



Prince George's County Council

Wayne K. Curry Administration
Building
1301 McCormick Dr
Largo, MD 20774

Meeting Minutes - Final County Council

Thomas E. Dernoga, Chair, District 1
Wala Blegay, Vice Chair, District 6
Edward P. Burroughs, III, District 8
Wanika Fisher, District 2
Mel Franklin, At-Large
Sydney J. Harrison, District 9
Calvin S. Hawkins, II, At-Large
Jolene Ivey, District 5
Eric C. Olson, District 3
Krystal Oriadha, District 7
Ingrid S. Watson, District 4

Jennifer A. Jenkins, Council Administrator

Tuesday, January 17, 2023

10:00 AM

Council Hearing Room

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

9:00 A.M. - GENERAL ASSEMBLY COMMITTEE - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

10:00 A.M. - CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order by Chair Thomas E. Dernoga at 10:18 a.m. with 10 members present at roll call. Chair Dernoga announced that Council Member Hawkins had an excused absence.

Present: 10 - Council Member Sydney Harrison
Vice Chair Wala Blegay
Chair Thomas Dernoga
Council Member Ingrid Watson
Council Member Eric Olson
Council Member Wanika Fisher
Council Member Edward Burroughs
Council Member Jolene Ivey
Council Member Krystal Oriadha
Council Member Mel Franklin

Absent: Council Member Calvin S. Hawkins

Also present:

Jennifer Jenkins, Council Administrator
Colette Gresham, Associate Council Administrator
Donna J. Brown, Clerk of the Council
Leonard Moses, Legislative/Zoning Assistant
James Walker-Bey, Zoning Assistant
Terry L. Bell, Council Liaison, Office of the County Executive
Jackie Brown, PHED Committee Director
J. Kenneth Battle, TIEE Committee Director
Marverly Nettles-Simpson, General Assembly Committee Director
Karen Zavakos, Legislative and Zoning Counsel

INVOCATION:

The Invocation was provided by Pastor Shemaiah Strickland, Nottingham Myers Christ UMC Cooperative Parish, Upper Marlboro, Maryland.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Franklin.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Ben Bezejouh and Michael Oliver addressed the Council.

LEGISLATIVE DAY NO. 3

1. CONSENT AGENDA

(a) Approval of County Council Minutes

[MIN 01092023](#) County Council Minutes dated January 10, 2023
Draft 1

Attachment(s): [01102023](#)

These Minutes were approved.

1. CONSENT AGENDA (Continued)

[Consent5-23](#) MOTION TO ADOPT CONSENT AGENDA
Draft 1

A motion was made by Council Member Harrison, seconded by Council Member Fisher, that this consent agenda be adopted. The motion carried by the following vote:

Aye	10 - Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey, Oriadha and Franklin
Absent	Hawkins

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

NO ITEMS CONSIDERED

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

[LTR 01172023](#)

Draft 1

Proposed letter to the Honorable Michael A. Jackson, Chair, Prince George's County Senate Delegation and the Honorable Nick Charles, Chair, Prince George's County House Delegation, transmitting the position of the Prince George's County Council on proposed State legislation (recommended at the 01/17/2023 General Assembly Committee meeting).

Marverly K. Nettles-Simpson, Director, General Assembly Committee, provided a verbal report of the actions and recommendations of the General Assembly Committee for the agenda letter.

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

Aye	10 - Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey, Oriadha and Franklin
Absent	Hawkins

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

[CB-017-2023](#)

Draft 1

AN ORDINANCE CONCERNING GENERAL PROVISIONS - DEVELOPMENT AUTHORITY PURSUANT TO THE PRIOR ORDINANCE - LIMITATION ON TOWNHOUSE AND ONE-FAMILY ATTACHED DWELLINGS-R-A ZONE for the purpose of limiting the authority in the Zoning Ordinance for development of Townhouse and One-family attached dwelling uses under the prior Ordinance in the R-A (Residential Agricultural) Zone of Prince George's County.

