

ACTION AGENDA

Wednesday, November 7, 2012

Business Meeting

(Legislative Day No. 31 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

10:15 A.M. AGENDA BRIEFING – (ROOM 2027) - BRIEFING HELD

10:40 A.M. CALL TO ORDER

INVOCATION: Reverend Lorenzo Lyons, Jr., Pastor, Congregational Methodist
Episcopal Church, Capitol Heights

PLEDGE OF ALLEGIANCE

Designated

DESIGNATION OF NOVEMBER 7, 2012 AS LEGISLATIVE DAY NO. 31

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.

Approved

- (a) Approval of County Council Minutes dated June 19, 2012.

- (b) **Introduction of Resolutions**

Introduced

CR-87-2012 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – POLICE OFFICIALS – SALARY SCHEDULE P-O SCHEDULE OF PAY GRADES for the purpose of amending the Salary Plan of the County to reflect certain wage and benefit modifications of Police Officials.

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

Introduced by Council Member Harrison

CR-88-2012 - A RESOLUTION CONCERNING TOWN CENTER AT CAMP SPRINGS 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 Suitland, Maryland and to be known as the “Town Center at Camp Springs 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 Town Center at Camp Springs Development District.

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

Introduced by Council Members Harrison and Franklin

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

None

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

Chair authorized to sign (a) Proposed letter to Elizabeth M. Hewlett, Chair, Prince George’s County Planning Board, requesting a three month extension of the timeframe to prepare the Southern Green Line Station Area Sector Plan and Sectional Map Amendment.

The Chair (by request – Planning Board)

Chair authorized to sign (b) Proposed letter to Elizabeth M. Hewlett, Chair, Prince George’s County Planning Board, requesting a six month extension of the timeframe to prepare the Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment.

The Chair (by request – Planning Board)

4. **PUBLIC HEARINGS: - (COUNCIL HEARING ROOM)**

■ **Appointment of the following individual to the Art in Public Places Panel for Prince George’s County:**

Public Hearing held; Confirmed Ms. Heekyu Hong Appointment: Citizen Representative
Replacing: Allita Irby
Term Expiring: 12/1/2013

(Favorably reported out of HEHS on 11/1/2012)

■ **Appointment of the following individual to the Prince George’s County Board of Library Trustees:**

Public Hearing held; Confirmed Mr. Rey N. Robles Appointment
Replacing: John Peter Thompson
Term Expiring: 12/31/2014

(Favorably reported out of HEHS on 11/1/2012)

PUBLIC HEARINGS: - (COUNCIL HEARING ROOM) – (CONTINUED)

- **Appointment of the following individual to the Cable Television Commission for Prince George’s County:**

*Public Hearing
held;
Confirmed*

Mr. Malcolm L. Augustine

Appointment
Replacing: Yolanda “Pleshette” Monroe
Public Member Member
Term Expiring: 12/4/2014

(Favorably reported out of PSFM on 11/1/2012)

- **Appointment of the following individual to the Wage Determination Board for Prince George’s County:**

*Public Hearing
held;
Confirmed*

Mr. Lino Cressotti

Appointment: Labor Representative
Replacing: Vacant
Term Expiring: 9/4/2014

(Favorably reported out of PSFM on 11/1/2012)

*Public Hearing
held;
All confirmed*

- **Appointment of the following individuals to the Human Relations Commission for Prince George’s County:**

Mr. Abdul-Raheem Abdullah

Appointment
Replacing: Vacant
Term Expiring: 6/30/2015

Ms. Paulette Faulkner

Appointment
Replacing: LaKeecia Allen
Term Expiring: 6/30/2013

Mr. Gerald Folsom, PhD

Appointment
Replacing: Carl Brown, Jr.
Term Expiring: 6/30/2015

Mr. Eric Jackson

Appointment
Replacing: Kwon Hu
Term Expiring: 6/30/2015

Mr. Merrill Smith

Re-Appointment
Term Expiring: 6/30/2015

(Favorably reported out of PSFM on 11/1/2012)

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

Public Hearing held; Rules Suspended DR-5 Enacted

CB-64-2012 (DR-4) - AN ORDINANCE CONCERNING DEPARTMENT OR VARIETY STORES for the purpose of amending the provisions of the Zoning Ordinance concerning Department or Variety Stores in the Commercial and Industrial Zones and making clarifying amendments to the Zoning Ordinance.

(Introduced by Council Members Davis, Franklin, Olson, Lehman and Harrison; favorably reported out of PZED on 9/13/2012 with amendments)

MOTION REQUIRED TO SUSPEND THE RULES TO PROVIDE FOR AN EFFECTIVE DATE ON THE DATE OF ADOPTION (6 VOTES REQUIRED)

DUE TO THE DECLARED STATE OF EMERGENCY CAUSED BY HURRICANE SANDY ON TUESDAY, OCTOBER 30, 2012, THE FOLLOWING PUBLIC HEARINGS WERE POSTPONED AND RESCHEDULED TO THIS DATE.

