

# AGENDA MINUTES

Tuesday, April 19, 2011

Legislative Day No. 9

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

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

*The agenda briefing was held at 9:45 a.m.*

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)- *Council Chair Turner commenced the presentation of proclamation /commendations at 10:05 a.m. and concluded at 11:32 a.m.*

**PROCLAMATION** presented to **Jane Spence, Principal, Bowie High School**, recognizing her being named **“Maryland Principal of the Year”** in Prince George’s County. (Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Campos, Franklin, Harrison, Johnson, Lehman, Patterson and Toles) **PRESENTED**

*Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Campos, Franklin, Harrison, Johnson, Lehman, Patterson and Toles presented a proclamation to Jane Spence, Principal, Bowie High School, recognizing her being named “Maryland Principal of the Year” in Prince George’s County.*

**PROCLAMATION** presented to **Judith White, Principal, Dodge Park Elementary School**, recognizing her receiving the **“Distinguished Educational Leadership Award”** in Prince George’s County. (Council Member Andrea C. Harrison and Council Chair Ingrid M. Turner) **TO BE RESCHEDULED**

**PROCLAMATION** presented to **Dr. William Hite, Superintendent and Reginald McNeill, Principal, Eleanor Roosevelt High School**, recognizing the **“Advanced Placement Achievement School”** in Prince George’s County. (Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Campos, Franklin, Harrison, Johnson, Lehman, Patterson and Toles ) **PRESENTED**

*Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Campos, Franklin, Harrison, Johnson, Lehman, Patterson and Toles presented a proclamation to Dr. William Hite, Superintendent and Reginald McNeill, Principal, Eleanor Roosevelt High School, recognizing the “Advanced Placement Achievement School” in Prince George’s County.*

**CERTIFICATES** presented to the **Emerging Young Leaders** recognizing their **“Outstanding Community Service”** in Prince George’s County. (Council Member Karen R. Toles, Council Chair Ingrid M. Turner and Council Members Campos, Franklin, Harrison, Johnson, Lehman, Olson, and Patterson) **PRESENTED**

*Council Member Karen R. Toles, Council Chair Ingrid M. Turner and Council Members Campos, Franklin, Harrison, Johnson, Lehman, Olson, and Patterson presented certificates to the **Emerging Young Leaders** recognizing their **“Outstanding Community Service”** in Prince George’s County.*

**PROCLAMATION** presented to **DeAnna Mayo**, recognizing her **“Outstanding Achievements and Community Service”** in Prince George’s County. (Council Chair Ingrid M. Turner, Council Member Mel Franklin and Council Members Campos, Harrison, Johnson, Lehman, Olson, Patterson and Toles) **PRESENTED**

*Council Chair Ingrid M. Turner, Council Member Mel Franklin and Council Members Campos, Harrison, Johnson, Lehman, Olson, Patterson and Toles presented a proclamation to **DeAnna Mayo**, recognizing her **“Outstanding Achievements and Community Service”** in Prince George’s County.*

**PROCLAMATION** presented to **Stacy Wiseman** recognizing the month of April 2011, as **“National Autism Awareness Month”** in Prince George’s County. (Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Lehman, Toles, Johnson and Franklin) **PRESENTED**

*Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Lehman, Toles, Johnson and Franklin presented a proclamation to **Stacy Wiseman** recognizing the month of April 2011, as **“National Autism Awareness Month”** in Prince George’s County.*

**PROCLAMATION** presented to **Patricia J. Morris, Director, Department of Family Services**, recognizing the month of May 2011, **“Older American Month”** in Prince George’s County. (Council Member Leslie E. Johnson, Council Chair Ingrid M. Turner and Council Members Olson, Lehman, Franklin and Toles) **PRESENTED**

**PROCLAMATION** presented to **Mary Lou McDonough**, Director of Department of Corrections, recognizing their **“Annual Prince George’s County Public Safety Valor Luncheon”** in Prince George’s County. (Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Johnson, Franklin, Toles and Lehman) **PRESENTED**

*Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Johnson, Franklin, Toles and Lehman presented a proclamation to **Mary Lou McDonough**, Director of Department of Corrections, recognizing their **“Annual Prince George’s County Public Safety Valor Luncheon”** in Prince George’s County.*

**PROCLAMATION** presented to **Dennis O. Bigley, Department of Environmental**

**Resources**, recognizing April 18-22, 2011, as “**Waste Management and Public Works Appreciation Week**” in Prince George’s County. (Council Member Leslie E. Johnson, Council Chair Ingrid M. Turner and Council Members Toles, Harrison, Lehman and Olson) **PRESENTED**

*Council Member Leslie E. Johnson, Council Chair Ingrid M. Turner and Council Members Toles, Harrison, Lehman and Olson presented a proclamation to **Dennis O. Bigley, Department of Environmental Resources**, recognizing April 18-22, 2011, as “**Waste Management and Public Works Appreciation Week**” in Prince George’s County.*

