



Prince George's County Council

County Administration Building
14741 Governor Oden Bowie
Drive
Upper Marlboro, Maryland
20772-3050

Meeting Minutes - Final County Council

Todd M. Turner, Council Chair, District 4
Monique Anderson-Walker, District 8
Derrick Leon Davis, District 6
Thomas E. Dernoga, District 1
Mel Franklin, At-Large
Dannielle M. Glaros, District 3
Sydney J. Harrison, District 9
Calvin S. Hawkins, II, Vice Chair, At-Large
Jolene Ivey, District 5
Rodney C. Streeter, District 7
Deni L. Taveras, District 2

Robert J. Williams, Jr., Council Administrator

Tuesday, October 13, 2020

12:00 PM

(VIRTUAL MEETING)

VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>

12:00 P.M. - CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order by Council Chair Turner at 12:02 p.m. with ten members present. Council Member Franklin arrived at 12:08 p.m.

Present: 11 - Council Chair Todd Turner
Council Member Monique Anderson-Walker
Council Member Derrick Davis
Council Member Thomas Dernoga
Council Member Mel Franklin
Council Member Dannielle Glaros
Council Member Sydney Harrison
Vice Chair Calvin S. Hawkins
Council Member Jolene Ivey
Council Member Rodney Streeter
Council Member Deni Taveras

*Also present:**Robert J. Williams, Jr., Council Administrator**William M. Hunt, Deputy Council Administrator**Donna J. Brown, Clerk of the Council**Theresa D. Myers, Legislative Assistant**Leonard D. Moses, Zoning Assistant**Terry L. Bell, Council Liaison**Sakinda Skinner, Associate County Attorney**Amanda Denison, Associate County Attorney**Colette Gresham, Legislative Officer**Donna Whitman, Legislative Officer**Leroy Maddox, Legislative Officer**Inez Claggett, Audits & Investigations**J. Kenneth Battle, TIEE Committee Director**Kathy Canning, Legislative Officer**Jacqueline Brown, PHED Committee Director**Karen Zavakos, Legislative & Zoning Counsel**Dinora Hernandez, Legislative Officer**Sandra Eubanks, EWS Committee Director**Howard Stone, GOFP Committee Director**Nathaniel Tutt, III, HHSPS Committee Director**Joseph Hamlin, Policy Analyst**Isabel Williams, Policy Analyst (CB-77)**Warren Burris, Policy Analyst (CB-78, CB-84, and CB-51)**Arian Albear, Policy Analyst (CB-81)**Alex Hirtle, Policy Analyst (CB-56 and CB-8)***INVOCATION / MOMENT OF SILENCE**

The Invocation was provided by Howard W. Stone, County Employee

DESIGNATION OF OCTOBER 13, 2020 AS LEGISLATIVE DAY NO. 27

BRIEFING – (VIRTUAL MEETING)[BR 10132020](#)**ALTERNATIVE CONSTRUCTION FINANCING FOR PUBLIC SCHOOLS
UPDATE**

Monica Goldson, Ed.D., Chief Executive Officer, PGCPSS
Alvin Thornton, Ph.D. Chair, Board of Education
Christian Rhodes, Chief of Staff
Shawn Matlock - PGCPSS Director of Capital Programs
Jayson Washington - PGCPSS Public Private Partnership Director
Michael Herbstman - PGCPSS Chief Financial Officer
Lindsey Stowell - JLL
Bob Hunt - JLL
Sean Dixon - Office of Law
Stanley Earley, Director OMB

Attachment(s): [ACF Program](#)

The briefing convened at 12:09 p.m. Council Chair Turner provided welcoming remarks and Monica Goldson, Chief Executive Office, Prince George's County Public Schools provided a brief overview of the Alternative Construction Financing for Public Schools and introduced her team. Mr. Jayson Washington, P3 Program Director, facilitated a PowerPoint Presentation titled "PGCPSS Alternative School Construction Financing (ACF) Briefing" focusing on Procurement Process, Contractual Protections, Asset Management, Selected Partner, Proposal Specifics, Construction Cost Comparison, Community Investment Commitment, Local Economic Impact, MBE Mandatory Minimums, Identified MBE/CBB Participation and Next Steps. The Panelists responded to questions posed by Council Members regarding Private/Public Partnership, late fees, contractor, handback benchmarks, Minority and Local Business Requirements, Labor, Prevailing Wage, School Redesign in light of COVID-19 and bonding capacities. The briefing concluded at 1:47 p.m.

