



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

Tuesday, September 23, 2014

10:00 AM

Council Hearing Room

9:30 A.M. - AGENDA BRIEFING - (ROOM 2027)

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

*The meeting was called to order at 10:51 a.m. with eight members present at roll call
Vice-Chair Campos arrived at 10:56 a.m.*

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
Kathleen Canning, Legislative Officer
Colette Gresham, Legislative Officer
Karen Zavakos, Legislative Officer
Frank Porter, Director, PSFM Committee*

INVOCATION: Howard W. Stone, County Employee

Council Member Toles requested prayer for the family of Luther Marsh in his passing

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Toles.

DESIGNATION OF SEPTEMBER 23, 2014 AS LEGISLATIVE DAY NO. 27

Chairman Franklin designated Tuesday, September 23, 2014 as Legislative Day number twenty-seven.

1. CONSENT AGENDA

A motion was made by Council Member Davis, seconded by Council Member Harrison, that the Consent Agenda 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 October 29, 2013 and September 15, 2014.

[MIN 10292013](#)

County Council Minutes dated October 29, 2013.

Attachment(s): [10292013MINUTES.doc](#)

These Minutes were approved

CONSENT AGENDA - (CONTINUED)[MIN 09162014](#)

Attachment(s): [09162014.pdf](#)
[09162014-PH-7PM.pdf](#)

These Minutes were approved

(b) First Reading of Bills (Presentation)[CB-079-2014](#)

AN ACT CONCERNING HUMAN TRAFFICKING - LODGING ESTABLISHMENTS - ROOM RENTAL for the purpose of prohibiting lodging establishments from renting rooms by the hour; and generally relating to lodging establishment regulation in the County.

Sponsor(s): Toles and Olson

Attachment(s): [B2014079.doc](#)

This Council Bill was presented by Council Members Toles and Olson and referred to the Public Safety and Fiscal Management Committee

[CB-080-2014](#)

AN ACT CONCERNING HUMAN TRAFFICKING - LODGING ESTABLISHMENTS - EMPLOYEE TRAINING for the purpose of requiring lodging establishments to provide certain employee training; requiring lodging establishments to perform annual employee training certification; and generally relating to lodging establishment regulation in the County.

Sponsor(s): Toles

Attachment(s): [B2014080.doc](#)

This Council Bill was presented by Council Member Toles and referred to the Public Safety and Fiscal Management Committee

[CB-081-2014](#)

AN ACT CONCERNING MASSAGE ESTABLISHMENT LICENSING for the purpose of amending the County Code provisions for licensing of massage establishments operators, managers and technicians to require certain information and generally related to licensing of massage establishments.

Sponsor(s): Toles

Attachment(s): [B2014081.doc](#)

This Council Bill was presented by Council Member Toles and referred to the Public Safety and Fiscal Management Committee

CONSENT AGENDA - (CONTINUED)[CB-082-2014](#)

AN ACT CONCERNING THE NUISANCE ABATEMENT BOARD for the purpose of amending the provisions concerning the administration and functions of the Prince George's County Nuisance Abatement Board.

Sponsor(s): Olson and Toles

Attachment(s): [B2014082.doc](#)

This Council Bill was presented by Council Members Olson and Toles and referred to the Public Safety and Fiscal Management Committee

[CB-083-2014](#)

AN ACT CONCERNING BUSINESSES AND LICENSES - CHILD CARE FACILITIES for the purpose of repealing provisions of the County Code pertaining to business licensing functions to comport with State law for functions which are handled by the Office of Child Care (OCC) in the Maryland State Department of Education.

Attachment(s): [B2014083.docx](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee

[CB-084-2014](#)

AN ACT CONCERNING CODE OF ETHICS for the purpose of amending the Code of Ethics in order to conform to State law, changing certain responsibilities to the Office of Ethics and Accountability, and changing the Board of Ethics reporting period.

Attachment(s): [B2014084.docx](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee

[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.

