

AGENDA MINUTES

Tuesday, November 3, 2009

Legislative Day No. 31

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) - BRIEFING HELD

CALL TO ORDER: - *Chairperson Bland called to order at 10:13 A. M. with the following Council Members present:*

*Marilynn B. Bland
Will Campos
Samuel H. Dean
Thomas E. Dernoga (Late: arrived @ 10:15 A.M.)
Camille A. Exum
Andrea C. Harrison
Tony Knotts (Attending a Constituent's funeral)
Eric C. Olson
Ingrid M. Turner*

Others Present:

*Craig S. Price, Council Administrator
Robert J. Williams, Jr., Deputy Council Administrator
Carmen Jackson-Brown, Legislative Officer
Jackie Brown, PZED Committee Director
Hawi Sanu, THE Committee Director
Frank Porter, PSFM Committee Director
Russell King, Associate County Attorney
Marcus Jackson, County Council Liaison, Office of the County Executive*

INVOCATION: - *The Invocation was led by Reverend Robert S. McConnell, Sr., Assistant to the Pastor, Community Baptist Church, Sgt. COPS District II Edward Sector. Council Member Bland requested special prayers for Dr. Billings, (her Chief of Staff) on the passing of his first cousin. Barbara Stone, Legislative Branch Employee, on the passing of her father; Brenda Simms, Legislative Branch Employee, recovering at home due to a fall and for Dr. Judy Debot, Administrator, Commission for Children's Fund.*

PLEDGE OF ALLEGIANCE: - *The pledge of allegiance was led by Council Member Olson.*

Council Chairperson Bland acknowledged that November is:

NOVEMBER ACKNOWLEDGEMENTS

- **American Diabetes Month**
 - **National Family Caregivers Month**
1. **CONSENT AGENDA – CR-82, 83 & 84 ADDED (pg 6) 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) Approval of County Council Minutes dated October 13, 2009.
- **APPROVED**

Council Member Dean moved to accept additional items to the Agenda; seconded by Council Member Dernoga. The motion carried by voice vote. (Absent: Council Member Knotts).

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

No Items were considered

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

No Items were considered

4. **PUBLIC HEARINGS:** - **PUBLIC HEARING HELD; CONFIRMED**

Pursuant to proper notice, the Public Hearing convened on the appointment of Ms. Phyllis L. Anderson to the Enterprise Road Corridor Development Review District Commission for Prince George's County. Jackie Brown, Committee Director for the Planning, Zoning and Economic Development (PZED) provided a verbal report on the actions and recommendations from the Committee to the Council. Mr. Derrick Coley, Representative from the Office of the County Executive, provided an overview of Ms. Anderson's qualifications to the Council. Ms. Anderson was unable to attend today's meeting. All persons wishing to speak having done so, the public hearing was declared held. Council Member Dean moved confirmation of Ms. Phyllis L. Anderson to the Enterprise Road Corridor Development Review District Commission for Prince George's County; seconded by Council Member Olson. The motion carried 8-0. (Absent: Council Member Knotts).

- **Appointment of the following individual to the Enterprise Road Corridor Development Review District Commission for Prince George's County:**

Ms. Phyllis L. Anderson
(Unable to attend)

Appointment/Resident
Term Expiration: 6/30/2010
Replacing: Michael A. Adekoya

(Favorably reported out of PZED on 10/7/2009)

Pursuant to proper notice, the Public Hearing convened on the below listed nominees to the Commission for Children, Youth and Families for Prince George's County. Council Member Harrison, Chair, of the Health, Education and Human Services (HEHS) Committee, provided a verbal report on the actions and recommendations from the Committee to the Council. Mr. Derrick Coley, Representative from the Office of the County Executive, introduced the nominees to the Council. Mr. Trevor A. Liburd; Ms. Tiffany Solomon; Ms. Eileen G. Thomas; Ms. Rhonda V. Hanson and Dr. Shirley A. Jackson were present and spoke on their own behalf. Ms. Margaret Stephens-Aliendre; Major Norma J. Hatot and Reverend Robert E. Lee, Jr. were unable to attend. All persons wishing to speak having done so, the public hearing was declared held. Council Member Dean moved approval of all nominees to the Commission for Children, Youth and Families for Prince George's County; seconded by Council Member Olson. The motion carried 8-0. (Absent: Council Member Knotts).