**PROCLAMATION** presented to **John Ogden, Washington Regional Transplant Community**, recognizing the month of April 2011, as “**National Donate Life Month**” in Prince George’s County. (Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Harrison, Lehman, Franklin, Johnson and Toles) **PRESENTED**

*Council Chair Ingrid M. Turner, Council Vice Chair Eric C. Olson and Council Members Harrison, Lehman, Franklin, Johnson and Toles presented a proclamation to **John Ogden, Washington Regional Transplant Community**, recognizing the month of April 2011, as “**National Donate Life Month**” in Prince George’s County.*

**PROCLAMATION** presented to **Darryl Barnes, President, Men Aiming Higher, Inc.**, recognizing the month of May 2011, as “**National Fitness and Sports Month**” in Prince George’s County. (Council Member Leslie E. Johnson, Council Chair Ingrid M. Turner and Council Members Harrison, Campos, Franklin, Toles and Olson) **PRESENTED**

*Council Member Leslie E. Johnson, Council Chair Ingrid M. Turner and Council Members Harrison, Campos, Franklin, Toles and Olson presented a proclamation to **Darryl Barnes, President, Men Aiming Higher, Inc.**, recognizing the month of May 2011, as “**National Fitness and Sports Month**” in Prince George’s County.*

**CALL TO ORDER – (COUNCIL HEARING ROOM)**

*Council Chair Turner called to order at 11:32 a.m. with the following Council Members present:*

*Ingrid M. Turner  
Will Campos  
Mel Franklin  
Andrea C. Harrison  
Leslie E. Johnson  
Mary A. Lehman  
Eric C. Olson  
Obie Patterson  
Karen R. Toles (arrived at 11:41 a.m.)*

*Others present:*

*Robert J. Williams, Jr., Council Administrator  
William Hunt, Deputy Council Administrator  
Redis C. Floyd, Clerk of the Council  
Donna J. Brown, Deputy Clerk of the Council  
Brad Frome, County Council Liaison, Office of the County Executive  
Frank Porter, Director, PSFM Committee  
Collette Gresham, Legislative Officer  
Carmen Jackson-Brown, Legislative Officer  
Joseph Hamlin, Office of Law*

**INVOCATION:** The Invocation was provided by Pastor Victor Furr, Victorious Life of Faith Church, District Heights, Maryland.

**PLEDGE OF ALLEGIANCE-***The Pledge of Allegiance was led by Council Member Olson.*

**POINT OF PERSONAL PRIVILEGE-***Council Member Toles thanked Brad Frome for assisting her students.*

*Council Member Olson thanked the students from Parkdale High School.*

1. **CONSENT AGENDA -- ADOPTED AND ALL ITEMS 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-11-2011 - AN ACT CONCERNING ROADS AND SIDEWALKS** for the purpose of amending the provisions for surety bond reductions posted for certain road construction and the payment of extension fees for road construction and storm drain permits until April 15, 2012. **PRESENTED**

*Council Bill 11, by request of County Executive, was presented by Council Chair Turner and referred to the Public Safety & Fiscal Management Committee (PSFM).*

**CB-12-2011 – AN ACT CONCERNING COMMON OWNERSHIP COMMUNITIES PROGRAM** for the purpose of amending the Common Ownership Communities Program to assist governing bodies, owners, and residents of homeowners' associations, residential condominiums, and cooperative housing corporations with education, training, and dispute resolution and/or administrative hearing procedures in matters relating to these communities. **PRESENTED**

*Council Bill 12 was presented by Council Member Johnson and referred to the Transportation, Housing and the Environment Committee (THE).*

**CB-13-2011 – AN ORDINANCE CONCERNING RESIDENTIAL REVITALIZATION** for the purpose of amending the definition and regulations for Residential Revitalization. **PRESENTED**

*Council Bill 13 was presented by Council Member Patterson and referred to Planning, Zoning and Economic Development Committee (PZED.)*

\*\* Council Member Toles moved to adopt the Consent Agenda; seconded by Council Member Patterson the motion carried by voice vote.

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

*No items were considered*

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

*No proposed correspondence*

4. **PUBLIC HEARINGS: --PUBLIC HEARINGS HELD**

- **Appointment of the following individual as Director of Human Resources Management for Prince George's County: ALL CONFIRMED**

Ms. Stephanye R. Maxwell

*Council Member Will Campos, as the Chair of Public Safety and Fiscal Management Committee (PSFM), provided a verbal report of the actions and recommendations of the Committee. The above referenced nominees were considered by the PSFM Committee. Pursuant to proper notice, the public hearing convened on the appointment of the nominees to the Director of Human Resources Management for Prince George's County. Council Member Harrison moved confirmation for all to serve the term as listed; seconded by Council Member Franklin. The motion carried 9-0.*

- **Appointment of the following individual as Director of Homeland Security for Prince George's County:**

Mr. Brian R. Moe

*Council Member Will Campos, as the Chair of Public Safety and Fiscal Management Committee (PSFM), provided a verbal report of the actions and recommendations of the Committee. The above referenced nominees were considered by the PSFM Committee. Pursuant to proper notice, the public hearing convened on the appointment of the nominees to the Director of Homeland Security for Prince George's County. Council Member Franklin moved confirmation for all to serve the term as listed; seconded by Council Member Harrison. The motion carried 9-0.*