This Briefing was held.

1. CONSENT AGENDA**(a) Approval of County Council Minutes**[MIN 10062020](#)

Approval of County Council Minutes dated October 6, 2020.

Attachment(s): [10062020](#)**These Minutes were approved****(b) Introduction of Resolutions**[CR-101-2020](#)

A RESOLUTION CONCERNING PRINCE GEORGE'S COUNTY, MARYLAND'S FIFTH CONTINUED DECLARATION OF EMERGENCY-CORONAVIRUS ("COVID-19") for the purpose of continuing the emergency declarations most recently adopted by the governing body on September 15, 2020, CR-90-2020, and as may be further amended.

Attachment(s): [R2020101](#)
[CR-101-2020 \(DR-2\) Attachment A](#)
[CR-101-2020 AIS](#)
[CR-101-2020 Report](#)

This legislation will authorize the continuation of the County's emergency declaration caused by COVID-19. State law requires consent of the County Council to continue the declaration.

This Resolution was introduced by Council Members Turner, Anderson-Walker, Ivey, Davis, Streeter, Glaros, Dernoga, Harrison, Hawkins and Taveras by request of the County Executive and referred to the Sitting as the Committee of the Whole

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA[Consent29-20](#)**MOTION TO ADOPT CONSENT AGENDA**

A motion was made by Council Member Davis, seconded by Council Member Streeter, that this Consent Agenda be adopted. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

[LTR 10132020a](#)

Draft 1

Proposed joint signature letter to Paul C. Smedberg, Chair, Washington Metropolitan Area Transit Authority (WMATA) expressing the position of Prince George's County on proposed Metro service and budget changes in response to COVID-19.

Attachment(s): [Paul Smedberg WMATA](#)

A motion was made by Council Member Harrison, seconded by Vice Chair Hawkins, that this Agenda Letter be authorized for Chair's signature. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

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

[LTR 10132020b](#)

Draft 1

Proposed joint signature letter to The Honorable Benjamin L. Cardin and Chris Van Hollen, United States Senate and The Honorable Steny H. Hoyer and Anthony G. Brown, United States House of Representatives, in support of additional Congressional emergency funding to Washington Metropolitan Area Transit Authority (WMATA) in response to COVID-19.

Attachment(s): [The Honorable Anthony Brown](#)
[The Honorable Ben Cardin](#)
[The Honorable Chris Van Hollen](#)
[The Honorable Steny Hoyer](#)

A motion was made by Council Member Davis, seconded by Council Member Taveras, that these Agenda Letter be authorized for Chair's signature. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

4. SECOND READING OF BILLS – (INTRODUCTION)[CB-054-2020](#)

Draft 2

AN ORDINANCE CONCERNING I-1 ZONE for the purpose of permitting concrete recycling facility uses in the I-1 (Light-Industrial) Zones of Prince George's County, under certain circumstances.

Sponsor(s): Streeter

Attachment(s): [B2020054](#)
[CB-054-2020 AIS](#)
[CB-054-2020 Report](#)

This legislation will permit concrete recycling uses in the I-1 (Light Industrial) Zones of Prince George's County, under certain circumstances.

This Council Bill was introduced by Council Members Streeter and Harrison.

[CB-059-2020](#)

Draft 1

AN ACT CONCERNING SHORT-TERM RENTALS for the purpose of modifying the provisions for platform short-term rental licensing in the County and clarifying the adjudication process for violations of those regulations.

Sponsor(s): Turner, Davis, Streeter, Harrison, Dernoga, Franklin, Taveras, Glaros, Hawkins, Ivey and Anderson-Walker

Attachment(s): [B2020059](#)
[CB-059-2020 AIS](#)
[CB-059-2020 Report](#)

This Bill further clarifies the legal process - the adjudication process for Platforms non-compliance.

This Council Bill was introduced by Council Members Turner, Davis, Streeter, Harrison, Dernoga, Franklin, Taveras, Glaros, Hawkins, Ivey and Anderson-Walker.

[CB-060-2020](#)

Draft 1

AN ACT CONCERNING IMPOUNDMENT for the purpose of modifying the notice requirements and reclaiming and redemption process for impounded vehicles.

