

ACTION AGENDA

Tuesday, June 23, 2009

Business Meeting

(Legislative Day No. 18 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

11:30 A.M.

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE MEETING
– (ROOM 2027) – COMMITTEE MEETING HELD**

1:00 P.M.

AGENDA BRIEFING – (ROOM 2027) – BRIEFING HELD

2:03 P.M.

CALL TO ORDER

INVOCATION: Pastor Charles Greene, Cedar Baptist Church, Seat Pleasant,
Maryland

PLEDGE OF ALLEGIANCE

Designated

DESIGNATION OF JUNE 23, 2009 AS LEGISLATIVE DAY NO. 18

ACKNOWLEDGEMENTS

- **VISION RESEARCH MONTH**
- **FIREWORKS SAFETY MONTH**

1. **CONSENT AGENDA – CR-44 ADDED (pg 6) -- 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.

(a) **First Reading of Bills (Presentation)**

Presented

CB-27-2009 – AN ACT CONCERNING BUILDING CODE for the purpose of amending the Prince George's County Building ordinance, adopting certain amendments to the 2006 Edition of the International Building Code and the International Residential Code for One and Two Family Dwellings, and amending sections of the Grading, Drainage and Pollution Control ordinance.

The Chairperson (by request – County Executive); referral to THE

Presented

CB-28-2009 – AN ORDINANCE CONCERNING ADULT BOOK STORES AND ADULT VIDEO STORES for the purpose of revising the definition of adult book store; establishing certain timeframes and administrative procedures for processing adult book store and adult video store use and occupancy permit applications; extending the time period that adult book stores and adult video stores may continue in operation; continuing to permit adult book stores and adult video stores by right in the I-2 Zone, under certain circumstances; making additional legislative findings regarding adult book stores and adult video stores; increasing certain requirements for adult book stores and adult video stores; and generally relating to adult book stores and adult video stores.

To be presented by Council Members Dernoga, Bland, Campos, Olson and Dean; referral to PZED

Presented

CB-29-2009 – AN ACT CONCERNING ADULT BOOK STORES AND ADULT VIDEO STORES for the purpose of providing a declaration of findings and policies regarding adult book stores and adult video stores; providing for the purpose and intent of this legislation; requiring adult book store and adult video stores licenses; providing for the contents of an adult book store and adult video store license application; establishing certain timeframes and administrative procedures for processing adult book store and adult video store licenses; providing for certain zoning compliance; providing for the approval and denial of an adult book store or adult video store license; providing for the suspension and revocation of an adult book store and adult video store license; and generally relating to adult book store and adult video store licensing.

To be presented by Council Members Dernoga, Bland, Campos, Olson and Dean; referral to PZED

CONSENT AGENDA – (CONTINUED)**(b) Introduction of Resolutions***Introduced*

CR-41-2009 - A RESOLUTION CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of transferring certain appropriations and expenditures between certain programs in the FY 2008-09 Operating Budget for the Park and Recreation Funds.

The Chairperson (by request – Planning Board); referral to PZED

Introduced by Council Member Dean

PUBLIC HEARING SCHEDULED FOR TUESDAY, JULY 14, 2009 AT 1:30 P.M.

Introduced

CR-42-2009 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2010 for the purpose of approving and adopting the Prince George's County Fiscal Year 2010 Housing and Community Development Annual Action Plan consisting of federal programs, including their federal funding applications which, along with other resources, serve to implement housing and community development strategies set forth in the County's FY 2006-2010 Consolidated Plan, adopted by CR-41-2005, which Plan was required by the U.S. Department of Housing and Urban Development (HUD) as a prerequisite to consideration of the funding applications.

The Chairperson (by request – County Executive); referral to C.O.W.

Introduced by Council Member Bland

PUBLIC HEARING SCHEDULED FOR TUESDAY, JULY 14, 2009 AT 7:30 P.M.

C.O.W. SCHEDULED FOR THURSDAY, JULY 16, 2009 AT 11:30 A.M.