Sponsor(s): Blegay, Burroughs, Dernoga, Watson, Ivey, Olson and Oriadha

Attachment(s): [B2023017](#)
[CB-017-2023 Summary](#)
[CB-017-2023 AIS](#)
[CB-017-2023 Report](#)
[CB-017-2023 ZHE Memo](#)
[CB-017-2023 Planning Board Votes Letter](#)
[CB-017-2023 Planning Board Analysis](#)
[CEX Ltr to Council Chair 01-06-2023](#)
[Council Chair Ltr to CEX 01-09-2023](#)

Pursuant to proper notice, the public hearing convened at 10:35 a.m. Council Member Ivey, Chair, Planning, Housing and Economic Development Committee (PHED), provided a verbal report of the actions and recommendations of PHED for CB-017-2023. Eric Afoakwah, Robert Antonetti, Andrew Roud, Miller Einsel, Greg Smith, Jon Robinson, Barbara Sollner-Webb, Milly Hall, Patrice Murray, Janet Gingold, Carol Hurwitch, Michael Bridges, and Carol Boyer signed up to speak. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing for this Council Bill was held.

A motion was made by Council Member Ivey, seconded by Vice Chair Blegay, that this Council Bill be amended. The motion carried by the following vote:

Aye	8 -	Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha
Nay	1 -	Franklin
Absent		Hawkins
Abstain	1 -	Harrison

A motion was made by Vice Chair Blegay, seconded by Council Member Oriadha, that the rules be suspended for this Council Bill.. The motion carried by the following vote:

Aye	8 -	Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha
Nay	1 -	Franklin
Absent		Hawkins
Abstain	1 -	Harrison

A motion was made by Vice Chair Blegay, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried by the following vote:

Aye	8 -	Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha
Nay	1 -	Franklin
Absent		Hawkins
Abstain	1 -	Harrison

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) (Continued)**[CB-013-2023](#)**

Draft 1

AN ORDINANCE CONCERNING M-X-T ZONE TRANSITION for the purpose of repealing CB-69-2022 which authorized properties that were in the M-X-T (Mixed Use--Transportation Oriented) Zone prior to the effective date of the new zoning ordinance to elect to conform to the requirement of the CGO (Commercial, General Office) Zone.

Sponsor(s): Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha

Attachment(s): [B2023013](#)

[CB-013-2023 Summary](#)

[CB-013-2023 Report](#)

[CB-013-2023 Planning Board Votes Letter](#)

[CB-013-2023 Planning Board Analysis](#)

[CEX Ltr to Council Chair 01-06-2023](#)

[Council Chair Ltr to CEX 01-09-2023](#)

Pursuant to proper notice, the public hearing convened at 11:18 a.m. Council Member Ivey, Chair, Planning, Housing and Economic Development Committee (PHED), provided a verbal report of the actions and recommendations of PHED for CB-013-2023. Terry Richardson, Janet Gingold, Edward Gibbs, William Addison, Thomas Haller, Jude Burke, Greg Smith, Jon Robinson, Barbara Sollner-Webb, Carol Hurwitch, Angie Rodgers, Joseph Addison, and Peter Herring signed up to speak. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing for this Council Bill was held.

A motion was made by Council Member Olson, seconded by Council Member Oriadha, that this Council Bill be amended. The motion carried by the following vote:

Aye 9 - Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha

Nay 1 - Franklin

Absent Hawkins

A motion was made by Council Member Ivey, seconded by Council Member Oriadha, that the rules be suspended for this Council Bill. The motion carried by the following vote:

Aye 9 - Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha

Nay 1 - Franklin
Absent Hawkins

A motion was made by Chair Dernoga, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried by the following vote:

Aye 9 - Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha
Nay 1 - Franklin
Absent Hawkins

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

[CB-014-2023](#)

Draft 1

AN ORDINANCE CONCERNING ZONING-GENERAL PROVISIONS - TRANSITIONAL PROVISIONS for the purpose of repealing CB-77-2022, including Section 27-1706, of the Zoning Ordinance of Prince George’s County.

