



Prince George's County Council

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

Meeting Minutes - Final County Council

Mel Franklin, District 9, Chairman
Will A. Campos, District 2, Vice Chair
Derrick Leon Davis, District 6
Andrea C. Harrison, District 5
Mary A. Lehman, District 1
Eric C. Olson, District 3
Obie Patterson, District 8
Karen R. Toles, District 7
Ingrid M. Turner, District 4

Robert J. Williams, Jr., Council Administrator

Wednesday, November 12, 2014

11:30 AM

Council Hearing Room

10:00 A.M. - COMMITTEE OF THE WHOLE - (ROOM 2027)

[CR-096-2014](#)

A RESOLUTION CONCERNING 2014 PRINCE GEORGE'S COUNTY STORMWATER MANAGEMENT DESIGN MANUAL for the purpose of adopting the 2014 Prince George's County Stormwater Management Design Manual.

Sponsor(s): Franklin and Davis

Attachment(s): [R2014096.doc](#)
[I-CR-96-2014 Attachment.docx](#)
[CR-096-2014 Report](#)

COMMITTEE RECOMMENDATION: FAVORABLE

Todd Turner, Legislative Officer, provided an overview of the Resolution and responded to questions posed by the Council. A motion was made by Council Member Olson, seconded by Council Member Patterson for a favorable committee recommendation. The motion carried 6-0 (Absent: Council Members Davis, Harrison and Toles) (See Administrative Day file for detailed Clerk's notes).

11:00 A.M. - AGENDA BRIEFING - (ROOM 2027)

11:30 A.M. - PRESENTATION OF PROCLAMATIONS/COMMENDATIONS - (COUNCIL HEARING ROOM)

Presentation of Proclamations commenced at 11:36 a.m.

PROCLAMATION presented to Frederick Douglass Girls' Soccer Team, for winning the "Prince George's County Championship 1A, 2A, and 3A Division" in Prince George's County. (Council Chairman Mel Franklin and Council Vice Chair Will Campos)

Council Chairman Mel Franklin and Council Vice Chair Will Campos presented a proclamation to Frederick Douglass Girls' Soccer Team. Members of the team were present to accept. Council Members Davis, Harrison, Lehman, Olson, Patterson, Turner and Toles were present for the presentation.

RECESS

The meeting went into recess at 11:47 a.m.

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

The meeting was called to order at 12:03 p.m. with nine members present at roll call.

Present: 9 - Chairman Mel Franklin
 Vice Chair Will Campos
 Council Member Derrick Davis
 Council Member Andrea Harrison
 Council Member Mary Lehman
 Council Member Eric Olson
 Council Member Obie Patterson
 Council Member Karen Toles
 Council Member Ingrid Turner

Also present:

Robert J. Williams, Jr. Council Administrator

William M. Hunt, Jr., Deputy Council Administrator

Redis C. Floyd, Clerk of the Council

Donna J. Brown, Deputy Clerk of the Council

Nathaniel Tutt, III, County Executive's Office

John Gwynn, Office of Law

Colette Gresham, Legislative Officer

Kathleen Canning, Legislative Officer

Colette Gresham, Legislative Officer

Todd Turner, Legislative Officer

Frank Porter, Director, PSFM Committee

Hawi Sanu, Director, THE Committee

INVOCATION:

The Invocation was provided by Reverend Wayne Heatley, Associate Minister, Assistant Counselor, Maple Springs Baptist Church, Capitol Heights, Maryland. Chairman Franklin requested prayer for the County leadership and for all residents of Prince George's County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Turner.

DESIGNATION OF NOVEMBER 12, 2014 AS LEGISLATIVE DAY NO. 34

Chairman Franklin designated Legislative Day number thirty-four.

1. CONSENT AGENDA

A motion was made by Council Member Davis, seconded by Council Member Patterson, that this be adopted and all actions approved. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

(a) Approval of County Council Minutes dated November 5, 12, 18, 19, 27, 2013, December 3, 2013, October 28, 2014 and November 4, 2014.

These Minutes were approved

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/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)**[CB-018-2014](#)**

AN ACT CONCERNING GROCERY STORE TAX CREDIT for the purpose of establishing a tax credit for real property that is used for a grocery store located in an economically disadvantaged or underserved area.