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

-None-

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

*Chairperson
authorized to
sign*

- (a) Proposed letter to Samuel J. Parker, Jr., Chairman, Prince George's County Planning Board, requesting a six month extension of the timeframe to prepare the Preliminary Water Resources Functional Master Plan.

The Chairperson (by request – Planning Board)

4. **SECOND READING OF BILLS – (INTRODUCTION) – CB-4, CB-25, CB-26, CB-30, CB-31, CB-33, CB-34-2009 ADDED (pg 6)**

*Introduced;
Expedited*

CB-15-2009 (DR-2) – AN ORDINANCE CONCERNING GATEWAY SIGNS for the purpose of providing regulations for gateway signs in an integrated shopping center.

(Favorably reported out of PZED on 6/17/2009 with amendments)

Introduced by Council Members Olson and Harrison

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-15-2009 (DR-2)

*Introduced;
Expedited*

CB-20-2009 (DR-2) – AN ORDINANCE CONCERNING APPEALS for the purpose of amending the notification period by an appellant to the Board of Zoning Appeals for a refusal of permit, zoning violation notice or other decision.

(Favorably reported out of PZED on 6/17/2009 with amendments)

Introduced by Council Members Bland and Dernoga

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-20-2009 (DR-2)

*Introduced;
Expedited*

CB-22-2009 (DR-2) – AN ORDINANCE CONCERNING FENCES AND WALLS for the purpose of defining how fences and walls are measured and prohibiting barbed, razor wire and electrically charged/energized fences and walls.

(Favorably reported out of PZED on 6/17/2009 with amendments)

Introduced by Council Members Olson, Dernoga and Turner

THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-22-2009 (DR-2)

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

*Public Hearing
held;
Enacted*

CB-11-2009 (DR-3) – AN ACT CONCERNING VACANT RESIDENTIAL PROPERTY REGISTRATION AND MAINTENANCE for the purpose of providing for the registration of vacant or unoccupied residential structures with the Department of Environmental Resources; providing civil penalties for failure to register; and providing criminal penalties for failure to maintain such properties.

(Introduced by Council Members Campos and Harrison on 6/2/2009; favorably reported out of THE on 4/9/2009 with amendments; recommitted to THE on 4/28/2009; favorably reported out of THE on 5/12/2009 with amendments)

6. **PUBLIC HEARINGS/RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**

*Public Hearing
held;
Adopted*

CR-28-2009 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT NEIGHBORHOOD STABILIZATION PROGRAM AMENDMENTS for the purpose of approving a revised administration budget and staffing plan for the Neighborhood Stabilization Program (“NSP”)

(Introduced by Council Member Bland on 5/19/2009; favorably reported out of THE on 6/16/2009)

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

*DR-2
substituted;
Adopted*

CR-19-2009 (DR-2) – A RESOLUTION CONCERNING REVITALIZATION TAX CREDIT – THE VARSITY PROJECT for the purpose of establishing that a multifamily student housing development known as The Varsity, located in census tract number 807000 qualifies for the revitalization/redevelopment tax credit pursuant to Section 10-235.02 of the Prince George’s County Code.

(Introduced by Council Member Olson on 5/19/2009; favorably reported out of THE on 5/28/2009 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

8. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced;
Rules
Suspended;
Adopted*

CR-40-2009 - A RESOLUTION CONCERNING THE TAX RATES FOR FY 2009-2010 for the purpose of imposing and levying the tax rates and causing to be raised the amount of taxes required by the adopted budget so as to balance the budget as to proposed income and expenditures for the fiscal year beginning July 1, 2009; and to set forth the State tax levy and the Stormwater Management District tax levy.

Introduced by Council Member Bland

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

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

*Introduced;
Rules
Suspended;
Adopted*

CR-43-2009 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM for the purpose of approving the project submitted by the Alfred Street Baptist Church Foundation to the Maryland Department of Housing and Community Development for participation in the Department's Community Investment Tax Credit Program.