Public Hearing held; Enacted

CB-39-2012 (DR-2) – AN ACT CONCERNING TOWING REGULATIONS for the purpose of amending provisions of the County Code relating to towing regulations and procedures for providing notice of vehicle impoundment from private property.

(Introduced by Council Members Harrison, Davis, Franklin, Lehman and Patterson on 10/9/2012; favorably reported out of THE on 9/27/2012)

Public Hearing held

CB-59- 2012 - 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 Thirty-Three Million Six Hundred Four Thousand (\$133,604,000) 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 planning, construction, reconstruction, establishment, extension, enlargement, demolition, improvement or acquisition of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2012, . . .

(Introduced by Council Members Harrison and Davis; on 10/2/2012; favorably reported out of PSFM on 9/20/2012)

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

*Public Hearing
held;
Enacted*

CB-60-2012 - 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 to issue and sell an amount not to exceed Twenty-Four Million Six Hundred Seventy-Three Thousand Dollars (\$24,673,000) 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, acquisition, construction, reconstruction, 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, 2012, . . .

(Introduced by Council Members Harrison and Davis on 10/2/2012; favorably reported out of PSFM on 9/20/2012)

*Public Hearing
held;
enacted*

CB-62-2012 - AN ACT CONCERNING MINORITY BUSINESS ENTERPRISE CERTIFICATIONS for the purpose of amending provisions of the County Code to add Veterans and Service Disabled Veterans to the definition of minority individuals; and generally relating to certifications of minority business enterprises.

(Introduced by Council Members Campos, davis, Franklin, Lehman, Olson, Patterson, Toles and Turner on 10/2/2012; favorably reported out of PSFM on 9/20/2012)

*Public Hearing
held;
enacted*

CB-66-2012 – 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, 2013.

(Introduced by Council Members Harrison, Davis, Franklin, Patterson and Turner on 10/2/2012; favorably reported out of PSFM on 9/20/2012)

*Public Hearing
held;
enacted*

CB-96-2012 – AN ACT CONCERNING FIRE SAFETY CODE for the purpose of amending the Prince George's County Fire Safety Code to adopt the standards of the National Fire Protection Association to increase administrative fees, and to make other changes related to the Fire Safety Code.

(Introduced by Council Members Davis and Franklin on 10/2/2012; favorably reported out of PSFM on 10/22/2012)

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

*Public Hearing
held;
enacted*

CB-97-2012 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2012 Budget.

(Introduced by Council Member Harrison on 10/2/2012; favorably reported out of PSFM on 10/22/2012)

*Public Hearing
held;
enacted*

CB-98-2012 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2012 CAPITAL BUDGET for the purpose of providing a supplementary appropriation to the County Building Renovations 2 capital project in the amount of \$8,021,600 and amending the Approved Fiscal Year 2012-2017 Capital Improvement Program with regard to expenditures and financing beyond the budget year.

(Introduced by Council Member Harrison on 10/2/2012; favorably reported out of PSFM on 10/22/2012)

*Public Hearing
held;
enacted*

CB-100-2012 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2013 CAPITAL BUDGET Supplementary Appropriations in the Approved Fiscal Year 2013 Capital Budget for the purpose of providing supplementary appropriations to the Fire Station Roof Renovations, Curb and Road Rehabilitation 2, Traffic Congestion Improvements 2, and Street Tree Removal and Replacement capital projects; decreasing appropriations to the Contingency Appropriation Fund and the Oxon Hill Fire/EMS Station #821; and amending the Approved Fiscal Year 2013-2018 Capital Improvement Program with regard to expenditures and financing beyond the budget year.

(Introduced by Council Member Davis and Patterson on 10/9/2012; favorably reported out of PSFM on 10/22/2012)

*Public Hearing
held;
enacted*

CB-101-2012 - 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 Ninety-One Million Eight Hundred Sixteen Thousand (\$191,816,000) 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 planning, construction, reconstruction, establishment, extension, enlargement, demolition, improvement or acquisition of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2013, or usable portions thereof, including describing the capital projects to be financed in whole or in part from the

proceeds of the bonds hereby authorized and the estimated costs and probable useful lives thereof; prescribing or providing for the procedures for the issuance and sale of such bonds at public sale; authorizing the County to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; showing compliance with the power of the County to incur indebtedness; directing the application of the proceeds of such bonds; pledging the full faith and credit and taxing power of the County to the payment of such bonds and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; authorizing and empowering the County to issue and sell an amount not to exceed One Hundred Ninety-One Million Eight Hundred Sixteen Thousand (\$191,816,000) . . .