5. **COMMITTEE OF THE WHOLE – (ROOM 2027) – COMMITTEE MEETING HELD**

**CB-9-2011 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) AFL-CIO, AND ITS AFFILIATED LOCALS 2462, 2735, 3389 AND 1170** for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME) AFL-CIO, and its affiliated Locals 2462, 2735, 3389 and 1170 to provide for wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. **NO RECOMMENDATION**

*Chair Turner convened on Council Bill 9, wherein Frank Porter, Director of the Public Safety and Fiscal Management Committee provided an overview of the legislation and responded to questions raised by Council. Council Member Olson moved a committee recommendation of No Recommendation; seconded by Council Member Campos the motion carried 7-1-1 (Abstained: Council Member Patterson, Opposed: Council Member Toles).*

**CR-31-2011 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES ("AFSCME"), AFL-CIO, AND ITS AFFILIATED LOCALS 1170 (HEALTH DEPARTMENT, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND DEPARTMENT OF FAMILY SERVICES), 2462 (DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION AND DEPARTMENT OF ENVIRONMENTAL RESOURCES), 2735 (DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND OFFICE OF CENTRAL SERVICES) AND 3389 (DEPARTMENT OF FAMILY SERVICES AND HEALTH DEPARTMENT) – SALARY SCHEDULE A** 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 Council 67, AFSCME Locals 1170, 2462, 2735 and 3389. **NO RECOMMENDATION**

*Chair Turner convened on Council Resolution 31, wherein Frank Porter, Director of the Public Safety and Fiscal Management Committee provided an overview of the legislation and responded to questions raised by Council. Council Member Olson moved a committee recommendation of No Recommendation; seconded by Council Member Campos the motion carried 7-0-2 (Abstained: Council Members Patterson and Toles).*

**CB-10-2011 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, 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 Council 67, American Federation of State, County and Municipal Employees, AFL-CIO and its affiliated Local 241 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. **NO RECOMMENDATION**

*Chair Turner convened on Council Bill 10, wherein Frank Porter, Director of the Public Safety and Fiscal Management Committee provided an overview of the legislation and responded to questions raised by Council. Council Member Olson moved a committee recommendation of No Recommendation; seconded by Council Member Campos the motion carried 7-0-2 (Abstained: Council Members Patterson and Toles).*

**CR-32-2011 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL 241 – 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 the American Federation of State, County and Municipal Employees, Local 241. **NO RECOMMENDATION**

*Chair Turner convened on Council Resolution 32, wherein Frank Porter, Director of the Public Safety and Fiscal Management Committee provided an overview of the legislation and responded to questions raised by Council. Council Member Olson moved a committee recommendation of No Recommendation; seconded by Council Member Campos the motion carried 7-0-2 (Abstained: Council Members Patterson and Toles).*



**SECOND READING OF BILLS – (INTRODUCTION)**

**CB-9-2011 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) AFL-CIO, AND ITS AFFILIATED LOCALS 2462, 2735, 3389 AND 1170** for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME) AFL-CIO, and its affiliated Locals 2462, 2735, 3389 and 1170 to provide for wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. **INTRODUCED**

*Council Member Campos, as the Chair of the Public Safety & Fiscal Management Committee provided a verbal report of the actions and recommendations of the Committee. Council Bill 9 which amends the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME) AFL-CIO, and its affiliated Locals 2462, 2735, 3389 and 1170 to provide for wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board was introduced by Council Members Harrison and Toles.*

**CB-10-2011 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, 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 Council 67, American Federation of State, County and Municipal Employees, AFL-CIO and its affiliated Local 241 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. **INTRODUCED**

*Council Member Campos, as the Chair of the Public Safety & Fiscal Management Committee provided a verbal report of the actions and recommendations of the Committee. Council Bill 10 which amends the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees, AFL-CIO and its affiliated Local 241 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 was introduced by Council Members Harrison and Toles.*

*(Motion to convene in Executive Session made by Council Member Harrison; seconded by Council Member Olson. Motion carried: 9-0.*

**EXECUTIVE SESSION – (EXECUTIVE CONFERENCE ROOM) -  
EXECUTIVE SESSION- HELD**

- (a) To consult with counsel, staff, consultants, or other individuals to obtain legal advice and discussion regarding pending or potential litigation in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (7) and (8).

**Topic Discussed:** Discussion of the application of the ex parte rule to the work of the Redistricting Commission, and discussion of Reaching Hearts International v. Prince George’s County Federal and State litigation.

**REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL**

*Mr. Isadore Asuquo, Mr. Glennard Middleton, Mr. Jacob Mengeste, Ms. CJ Ross and Mr. Mikyas Wolde addressed the Council.*

Prepared by:

Submitted by:

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Sherry Bias, Administrative Aide

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Redis C. Floyd, Clerk of the Council