Sponsor(s): Franklin, Campos, Davis, Patterson, Toles and Turner

Attachment(s): [B2014018.doc](#)
[CB-18-2014 Report.doc](#)

Pursuant to proper notice, the public hearing was convened. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

This Council Bill was public hearing held

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

[CB-057-2014](#)

AN ACT CONCERNING TUITION ASSISTANCE PROGRAM for the purpose of revising the County's Tuition Assistance Program to provide additional educational benefits to further the development and growth of County employees; establishing a Tuition Assistance Fund; specifying the purposes and uses of the Fund; providing for the financing and administration of the Fund, and generally relating to tuition assistance.

Sponsor(s): Turner, Davis, Franklin, Harrison, Lehman, Olson, Patterson and Toles

Attachment(s): [B2014057.doc](#)
[CB-57-2014 Report](#)

Pursuant to proper notice, the public hearing was convened. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

This Council Bill was public hearing held

Under discussion, Council Member Lehman requested clarification of the changes within the Draft-two version of the Bill. Council Member Toles questioned the timeli for implementation.

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) - (CONTINUED)**[CB-067-2014](#)**

AN ACT CONCERNING LOCAL ECONOMIC OPPORTUNITY for the purpose of enhancing the County’s economic development by expanding the applicability of procurement assistance for County-based minority businesses, County-based businesses, and minority businesses; establishing a “County-located business” certification; and prescribing requirements and assistance for certified County-located businesses.

Sponsor(s): Franklin, Davis and Turner

Attachment(s): [B2014067.doc](#)
[CB-67-2014 Report.dotx](#)

Pursuant to proper notice, the public hearing was convened. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

This Council Bill was public hearing held

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

[CB-077-2014](#)

AN ACT CONCERNING THE PERSONNEL LAW for the purpose of amending provisions of the Personnel Law so that the leave year for annual, sick, military and personal leave will be for a common period that will begin January 1 and end December 31, which is the same as the calendar year, and allow for leave to be taken in increments of one-quarter (1/4) hour.

Sponsor(s): Franklin, Campos, Davis, Harrison, Olson, Toles and Turner

Attachment(s): [B2014077.docx](#)
[CB-077-2014 Report.doc](#)

Pursuant to proper notice, the public hearing was convened. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

This Council Bill was public hearing held

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) - (CONTINUED)**[CB-085-2014](#)**

AN ACT CONCERNING HUMAN RELATIONS COMMISSION for the purpose of increasing the caps on compensatory damages awarded and civil fines imposed by the Human Relations Commission for civil rights violations; expanding the imposition of civil fines to any civil rights violations enumerated under Subtitle 2, Division 12 of the County Code; and granting the Commission the authority to negotiate and collect the payments of civil fines and assessments as part of the conciliation procedure.

Sponsor(s): Toles, Franklin, Turner and Patterson

Attachment(s): [B2014085.doc](#)
[CB-85-2014 Report](#)

Pursuant to proper notice, the public hearing was convened. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

This Council Bill was public hearing held

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

[CB-062-2014](#)

AN ACT CONCERNING PROPERTY STANDARDS PENALTIES for the purpose of generally increasing penalties for repeated property standards violations, making such penalties mandatory for properties subject to foreclosure, and making such penalties ineligible for reduction.

Sponsor(s): Franklin, Davis, Harrison and Toles

Attachment(s): [B2014062.doc](#)
[CB-062-2014 Report](#)

Pursuant to proper notice, the public hearing was convened. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

This Council Bill was public hearing held

Under discussion, Council Member Lehman requested clarification regarding applicability of the penalties.

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) - (CONTINUED)**[CB-063-2014](#)**

AN ACT CONCERNING RESIDENTIAL LEASES - SECURITY DEPOSITS for the purpose of altering the interest rate paid on a security deposit under a residential lease at the end of a tenancy; altering the time for mailing a certain notice; providing for a delayed effective date; and generally relating to the interest paid on security deposits under residential leases.

Sponsor(s): Davis, Franklin, Harrison and Turner

Attachment(s): [B2014063.doc](#)
[CB-063-2014 Report](#)

Pursuant to proper notice, the public hearing was convened. Ron Wineholt and Mike Cerrito spoke in support. All persons wishing to speak having done so, the public hearing was declared held.

This Council Bill was public hearing held

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

[CB-076-2014](#)

AN ACT CONCERNING AIR CONDITIONING, REFRIGERATION AND HEATING SERVICING for the purpose of repealing provisions of the County Code pertaining to Air Conditioning, Refrigeration and Heating Servicing at the Department of the Environment to comport with State law for functions which are handled by the Maryland Department of Labor, Licensing and Regulation (DLLR).