(Introduced by Council Member Harrison on 10/9/2012; favorably reported out of PSFM on 10/22/2012)

*Public Hearing
held;
enacted*

CB-102-2012 - 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 to issue and sell an amount not to exceed Fifty-Seven Million Two Hundred Ninety-Nine Thousand Dollars (\$57,299,000) 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, acquisition, construction, reconstruction, 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, 2013, constituting facilities (including without limitation any land, interest in land or equipment) for the control and disposition of storm and surface waters, including floodproofing, flood control or navigation programs and other stormwater programs and systems, environmental restoration and/or wetlands construction, and the protection, conservation, creation and acquisition of certain property described in the Maryland Annotated Code Environment Article consistent with federal and Maryland laws and regulations on the subject of nontidal and private wetlands, as applicable, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs thereof; prescribing or providing for the procedures for the issuance and sale of such bonds, including at private (negotiated) sale or public sale; authorizing the County to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; directing the application of the proceeds of such bonds; providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; authorizing and empowering the County to issue and sell an amount not to exceed Fifty-Seven Million Two Hundred Ninety-Nine Thousand Dollars (\$57,299,000) . . .

(Introduced by Council Member Harrison on 10/9/2012; favorably reported out of PSFM on 10/22/2012)

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

Public Hearing held; enacted

CB-103-2012 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2013 Budget.

(Introduced by Council Member Harrison on 10/9/2012; favorably reported out of PSFM on 10/22/2012)

6. **PUBLIC HEARING – (COUNCIL HEARING ROOM)**

Public Hearing held

CR-71-2012 – A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (APRIL 2012 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan.

(Introduced By Council Member Harrison on 10/2/2012)

TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE SCHEDULED NOVEMBER 8, 2012 AT 10:00 A.M.

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

Adopted

CR-55-2012 - 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 Veterans and Service Disabled Veterans to the definition of minority individuals.

(Introduced by Council Members Harrison, Davis, Franklin, Olson, Patterson and Turner on 7/24/2012; favorably reported out of PSFM on 9/20/2012)

Adopted

CR-67-2012 – A RESOLUTION CONCERNING FIRE PREVENTION CODE for the purpose of adopting individual codes and standards of the National Fire Protection Association in accordance with Section 11-253 of the Prince George’s county Code.

(Introduced by Council Members Harrison and Franklin on 10/2/2012; favorably reported out of PSFM on 10/22/2012)

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

Adopted

CR-74-2012 – A RESOLUTION CONCERNING LOANS TO NASH FINCH COMPANY (“NASH FINCH”) FROM THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE AUTHORITY AND FUND (“MEDAAF”) AND PRINCE GEORGE’S COUNTY, MARYLAND (THE “COUNTY”) for the purpose of endorsing a loan not to exceed \$200,000 to Nash Finch from the Maryland Department of business and Economic Development and MEDAAF and authorizing a conditional loan by the County to Nash Finch not to exceed \$200,000 for eligible project costs associated with leasing a facility in the County and capital expenditures.

(Introduced by Council Members Harrison, Davis, Franklin and Turner on 10/9/2012; favorably reported out of PSFM on 10/22/2012)

8. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced;
Rules suspended;
Adopted*

CR-89-2012 - A RESOLUTION CONCERNING THE WILSON-GLEIS HOUSE, THE BURGESS HOUSE, AND THE UNDERWOOD BEALLE HOUSE for the purpose of designating the Wilson-Gleis House (68-004-97), the Burgess House (68-010-83) and the Underwood-Beale House (84-032) as Prince George’s County historic sites.

The Chair (by request – Planning Board)

Introduced by Council Members Harrison, Davis, Franklin, Olson, Patterson, Toles and Turner

COUNCIL SHOULD CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

ADDITION TO THE AGENDA

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

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

Motion to convene in Executive Session made by Council Member Turner; seconded by Council Member Patterson. Motion carried 9-0.

Topic Discussed: District Council staffing

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

None

1:29 P.M. ADJOURN

2:00 P.M. PLANNING, ZONING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING – (ROOM 2027)

REMINDERS

Thurs., Nov. 8, 2012	10:00 a.m.	THE Committee Meeting (Room 2027)
	1:30 p.m.	PSFM Committee Meeting (Room 2027)
Mon., Nov. 12, 2012	VETERAN’S DAY HOLIDAY	
Tues., Nov. 13, 2012	9:30 a.m.	County Council Agenda Briefing (Room 2027)
	9:45 a.m.	Proclamations (Council Hearing Room)
	10:00 a.m.	Call to Order (Council Hearing Room)
Wed., Nov. 14, 2012	10:30 a.m.	PZED Committee Meeting (Room 2027)