Sponsor(s): Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha

Attachment(s): [B2023014](#)
[CB-014-2023 Summary](#)
[CB-014-2023 Report](#)
[CB-014-2023 Planning Board Votes Letter](#)
[CB-014-2023 Planning Board Anaylsis](#)
[CEX Ltr to Council Chair 01-06-2023](#)
[Council Chair Ltr to CEX 01-09-2023](#)

Pursuant to proper notice, the public hearing convened at 11:47 a.m. Council Member Ivey, Chair, Planning, Housing and Economic Development Committee (PHED), provided a verbal report of the actions and recommendations of PHED for CB-014-2023. Terry Richardson, John Decker, Edward Gibbs, Matthew Tedesco, Thomas Haller, Greg Smith, Jon Robinson, Barbara Sollner-Webb, William Addison, Carol Hurwitch, Angie Rogers, Jared McCarthy, Joseph Addison, and Peter Herring signed up to speak. All persons wishing to speak having done so, the public hearing was declared held. Chair Dernoga announced that CB-014-2023 would be held for further discussion.

The public hearing for this Council Bill was held.

This Council Bill was held for further action in the near future.

A motion was made by Council Member Ivey, seconded by Vice Chair Blegay, that the rules be suspended for this Council Bill. The motion carried by the following vote:

Aye 9 - Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha
Absent Hawkins and Franklin

A motion was made by Council Member Ivey, seconded by Council Member Oriadha, that this Council Bill be enacted. The motion carried by the following vote:

Aye 9 - Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha
Absent Hawkins and Franklin

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

CB-018-2023

Draft 1

AN ORDINANCE CONCERNING ZONING-ZONES AND ZONE REGULATIONS-BASE ZONES-EXPEDITED TRANSIT-ORIENTED DEVELOPMENT for the purpose of repealing CB-97-2022 and reinstating the development regulations applicable to certain expedited transit-oriented development in Transit-Oriented/Activity Center Base Zones within the new Zoning Ordinance of Prince George’s County, being also Chapter 37, 2018 Laws of Prince George’s County, Maryland (CB-013-2018), as amended by Chapter 53, 2021 Laws of Prince George’s County, Maryland (CB-98-2021).

Sponsor(s): Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha

Attachment(s): [B2023018](#)
[CB-018-2023 Summary](#)
[CB-018-2023 Report](#)
[CB-018-2023 ZHE Memo](#)
[CB-018-2023 Planning Board Votes Letter](#)
[CB-018-2023 Planning Board Analysis](#)
[CEX Ltr to Council Chair 01-06-2023](#)
[Council Chair Ltr to CEX 01-09-2023](#)

Pursuant to proper notice, the public hearing convened at 12:19 p.m. Council Member Ivey, Chair, Planning, Housing and Economic Development Committee (PHED), provided a verbal report of the actions and recommendations of PHED for CB-018-2023. Janet Gingold, Greg Smith, Jon Robinson, Barbara Sollner-Webb and Angie Rodgers signed up to speak. All persons wishing to speak having done so, the public hearing was

Absent

Hawkins and Franklin

RECONVENE

THE MEETING WAS RECONVENED AT 1:19 PM.

5. BRIEFING

[BR 01172023](#)

Draft 1

CLIMATE ACTION PLAN AND STORMWATER MANAGEMENT

Department of Environment (DOE):

Andrea Crooms, Director, DOE

Michelle Russell, Deputy Director, DOE

Jeff DeHan, Associate Director, Stormwater Management Division, DOE

Dawn Hawkins-Nixon, Associate Director, Sustainability Division

Brandon Key, Budget Director, DOE

Clean Water Partnership, Greg Cannito, Corvias

Department of Public Works & Transportation (DPW&T):

Michael D. Johnson, Director, DPW&T

Oluseyi Olugbenle, Deputy Director, DPW&T

Mary Sherrill, Engineer, DPW&T

Attachment(s): [DOE and DPWT Presentation Stormwater Climate Council 01172023](#)
[Drainage Complaints Jan 2018-Dec 2022 DOE](#)