Sponsor(s): Franklin

Attachment(s): [B2014076.doc](#)
[CB-076-2014 Report](#)

Pursuant to proper notice, the public hearing was convened. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

This Council Bill was public hearing held

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

5. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**[CR-087-2014](#)**

A RESOLUTION CONCERNING PILOT AGREEMENT for The Carrollton Station Project for the purpose of approving the terms and conditions of a negotiated Payment in Lieu of Taxes (PILOT) Agreement by and between Prince George’s County, Maryland (the “County”) and BE NC Station Holdings, LLC (the “Developer”) for the Carrollton Station Project.

Sponsor(s): Franklin, Olson, Toles, Turner and Davis

Attachment(s): [R2014087.doc](#)
[CR-87-2014 Report](#)

Council Member Toles, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee. Under discussion, Council Member Toles requested clarification of the financing provisions of the bill.

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

[CR-092-2014](#)

A RESOLUTION CONCERNING LARGO TOWN CENTER 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 Financing Act"), such development district to be located in a contiguous unincorporated area of the County known as Largo, Maryland and to be known as the "Largo Town Center Metro Development District" (the "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 Largo Town Center Metro Development District.

Sponsor(s): Campos, Davis, Franklin, Harrison, Olson, Toles and Turner

Attachment(s): [R2014092.doc](#)
[I-CR-92-2014 Exhibit B.pdf](#)
[CR-92-2014 Report](#)

Council Member Toles, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee.

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

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

[CR-093-2014](#)**A RESOLUTION CONCERNING PRINCE GEORGE'S PLAZA 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 Financing Act"), such development district to be located in a contiguous area in the City of Hyattsville, Maryland (the "City of Hyattsville") located in the County and to be known as the "Prince George's Plaza Metro Development District" (the "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 Prince George's Plaza Metro Development District.

Sponsor(s): Campos, Davis, Franklin, Harrison, Olson and Toles

Attachment(s): [R2014093.doc](#)
[I-CR-93-2014 Exhibit B.pdf](#)
[CR-93-2014 Report](#)

Council Member Toles, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee.

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) - (CONTINUED)**[CR-094-2014](#)**

A RESOLUTION CONCERNING SUITLAND-NAYLOR ROAD 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 a contiguous unincorporated area of the County surrounding the Suitland, Maryland Metro Station Area which is connected to the area surrounding the Naylor Road Metro Station Area by the open space area along Suitland Parkway, to be known as the “Suitland-Naylor Road Development District” (the “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 Suitland -Naylor Road Development District.

Sponsor(s): Davis, Franklin, Harrison, Olson and Toles

Attachment(s): [R2014094.doc](#)
[I-CR-94-2014 Exhibit A.pdf](#)
[I-CR-94-2014 Exhibit B.pdf](#)
[CR-94-2014 Report](#)

Council Member Toles, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee.

A motion was made by Council Member Toles, seconded by Council Member Turner, to substitute Draft 2 in lieu of Draft 1 of this Resolution. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) - (CONTINUED)**[CR-095-2014](#)**

A RESOLUTION CONCERNING NEW CARROLLTON 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 Financing Act”), such development district to be located in a contiguous area in the City of New Carrollton, Maryland (the "City of New Carrollton") located in the County and to be known as the “New Carrollton Metro Development District” (the “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 New Carrollton Metro Development District.

Sponsor(s): Campos, Davis, Franklin, Harrison, Olson, Toles and Turner

Attachment(s): [R2014095.doc](#)
[I-CR-95-2014 Exhibits A & B.pdf](#)
[CR-95-2014 Report](#)

Council Member Toles, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee.

A motion was made by Council Member Olson, seconded by Council Member Davis, to substitute Draft 2 in lieu of Draft 1 of this Resolution. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson, Toles and Turner

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) - (CONTINUED)**[CR-096-2014](#)**

A RESOLUTION CONCERNING 2014 PRINCE GEORGE'S COUNTY STORMWATER MANAGEMENT DESIGN MANUAL for the purpose of adopting the 2014 Prince George's County Stormwater Management Design Manual.

Sponsor(s): Franklin and Davis

Attachment(s): [R2014096.doc](#)
[I-CR-96-2014 Attachment.docx](#)
[CR-096-2014 Report](#)

Hawi Sanu, Director of the Transportation, Housing and the Environment Committee provided a verbal report of the actions and recommendations of the Committee of the Whole.

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

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

ADJOURN

The meeting was adjourned at 12:57 p.m.

Prepared by:

Donna J. Brown, Deputy Clerk of the Council

Submitted by:

Redis C. Floyd, Clerk of the Council