Sponsor(s): Turner, Davis, Taveras, Dernoga, Harrison, Streeter, Anderson-Walker, Ivey and Glaros

Attachment(s): [B2020060](#)
[CB-060-2020 AIS](#)
[CB-060-2020 Report](#)

This legislation to amends certain provisions of the Abandoned Vehicle Impoundment Law. The proposed amendment is for the purpose of modifying the notice requirements and reclaiming and redemption process for impounded vehicles. The intent is to recover fees from outstanding parking violations and traffic citations.

This Council Bill was introduced by Council Members Turner, Davis, Taveras, Dernoga, Harrison, Streeter, Anderson-Walker, Ivey and Glaros.

[CB-063-2020](#)

Draft 2

AN ORDINANCE CONCERNING TRASH MAINTENANCE SERVICES WITH PRIVATE FUELING STATION - I-1 AND I-2 ZONES for the purpose of amending the Zoning Ordinance to provide a definition for a new use, "Trash Maintenance Services and Private Fueling Station," and permitting the use in the I-1 (Light Industrial) and I-2 (Heavy Industrial) Zones of Prince George's County, under certain circumstances.

Sponsor(s): Davis

Attachment(s): [B2020063](#)
[CB-063-2020 AIS](#)
[CB-063-2020 Report](#)

This bill defines a new use, "Waste Services with Private Fueling Station," in the Zoning Ordinance and amends the Industrial Use Tables to permit the use in the I-1 and I-2 Zones, subject to certain master plan, entitlement, and location requirements.

This Council Bill was introduced by Council Members Davis, Harrison and Franklin.

[CB-069-2020](#)

Draft 2

AN ORDINANCE CONCERNING R-55 ZONE for the purpose of permitting multifamily dwellings in the R-55 (One-Family Detached Residential) Zone of Prince George's County, under certain specified circumstances.

Sponsor(s): Taveras

Attachment(s): [B2020069](#)
[CB-069-2020 AIS](#)
[CB-069-2020 Report](#)

This bill permits multifamily dwellings in the R-55 (One-Family Detached Residential) Zone, under certain specified circumstances.

This Council Bill was introduced by Council Members Taveras, Davis, Streeter, Franklin and Hawkins.

[CB-070-2020](#)

Draft 2

AN ORDINANCE CONCERNING FOOD HALLS for the purpose of defining Food Halls in the Zoning Ordinance, permitting the use in the I-1 (Light Industrial), I-3 (Planned Industrial/Employment Park), U-L-I (Urban Light Industrial), M-X-T (Mixed Use Transportation-Oriented), M-X-C (Mixed Use Community), and Commercial Zones of Prince George's County under certain circumstances, and providing certain parking, loading, and regulatory requirements for the use.

Sponsor(s): Ivey, Glaros, Streeter, Taveras, Franklin, Davis, Turner, Hawkins and Harrison

Attachment(s): [B2020070](#)
[CB-070-2020 AIS](#)
[CB-070-2020 Report](#)

This bill defines a new use, "Food Halls," in the Zoning Ordinance and provide for the use as permitted in certain Industrial, Mixed Use, and Commercial Zones of the County. The bill is companion legislation to a regulatory bill for Food Hall uses, which will establish appropriate regulatory and safety controls governing the activity.

This Council Bill was introduced by Council Members Ivey, Glaros, Streeter, Taveras, Franklin, Davis, Turner, Hawkins and Harrison.

[CB-072-2020](#)

Draft 1

AN ORDINANCE CONCERNING CLASS 3 FILL RECLAMATION for the purpose of amending the requirements for limited Class 3 fill uses as a method of reclaiming former sand and gravel mining properties for public use in the R-A (Residential-Agricultural) Zone, which are permitted without a special exception.

Sponsor(s): Harrison, Streeter and Davis

Attachment(s): [B2020072](#)
[CB-072-2020 AIS](#)
[CB-072-2020 Report](#)

This bill makes a minor amendment to the requirements for limited Class 3 fill uses that are permitted without a special exception in the R-A Zones of the County. Similar legislation was approved by the Council in 2018 by way of CB-89-2018.

This Council Bill was introduced by Council Members Harrison, Streeter and Davis.

[CB-080-2020](#)

Draft 2

AN ORDINANCE CONCERNING R-R (RURAL RESIDENTIAL) ZONE for the purpose of permitting contractor's office in the R-R (Rural Residential) Zone under certain circumstances.

