Health Department. Council Resolution 49 was introduced by Council Member Shapiro. Council Member Harrington moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 49; seconded by Council Member Peters. The motion carried by voice vote (Absent: Council Member Exum). Council Member Peters moved adoption of Council Resolution 49; seconded by Council Member Knotts. The motion carried 7-1 (Opposed: Council Member Dernoga; Absent: Council Member Exum).

CR-50-2003 – A RESOLUTION CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION – PRINCE GEORGE’S COUNTY MEMBERS – GEOGRAPHIC BALANCE for the purpose of addressing the geographic distribution and balance of the membership of the Maryland-National Capital Park and Planning Commission and confirming Mr. James F. Harley as a member. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 50, as proposed by the Chairman by request of the County Executive, addresses the geographic distribution and balance of the membership of the Maryland-National Capital Park and Planning Commission and confirms Mr. James F. Harley as a member, was introduced by Council Members Shapiro, Hendershot, Knotts, Dernoga and Peters. Council Member Hendershot moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 50; seconded by Council Member Dernoga. The motion carried by voice vote (Absent: Council Members Dean and Exum). Council Member Hendershot moved adoption of Council Resolution 50; seconded by Council Member Harrington. The motion carried 7-0 (Absent: Council Members Dean and Exum).

- **** *Council Member Dean moved to convene in Executive Session for discussion of proposed advanced land acquisition projects in accordance with Maryland Annotated Code, State Government, Section 10-508(a)(3); seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Exum).*

RECESS – *Chairman Shapiro recessed the meeting at 11:58 a.m.*

EXECUTIVE SESSION -- EXECUTIVE SESSION HELD

Discussion of proposed advanced land acquisition projects in accordance with Maryland Annotated Code, State Government, Section 10-508(a)(3).

RECONVENED – *Chairman Shapiro reconvened the meeting at 12:16 p.m.*

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT – (continued from page 3)

- (f) Proposed joint signature letter to Elizabeth M. Hewlett, Chairman, Prince George's County Planning Board, to initiate appraisals on certain properties for possible park acquisition. - **CHAIRMAN AUTHORIZED TO SIGN**

Council Member Peters, Dean, Knotts, Dernoga and Harrington

A letter was proposed to be sent to Ms. Elizabeth M. Hewlett initiating appraisals on certain properties for possible park acquisition. Council Member Dean moved to authorize the Chairman's signature; seconded by Council Member Knotts. The motion carried 7-0 (Absent: Council Members Exum and Hendershot).

RECESS - Chairman Shapiro recessed the meeting at 12:19 p.m.

PUBLIC HEARINGS: - Chairman Shapiro reconvened the meeting at 2:30 p.m. and began with the public hearings.

◆ **Appointment of the following individual as Director of Management and Budget for Prince George's County: - PUBLIC HEARING HELD; CONFIRMED**

Mr. Thomas Himler

Pursuant to proper notice, the public hearing convened on the appointment of Mr. Thomas Himler as Director of Management and Budget for Prince George's County. County Executive Jack B. Johnson introduced Mr. Himler to the Council and spoke regarding Mr. Himler's credentials, commitment and personal perseverance during recent his illness. Mr. Himler was present and spoke on his own behalf. Mr. Leonard Lucchi also spoke in support of confirmation. All persons wishing to speak having done so, the public hearing was declared held. Council Member Hendershot moved confirmation; seconded by Council Member Harrington. The motion carried 7-0 (Absent: Council Members Dean and Exum).

◆ **Appointment of the following individual to the Maryland-National Capital Park and Planning Commission: - PUBLIC HEARING HELD; CONFIRMED**

Mr. James F. Harley

Appointment
Replacing: Mr. Albert C. Scott
Term Expiring: 6/15/2007

Pursuant to proper notice, the public hearing convened on the appointment of Mr. James F. Harley to the Maryland-National Capital Park and Planning Commission. County Executive Jack B. Johnson introduced Mr. Harley to the Council and spoke regarding Mr. Harley's activism for the community. Mr. Harley was present and spoke on his own behalf. Mr. James A. Dulla also spoke in support of confirmation. All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrington moved confirmation; seconded by Council Member Hendershot. The motion carried 7-0 (Absent: Council Members Dean and Exum).

PUBLIC HEARINGS – (CONTINUED)

- ◆ **Appointment of the following individual to the Citizen Complaint Oversight Panel for Prince George's County: - PUBLIC HEARING HELD; CONFIRMED**

Ms. Blenda J. Pinto-Riddick

Appointment

Replacing: Dervey Lomax

Term Expiring: 1/18/2006

Pursuant to proper notice the public hearing convened on the appointment of Ms Blenda J. Pinto-Riddick to the Citizen Complaint Oversight Panel for Prince George's County. County Executive Jack B. Johnson introduced Ms. Riddick to the Council and spoke regarding her exceptional credentials. Ms. Pinto-Riddick was present and spoke on her own behalf. The Honorable Victor Ramirez, Delegate of the 47th Legislative District, also spoke in support of confirmation. All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrington moved confirmation; seconded by Council Member Knotts. The motion carried 7-0 (Absent: Council Members Dean and Exum).

- ◆ **Appointment of the following individual to the Washington Suburban Sanitary Commission for Prince George's County: - PUBLIC HEARING HELD; CONFIRMED**

Mr. Prem P. Agarwal

Appointment

Replacing: Gregory Wells, Esquire

Term Expiring: 6/1/2007

Pursuant to proper notice the public hearing convened on the appointment of Mr. Prem P. Agarwal to the Washington Suburban Sanitary Commission. County Executive Jack P. Johnson introduced Mr. Agarwal to the Council and spoke regarding his extensive background and entrepreneurial experience. Mr. Agarwal was present and spoke on his own behalf. Mr. Henry T. Arrington also spoke in support of confirmation. All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrington moved confirmation; seconded by Council Member Peters. The motion carried 6-0 (Absent: Council Members Dean, Exum and Knotts).

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

ADJOURN – Chairman Shapiro adjourned the meeting at 3:58 p.m.

Prepared by:

Submitted by:

Donna J. Brown, Office Manager

Redis C. Floyd, Clerk of the Council