Introduced by Council Member Bland

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

2:50 P.M.

RECESS

3:00 P.M.

BRIEFING – (ROOM 2027) – BRIEFING HELD

AMERICAN RECOVERY AND REINVESTMENT ACT

Ralph Moultrie, Chair, Stimulus Steering Committee
Jonathan R. Seeman, Director, Office of Management and Budget
DeAnna Baker-Mims, Grants Manager, Office of Management and Budget

ADDITIONS TO THE AGENDA

1. **CONSENT AGENDA – (Page 2)**

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.

(b) **Introduction of Resolutions**

Introduced

CR-44-2009 – A RESOLUTION CONCERNING ADMISSIONS AND AMUSEMENT TAX for the purpose of approving a certain incentive for an event in Prince George's County in the form of a reduction in the amount of the County admissions and amusement tax levy on the event.

Introduced by Council Member Harrison; referral to PSFM

4. **SECOND READING OF BILLS – (INTRODUCTION) – (page 4)**

Introduced

CB-25-2009 – 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, 2011.

(Favorably reported out of PSFM on 6/22/2009)

Introduced by Council Members Turner, Dean, Bland, Dernoga, Exum and Knotts

*Amended;
DR-3 Introduced*

CB-26-2009 (DR-2) – AN ACT CONCERNING PEDDLERS AND LICENSED VENDORS for the purpose of prohibiting unlicensed vendors from peddling items relating to an event held at the Professional NFL Stadium.

(Favorably reported out of THE on 6/22/2009 with amendments)

Introduced by Council Member Harrison and Exum

Introduced

CB-30-2009 - 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 Eighty-Eight Million Two Hundred Fifty-Seven Thousand Dollars (\$88,257,000) 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, 2010, . . .

The Chairperson (by request – County Executive); C.O.W. scheduled 7/14/2009 at 3:00 p.m.

Introduced by Council Member Exum

Introduced

CB-4-2009 – AN ACT CONCERNING CONTRACT APPROVALS for the purpose of approving the leases of certain improvements by Prince George's County.

Introduced by Council Member Olson

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

CB-31-2009 - 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 Sixty-Five Million Six Hundred Ninety-Four Thousand Dollars (\$65,694,000) 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, 2009, . . .

The Chairperson (by request – County Executive); C.O.W. scheduled 7/14/2009 at 3:00 p.m.

Introduced by Council Member Exum

*Withdrawn by
County
Executive*

CB-32-2009 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION QUALIFIED SCHOOL CONSTRUCTION BONDS TO FINANCE PUBLIC SCHOOL FACILITIES IN AN AMOUNT NOT TO EXCEED \$25,102,000 for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Twenty-five Million One Hundred Two Thousand Dollars (\$25,102,000) in aggregate principal amount of general obligation qualified school construction bonds for the purpose of providing an alternative means to finance in whole or in part costs of the construction, rehabilitation or repair of certain capital projects for public school facilities set forth in the capital budget of the County for the fiscal year ending June 30, 2010, . . .

To be presented by the Chairperson (by request – County Executive); referral to C.O.W.

Introduced

CB-33-2009 - 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-three Million Eight Hundred Seventy-one Thousand Dollars (\$23,871,000) 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, 2010, . . .

The Chairperson (by request – County Executive); C.O.W. scheduled 7/14/2009 at 3:00 p.m.