Sponsor(s): Davis and Turner

Attachment(s): [B2020080](#)
[CB-080-2020 AIS](#)
[CB-080-2020 Report](#)

This legislation amends the Zoning Ordinance to define a new use, "Contractor's Yard" and to permit the use in the Rural Residential (R-R) Zone, under certain circumstances. This use is also defined in CB-13-2018, legislation enacted by the County Council for the purpose of replacing the Zoning Ordinance, Subtitle 27 of the County Code, with a new Zoning Ordinance.

This Council Bill was introduced by Council Members Davis and Turner.

[CB-083-2020](#)

Draft 2

AN ORDINANCE CONCERNING FLY ASH LANDFILLS for the purpose of prohibiting fly ash landfills in Prince George's County.

Sponsor(s): Franklin

Attachment(s): [B2020083](#)
[CB-083-2020 AIS](#)
[CB-083-2020 Report](#)

This legislation will prohibit Fly Ash Landfills, and other Coal Combustion byproducts, in Prince George's County. Coal combustion byproducts (CCBs), which includes fly ash, are non-combustible materials generated from burning coal. According to the Maryland Department of the Environment, CCBs can contain potentially harmful amounts of heavy metals such as mercury, lead, chromium, cadmium, to list a few. When not properly disposed of and under certain circumstances, CCBs can pose a threat to public health of Prince George's County residents. As such, this legislation is seeking to eliminate Prince George's County as a destination for an environmentally hazardous product for the health, safety and welfare for all Prince George's County.

This Council Bill was introduced by Council Members Franklin, Turner, Anderson-Walker, Ivey, Davis, Streeter, Harrison, Hawkins, Dernoga, Taveras and Glaros.

5. INTRODUCTION AND ADOPTION OF RESOLUTIONS

[CR-102-2020](#)

Draft 1

A RESOLUTION CONCERNING THE WEST HYATTSVILLE - QUEENS CHAPEL SECTOR PLAN for the purpose of initiating a new Sector Plan for a

portion of Planning Area 68 of the Maryland-Washington Regional District in Prince George's County, Maryland, and approving Goals, Concepts, Guidelines, and a Public Participation Program for the project pursuant to Part 13 of the Zoning Ordinance.

Sponsor(s): Turner, Ivey, Streeter, Harrison, Hawkins, Taveras and Anderson-Walker

Attachment(s): [R2020102](#)
[CR-102-2020 Attachment A](#)
[CR-102-2020 AIS](#)

This Resolution was introduced by Council Members Turner, Ivey, Davis, Streeter, Harrison, Hawkins, Taveras and Anderson-Walker.

A motion was made by Council Member Davis, seconded by Council Member Streeter, that the County Council Rules of Procedure be suspended to allow for the immediate adoption of CR-102-2020. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

A motion was made by Council Member Davis, seconded by Council Member Streeter, that this Resolution be adopted. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

1:00 P.M. - 5. PUBLIC HEARINGS (RESOLUTIONS) - (VIRTUAL HEARINGS)

CR-087-2020

Draft 1

A RESOLUTION CONCERNING THE 2018 WATER AND SEWER PLAN (JUNE 2020 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2018 Water and Sewer Plan.

Sponsor(s): Turner, Taveras, Davis, Hawkins and Harrison

Attachment(s): [R2020087](#)
[CR-087-2020 Attachments A & B](#)
[CR-087-2020 AIS](#)
[CR-087-2020 Report](#)

This public hearing was held.

1:00 P.M. - PUBLIC HEARING ADVERTISED IN ERROR - ADDITIONAL PUBLIC HEARING TO BE HELD ON TUESDAY, OCTOBER 27, 2020 AT 10:00 A.M.

[CR-093-2020](#)

Draft 1

A RESOLUTION CONCERNING FISCAL YEAR (“FY”) 2021 ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT for the purpose of amending the Prince George’s County Fiscal Year (“FY”) 2021 Annual Action Plan for Housing and Community Development by adding the United Communities Against Poverty, Inc.’s (“UCAP”) Neighborhood Development Program project, an eligible activity not originally funded or described in the FY 2021 Annual Action Plan, and the reallocation and commitment of one hundred and twenty five thousand dollars (\$125,000) in HOME Investment Partnerships (“HOME”) Program funds from the FY 2019 Annual Action Plan to support the Neighborhood Development Program project.