The briefing convened at 1:20 p.m. Council Chair Dernoga introduced Andrea Crooms, Director, Department of Environment (DOE), and Michael D. Johnson, Director, DPW&T, who both introduced their teams and facilitated Powerpoint presentation titled, "Climate Action Implementation Task Force" and "Stormwater Basics in Prince George's County"; The presentations highlighted the following: Responsibilities of Task Force; Proposed Climate Action Task Force Timeline; Membership of Task Force-County Government Agencies; Membership of Committee-Additional Representatives; Priority Recommendations; "SIX BUCKETS"; To Group Priority Recommendations; Interrelated Sector Actions Grouped to Direct Task Force Implementation Planning; County Operations & Outreach; Energy & Infrastructure; Land Use, Development & Transportation; Task Force Core Work Groups; Task Force Roadmap Work Groups; Task Force Core Work Groups; Workgroup Process; Next Steps; Stormwater basics in Prince George's county; Environmental Justice- The Thread That Ties All Of Doe's Programs Together; EPA Definition Of Environmental Justice; MDE

EJ Screening Tool; Ej40 Is Changing The Focus, From Only Utilizing The Most Cost-Effective Way To Deal With Water Quality, Giving Us The Opportunity To Go After The 'Hard' Projects By Leveraging Funding Sources; More Than Anything Else- Equity Means A Seat At The Table - Including Support To Overcome The Barriers Between You And That Seat Photo: Clean Water Partnership; What Is Stormwater- The Basics; Stormwater Management Enterprise Fund; Sec. 10-263. - Stormwater Management Tax; Local Watershed Protection & Restoration Fund; Water Quality; Npdes/Ms4/Tmdl/Swppp; Water Quality Requirements; Water Quantity (Flooding); Fy23 Stormwater Budget; Achieving Environmental Compliance Hand In Hand With The Community; Exploring Solutions Above & Beyond Regulation For Greater Resiliency; Digging In On Drainage; Common Drainage Complaints; Terminology For Discussion; Why Are We Talking Flooding; Nuisance Flood Plans; Countywide Drainage Complaints January 2018 Thru December 2022; Storm Drain System; Drainage Relief - Roles Of Agencies; High Hazard & Significant Hazard Dams In Prince George's County; Infrastructure; Pumping Stations & Levee Systems; Watershed Studies; Drainage Investigation And Resolution; Prince George's County Drainage Complaint Resolution Process; Current Doe Water Quantity (Flood Control) Projects; Solutions For Homeowners Private Residential Properties; How Do We Fix These Problems; Update Of Homeowner Guide; Stormwater- Cool Stuff; Clean Water Partnership; Usace Partnership- Anacostia Restoration; Policy Development; Project Design- Brier's Mill Stream & Ada Bridge; Stormwater And Public Art; Hyattsville Park; Sponge Cities; Glenridge Elementary; Project Design- In Development- New Carrolton Metro; Stream Restoration- Recreation Opportunity; Stormwater And Urban Cooling; and Stormwater And Building Efficiency. The participants responded to questions and the briefing concluded at 3:07 p.m.

This Briefing was held.

[ADJ7-23](#)

Draft 1

ADJOURN

THE MEETING WAS ADJOURNED AT 3:09 PM.

A motion was made by Chair Dernoga, seconded by Council Member Ivey, that this meeting be adjourned. The motion carried by the following vote:

Aye	9 - Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha
Absent	Hawkins and Franklin

EXECUTIVE SESSION SUMMARY

[EX 01102023](#)

Draft 1

Motion to convene in executive session pursuant to Section 3-305(b)(7), and (8), General Provisions Article, Annotated Code of Maryland, to discuss and consider pending or potential litigation and to consult with counsel to seek legal advice, specifically, to be briefed by counsel as to and to discuss status of cases in the Circuit Court, Appellate Court of Maryland and Supreme Court of Maryland, for the purpose of maintaining confidentiality regarding the current status of litigation and as to the Council's position on pending litigation.