Introduced by Council Member Exum

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

CB-34-2009 – AN ACT CONCERNING THE ISSUANCE AND SALE OF REIMBURSEMENT BONDS TO REFINANCE THE COSTS OF THE DUVALL WING OF THE PRINCE GEORGE’S COUNTY COURTHOUSE IN AN AMOUNT NOT TO EXCEED \$30,000,000 OR IN THE ALTERNATIVE THE AUTHORIZATION OF THE COUNTY EXECUTIVE TO ENTER INTO A SALE AND LEASEBACK OR LEASE AND LEASEBACK OF THE DUVALL WING OF THE PRINCE GEORGE’S COUNTY COURTHOUSE for the purpose of authorizing and empowering Prince George’s County, Maryland to issue and sell an amount not to exceed Thirty Million Dollars (\$30,000,000) in aggregate principal amount of bonds for the purpose of providing a means to refinance in whole or in part costs of the reconstruction, rehabilitation or repair of the Duvall Wing of the Prince George’s County Courthouse, including describing the project to be refinanced in whole or in part from the proceeds of the bonds hereby authorized and the costs and probable useful life thereof; prescribing or providing for the procedures for the issuance and sale of such bonds at private or negotiated sale; showing compliance with the power of the County to incur indebtedness; directing the application of the proceeds of such bonds; pledging payments from the County’s General Fund, subject to annual appropriation, to the payment of such bonds and providing for the payment of the principal of such bonds when due; showing compliance with the limitations on the power of the County to incur indebtedness; authorizing the County Executive to delegate to appropriate officials the power to make certain determinations and sign certain documents, certificates or agreements authorized to be made or signed by the County Executive herein; providing for compliance with Securities and Exchange Commission Rule 15c2-12; to the extent the reimbursement bonds are not issued, authorizing the County Executive to enter into a sale and leaseback or lease and leaseback of the Duvall Wing of the Prince George’s County Courthouse in order to effect the reconstruction, rehabilitation or repair of the facility; and otherwise generally determining or providing for the determination of certain matters in connection with the issuance, sale and delivery of the bonds authorized by this Act.

The Chairperson (by request – County Executive); C.O.W. scheduled 7/14/2009 at 3:00 p.m.

Introduced by Council Member Exum

7. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (page 5)***Adopted*

CR-31-2009 – A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$2,333,302 to the Health Department, Department of Family Services, Office of the Sheriff, Circuit Court, Police Department and the Department of Public Works and Transportation.

(Introduced by Council Member Bland on 6/2/2009; favorably reported out of PSFM on 6/22/2009)

Adopted

CR-39-2009 – A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$13,100,052 to the Circuit Court, Health Department, Fire/EMS Department, Police Department, Office of Homeland Security, Department of Housing and Community Development, Department of Family Services, Department of Social Services and the Department of Public Works and Transportation.

(Introduced by Council Member Bland on 6/16/2009; favorably reported out of PSFM on 6/22/2009)

7:15 P.M.**RECONVENE***Joint Public
Hearing held*9. **JOINT PUBLIC HEARING – (COUNCIL HEARING ROOM)**

THE PRINCE GEORGE’S COUNTY COUNCIL AND THE PRINCE GEORGE’S COUNTY PLANNING BOARD OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION PUBLIC HEARING ON THE PRELIMINARY TAKOMA/LANGLEY CROSSROADS SECTOR PLAN

Pursuant to the provisions of Article 28 of the Annotated Code of Maryland and the Zoning Ordinance of Prince George’s County, being also Subtitle 27 of the Prince George’s County Code, the Prince George’s County Council, sitting as the District Council, and the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission, joint public hearing to receive testimony regarding the preliminary plan generally located within a portion of Planning Area 65 in accordance with the recommendations of the *Takoma/Langley Crossroads Preliminary Sector Plan*. The sector plan area primarily focuses on the University Boulevard corridor in the Langley Park community bound by Takoma Park to the west, the Adelphi and Lewisdale community to the east, and Takoma Park and Carole Highlands communities to the south. The plan area overlaps the borders of Montgomery and Prince George’s Counties at University Boulevard where it intersects with New Hampshire Avenue.

(SEE SEPARATE ACTION AGENDA)

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

-None-

9:22 P.M.

ADJOURN

REMINDER

Thurs., June 25, 2009	9:30 a.m.	THE Committee Meeting (Room 2027)
Tues., June 30, 2009		NO COUNCIL SESSION (MML CONFERENCE)