Sponsor(s): Turner, Taveras, Ivey, Streeter, Davis, Harrison, Anderson-Walker, Glaros, Franklin, Hawkins and Dernoga

Attachment(s): [R2020093](#)
[CR-093-2020 Attachment B](#)
[CR-093-2020 Attachment C](#)
[CR-093-2020 AIS](#)

The Council Chair announced that this public hearing was advertised in error and an additional public hearing is scheduled on Tuesday, October 27, 2020 at 10:00 a.m.

This Resolution was public hearing held

RECESS

THE MEETING RECESSED AT 2:28 P.M.

A motion was made by Council Member Davis, seconded by Council Member Dernoga, to recess the meeting. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

1:45 P.M. - DISTRICT COUNCIL ITEM - (VIRTUAL MEETING)

(SEE SEPARATE MINUTES)

2:00 P.M. - COMMITTEE OF THE WHOLE - (VIRTUAL MEETING)

(SEE SEPARATE MINUTES)

RECONVENE

THE MEETING RECONVENED AT 8:26 P.M.

6. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

[CR-101-2020](#)

Draft 1

A RESOLUTION CONCERNING PRINCE GEORGE’S COUNTY, MARYLAND’S FIFTH CONTINUED DECLARATION OF EMERGENCY-CORONAVIRUS (“COVID-19”) for the purpose of continuing the emergency declarations most recently adopted by the governing body on September 15, 2020, CR-90-2020, and as may be further amended.

Attachment(s): [R2020101](#)
[CR-101-2020 \(DR-2\) Attachment A](#)
[CR-101-2020 AIS](#)
[CR-101-2020 Report](#)

A motion was made by Council Member Dernoga, seconded by Vice Chair Hawkins, that Draft 2 of this Resolution be substituted in lieu of Draft 1. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

A motion was made by Council Member Dernoga, seconded by Council Member Streeter, that Draft 2 of this Resolution be adopted. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

ADJOURN

THE MEETING ADJOURNED AT 8:32 P.M.

A motion was made by Council Member Davis, seconded by Council Member Streeter, that meeting be adjourned. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

EXECUTIVE SESSION – (THIS EXECUTIVE SESSION WAS HELD ON OCTOBER 6, 2020)**[EX 10062020](#)**

Motion to convene in executive session to consult with counsel to seek legal advice and to discuss pending or potential litigation in accordance with section 3-305(b)(7, 8), General Provisions Article, Annotated Code of Maryland.

Date of Executive Session: October 6, 2020

Beginning Time: 12:38 p.m.

Ending Time: 1:43 p.m.

Members Present:

CM Turner, Chairman

CM Hawkins, Vice-Chairman

CM Franklin

CM Davis

CM Streeter

CM Ivey

CM Taveras

CM Harrison

CM Anderson-Walker

CM Dernoga

Others Present:

Robert Williams, Jr.

William Hunt

Karen Campbell

Donna Brown

Dinora Hernandez

Leroy D. Maddox, Jr.

Raj Kumar

Rhonda Weaver

Andy Murray

Topics Discussed:

1. Litigation Updates from Rhonda Weaver, County Attorney and Andy Murray, Deputy County Attorney:

Greene case

Adebuya case

Carter vs. Officer Holland

Colson vs. Krause

Hispanic National Officers case

Estate of Shann vs. County

Janifer case

Sith vs. McDonald case

Sharp case

Demonte Ward Blake case

Wilson case

2. General Litigation Update from Raj Kumar, Principal Counsel

Federal Action: THE REDEEMED CHRISTIAN CHURCH OF GOD

(VICTORY TEMPLE) BOWIE, MARYLAND vs. Prince George's County – Civil Action No. DKC 19-3367.

Circuit Court Action: PETITION OF REDEEMED CHRISTIAN CHURCH OF GOD vs. County Council – CAE19-18641

Easy Storage case

Palmer Road case

Vote Closing the Meeting pursuant to Section 3-305(b)(7)(8): CM Hawkins (mot), CM Streeter(2nd), 9 – 0. Absent: CM Glaros and Harrison.

Prepared by:

Theresa D. Myers, Legislative Assistant

Submitted by:

Donna J. Brown, Clerk of the Council