- **Appointment of the following individuals to the Commission for Children, Youth and Families for Prince George's County:**

Mr. Trevor A. Liburd	Appointment/Citizen Member Term Expiration: 12/1/2011 Replacing: Ms. Khadijah Tribble
Ms. Tiffany Solomon	Appointment/Youth Member Term Expiration: 12/1/2011 Replacing: Ms. Neidra N. Wilson
Ms. Eileen G. Thomas	Appointment/Citizen Member Term Expiration: 12/1/2011 Replacing: Ms. Darilyn E. Marinelli
Ms. Margaret Stephens-Aliendre (Unable to attend)	Reappointment/Citizen Member Term Expiration: 12/1/2010
Ms. Rhonda V. Hanson	Reappointment/Citizen Member Term Expiration: 12/1/2009
Major Norma J. Hatot (Unable to attend)	Reappointment/Citizen Member Term Expiration: 12/1/2009
Dr. Shirley A. Jackson	Reappointment Term Expiration: 12/1/2010
Reverend Robert E. Lee, Jr. (Unable to attend)	Reappointment/Citizen Member Chairman Term Expiration: 12/1/2009

5. **PUBLIC HEARING:**

CR-65-2009 – A RESOLUTION CONCERNING FY 2002 – 2011 TEN YEAR SOLID WASTE PLAN for the purpose of amending the Prince George’s County Ten Year Solid Waste Management Plan by adding the Sun Services, LLC Recycling Facility located at Somerset Avenue and Old Baltimore Pike, Beltsville. - **PUBLIC HEARING HELD**

Pursuant to proper notice, the public hearing convened on Council Resolution 65. Michele LaRocca spoke in support of Council Resolution 65. All persons wishing to speak having done so, the public hearing was declared held.

TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE MEETING SCHEDULED 11/3/2009 AT 2:00 P.M.

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

CB-37-2009 (DR-2) – AN ACT CONCERNING SPEED MONITORING SYSTEMS for the purpose of authorizing the County to utilize speed monitoring systems pursuant to Section 21-809 of the Transportation Article of the Annotated Code of Maryland.
- **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice the public hearing convened on Council Bill 37(DR-2). Kenneth E. Healy spoke in support of Council Bill 37(DR-2). All persons wishing to speak having done so, the public hearing was declared held. Council Member Dernoga moved enactment of Council Bill 37(DR-2); seconded by Council Member Olson. The motion carried 8-0. (Absent: Council Member Knotts).

CB-38-2009 - AN ACT CONCERNING SECONDHAND AND PAWN DEALERS for the purpose of clarifying the definition of tangible personal property; requiring the display of licenses and ordinances; and making related clarifying amendments.
- **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice the public hearing convened on Council Bill 38. John A Ferrara; Raphael Villones; Kathleen Dempsey; Richard Castaldi and Major Robert Liberati spoke in support of Council Bill 38. All persons wishing to speak having done so, the public hearing was declared held. Council Member Olson moved enactment of Council Bill 38; seconded by Council Member Campos. The motion carried 8-0. (Absent: Council Member Knotts).

CB-44-2009 – AN ACT CONCERNING ROADS AND SIDEWALKS for the purpose of clarifying that the placement of portable storage containers in road rights-of-way is prohibited .
- **PUBLIC HEARING HELD; ENACTED**

Pursuant to public notice, the public hearing convened on Council Bill 44. No persons wishing to speak, the public hearing was declared held. Council Member Harrison moved enactment of Council Bill 44; seconded by Council Member Olson. The motion carried 8-0. (Absent: Council Member Knotts).

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

CB-42-2009 – AN ACT CONCERNING SUBPOENAS for the purpose of authorizing the Personnel Board to issue subpoenas regarding the subject of any appeal before the Personnel Board; and generally relating to the Personnel Board.

- **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 42. No persons wishing to speak, the public hearing was declared held. Council Member Dernoga moved enactment of Council Bill 42; seconded by Council Member Harrison. The motion carried 8-0. (Absent: Council Member Knotts).

CB-51-2009 - 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, 2010.

- **PUBLIC HEARING HELD; ENACTED**

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 Dernoga moved enactment of Council Bill 51; seconded by Council Member Exum. The motion carried 8-0. (Absent: Council Member Knotts).

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

CR-77-2009 – A RESOLUTION CONCERNING ONE LARGO METRO DEVELOPMENT DISTRICT for the purpose of designating a contiguous area within Prince George’s County, Maryland (the “County”) as a “development district” as that term is used in Sections 12-201 through 12-213, inclusive, of the Economic Development Article of the Annotated Code of Maryland, as amended (the “Tax Increment Act”), such development district to be located in an unincorporated area of the County known as Largo, Maryland and to be known as the “One Largo Metro Development District”; providing for, and determining, various matters in connection with the establishment of a development district, creating a tax increment fund with respect to the development district, and allocating certain property taxes with respect to the development district to be paid over to the tax increment fund as provided in the Tax Increment Act; making certain findings and determinations with respect to the tax increment fund and the uses of such fund; providing that special obligation bonds may be issued from time to time pursuant to an ordinance or ordinances enacted in accordance with the Tax Increment Act and secured by the tax increment fund; and generally relating to the One Largo Metro Development District. - **ADOPTED**

Council Member Exum, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. During discussion, Council Member Olson noted that there is support from the County Executive for two other sites. Mr. David Byrd, DCAO, agreed on behalf of the County Executive for the additional GSA sites. Council Member Dean moved adoption of Council Resolution 77; seconded by Council Member Exum. The motion carried 8-0. (Absent: Council Member Knotts).

8. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-81-2009 - A RESOLUTION CONCERNING SPENDING AFFORDABILITY LIMITS

for the Washington Suburban Sanitary Commission for the purpose of establishing spending control limits on the Fiscal Year 2011 Water and Sewer Operating and Capital Budgets of the Washington Suburban Sanitary Commission (WSSC).

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 81 establishes spending control limits on the Fiscal Year 2011 Water and Sewer Operating and Capital Budgets of the Washington Suburban Sanitary Commission (WSSC). Council Resolution was introduced by Council Member Bland. Council Member Dean moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 81; seconded by Council Member Turner. The motion carried by voice vote. Council Member Dean moved adoption of Council Resolution 81; seconded by Council Member Harrison. The motion carried 8-0. (Absent: Council Member Knotts).

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.

Council Member Dean moved adoption of the Consent Agenda; seconded by Council Member Harrison. The motion carried by voice vote. (Absent: Council Member Knotts).

(b) **Introduction of Resolutions**

CR-82-2009 – A RESOLUTION CONCERNING BRANDYWINE CROSSING

DEVELOPMENT DISTRICT for the purpose of designating a contiguous area within Prince George’s County, Maryland (the “County”) as a “development district” as that term is used in Sections 12-201 through 12-213, inclusive, of the Economic Development Article of the Annotated Code of Maryland, as amended (the “Tax Increment Financing Act”), such development district to be located in an unincorporated area of the County known as Brandywine, Maryland and to be known as the “Brandywine Crossing Development District;” providing for, and determining, various matters in connection with the establishment of a development district, creating a tax increment fund with respect to the development district, and allocating certain property taxes with respect to the development district to be paid over to the tax increment fund as provided in the Tax Increment Financing Act; making certain findings and determinations with respect to the tax increment fund and the uses of such fund; providing that special obligation bonds may be issued from time to time pursuant to an ordinance or ordinances enacted in accordance with the Tax Increment Financing Act and secured by the tax increment fund; and generally relating to the Brandywine Crossing Development District. - **INTRODUCED**

Council Resolution 82 designates the Brandywine Crossing Development District and providing for and determining certain matters in connection with the establishment of the development

district, creating a tax increment fund with respect to the development district and allocating certain property taxes with respect to the development district to be paid over to the tax increment fund. Council Resolution 82 was introduced by Council Member Bland and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-83-2009 – A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$482,925 to the Circuit Court, Fire/EMS Department, Department of Family Services and the Health Department. - **INTRODUCED**

Council Resolution 83 concerns Supplementary Appropriations of Federal, State and Other funds in the amount of \$482,925 for the Circuit Court, Fire/EMS Department, Department of Family Services and the Health Department. Council Resolution 83 was introduced by Council Member Bland and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-84-2009 – A RESOLUTION CONCERNING DEBRIS MANAGEMENT PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of adopting the County’s Debris Management Plan in order to be eligible for Federal assistance after a debris-generating disaster in Prince George’s County. - **INTRODUCED**

Council Resolution 84 adopts the County’s Debris Management Plan in order to be eligible for Federal assistance after a debris-generating disaster in Prince George’s County. Council Resolution 84 was introduced by Council Member Dernoga and referred to the Transportation, Housing and the Environment (THE) Committee.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No items were considered

ADJOURN: - *Chairperson Bland adjourned the meeting at 11:13 A.M.*

COMMITTEE OF THE WHOLE – (ROOM 2027) – COMMITTEE MEETING HELD

AMENDMENTS TO THE ADOPTED MARLBORO PIKE SECTOR PLAN AND PROPOSED SECTIONAL MAP AMENDMENT AS OUTLINED IN CR-51-2009

(DIGEST OF TESTIMONY)

BRIEFING – (ROOM 2027) – BRIEFING HELD @ 12:10 P.M.

MID-ATLANTIC POWER PATHWAY (MAPP)

Gregory Steve Proctor, Jr.
GS Proctor & Associates, Inc.

2:00 **TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE MEETING**
P.M. **– (ROOM 2027) – COMMITTEE MEETING HELD**

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council