On 1/10/2023, A motion was made by Council Member Olson, seconded by Council Member Watson, that this Executive Session be convened. The motion carried by the following vote: Aye 6 - Hawkins, Harrison, Dernoga, Watson, Olson and Franklin; Absent: Blegay, Fisher, Burroughs, Ivey and Oriadha

Date of Executive Session: January 10, 2023

Time of Vote to Close Session: 1:05 p.m.

Beginning Time: 1:20 p.m.

Ending Time: 2:25 p.m.

Members Present: CM Dernoga, Chairman, CM Blegay, Vice-Chairman, CM Burroughs, CM Fisher, CM Franklin, CM Glaros, CM Harrison, CM Hawkins, CM Ivey, CM Oriadha, CM Watson

Members Absent: None

Others Present: Jennifer Jenkins, Colette Gresham, Donna Brown, Karen Campbell, Raj Kumar, Dinora Hernandez, Rhonda Weaver (OOL), Andrew Murray (OOL)

Topics Discussed:

1. Bradley Heard v. District Council (CB-42-2021/Mission of Love) Case No. CAL21-08992

2. David Dukes, et al. v. District Council (Clay Property) Case No. CAL21-14847

3. *Julie Wolf et al. v. District Council (Magruder Pointe/Suffrage Pointe)* Case No. C-16-CV-22-000629
4. *Natalie Williams et al. v. District Council (Beltway Plaza)* Case No. CAL22-02650
5. *Darryl Scott et al. v. District Council (CB-51-2022/Berman Property)* Case No. CAL21-16348
6. *Dwyke Bidjou et al. v. District Council (CB-79-2022/IE Zone Transitional Provisions)* Case No. C-16-CV-22-000667
7. *Christine Hough et al. v. District Council (Carroza Property)* Case No. CAL22-05470
8. *Accokeeek Mattawoman et al. v. District Council (CB-88 and CB89-2018)* Case Nos. CAL18-43605 and CAL18-43606
9. *Robin Dale et al. v. District Council (Subregion 5 & 6 cases)* Case No. CSA-REG-0255-2021
10. *Davona Grant et al. v. District Council (Clinton Walmart Expansion)* Case No. CSA-REG-1757-2021
11. *Bradley Heard v. District Council (Commons at Addison Road Metro)* Case No. CSA-REG-1877-2021
12. *Bradley Heard v. District Council (Appeal of CB-42-2021/Mission of Love)* Case No. ACM-REG-1794-2022
13. *Prince George's County Council et al. v. Concerned Citizens of Prince George's Dist. 4 (CB-17-2019/Freeway Airport)* Case No. COA-REG-0023-2022
14. *Ray Crawford et al. v Prince George's County Council (Amazon Collington Center)* Case No. COA-REG-0004-2022
15. *Demonte Ward-Blake v. Officer Bryant Strong et al.*
16. *Jerry Costen, Sr. et al. v. Cpl. Michael Owen et al., 21-cv-3322 PGG*
17. *Damon Wilson v. Brendon Gill et al. 16-cv-425 PWG*
18. *Ederes Bridges v. PGC, 21-cv-1319 PWG*
19. *Noah Waters v. PGC CAL 18-22662*
20. *Joshua Horton v. Pfc. Brooks Mitzkewitch et al., CAL 20-09498*
21. *Tubo v. Prince George's County, CAL2019090*
22. *Frazier v. Prince George's County, Case No. 8:22-cv-1768*
23. *Venero et al v. Prince George's County et al., Case No. 8:22-cv-1805*
24. *Snowden v. PGC, McDonough, and Penn, 18 v. 160 PJM.*
25. *HNLEA v. Prince George's County, TDC-18-3821*
26. *Strange v. Prince George's County, TDC-19-2761*
27. *Dammons v. Lucas, CAL 20-17934*
28. *Tony McMillan, Sr. v. Prince George's County*
29. *Jalloh v. Underwood, 464 F. Supp. 3d 125 (D.D.C. 2020)*

Vote Closing the Meeting pursuant to Section 3-305(b) (7) and (8): 6 – 0

This Executive Session was Summarized.

Prepared by:

Leonard Moses, Legislative/Zoning Assistant

Submitted by:

Donna J. Brown, Clerk of the Council