Attachment(s): [B2014085.doc](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee

CONSENT AGENDA - (CONTINUED)**(c) Introduction of Resolutions**[CR-090-2014](#)

A RESOLUTION CONCERNING SUPPORT OF THE ENVIRONMENTAL PROTECTION AGENCY AND ARMY CORPS OF ENGINEER'S PROPOSED DEFINITION OF "WATERS OF THE UNITED STATES" UNDER THE CLEAN AIR ACT for the purpose of protection of public health, recreational resources, economic livelihood related to clean water, under the Water of the United States as it provides an extraordinary value for Prince George's County.

Sponsor(s): Lehman and Olson

Attachment(s): [R2014090.doc](#)

This Resolution was introduced by Council Members Lehman and Olson and referred to the Transportation, Housing and the Environment Committee

[CR-091-2014](#)

A RESOLUTION CONCERNING PRINCE GEORGE'S COUNTY ENTERPRISE ZONE for the purpose of endorsing the proposed expansion of the Prince George's County Enterprise Zone and designation and redesignation Focus Areas of the Enterprise Zone.

Sponsor(s): Davis, Franklin and Turner

Attachment(s): [R2014091.docx](#)

This Resolution was introduced by Council Members Davis, Turner and Franklin and referred to the Committee of the Whole

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

No items were considered.

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT[LTR 09232014 a](#)

Proposed letter to The Honorable Elizabeth M. Hewlett, Chairman, Prince George's County Planning Board, approving a six-month extension of the timeframe for preparing the Preliminary Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment.

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

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

ADDITIONS TO THE AGENDA

A motion was made by Council Member Toles, seconded by Council Member Davis, to accept the additions package. The motion carried by the following vote:

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

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT - (page 6)

[LTR 09232014 b](#)

Proposed joint signature letter to Mr. Leonard J. Howie, III, Secretary, Department of Labor, Licensing and Regulation, regarding the Prince George's County Minimum Wage Law that will take effect October 1, 2014.

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

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

4. SECOND READING OF BILLS – (INTRODUCTION)**[CB-022-2014](#)**

AN ACT CONCERNING LENGTH OF SERVICE AWARD PROGRAM for the purpose of increasing certain benefits under the Length of Service Award Program for volunteers and surviving spouses.

Sponsor(s): Lehman

Attachment(s): [B2014022.doc](#)

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 vigorous discussion was held regarding the intent of the bill and the death benefits for County employees and firefighters around the region.

A motion was made by Vice Chair Campos, seconded by Council Member Turner, to close the debate. The motion carried by the following vote:

Aye: 6 - Franklin, Campos, Davis, Harrison, Patterson and Turner

Nay: 3 - Lehman, Olson and Toles

A motion was made by Council Member Turner, seconded by Council Member Davis, that this Council Bill be amended (1). The motion carried by the following vote:

Aye: 7 - Franklin, Campos, Davis, Harrison, Olson, Patterson and Turner

Nay: 2 - Lehman and Toles

A motion was made by Council Member Davis, seconded by Council Member Turner, that this Council Bill be amended (2). The motion carried by the following vote:

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

This Council Bill was introduced by Council Members Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

5. PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)**[CB-068-2014](#)**

AN ACT CONCERNING COMPENSATION OF ELECTED OFFICIALS for the purpose of administratively codifying determinations of the Compensation Review Board, in accordance with procedures set forth in the Charter and in compliance with State law, including the Compensation Review Board's recommendations to amend the compensation of the County Executive and County Council members, including for the Chair and Vice-Chair of the County Council; codifying the Compensation Review Board's recommendations to provide for an increase in the County contribution to a certain Plan for the County Executive and County Council members; making certain references to State law; and generally relating to the compensation of elected officials.

Sponsor(s): Franklin

Attachment(s): [B2014068.doc](#)
[CB-068-2014 Report.dotx](#)

Kathy Canning, Legislative Officer, provided a verbal report of the actions and recommendations of the Committee of the Whole. Pursuant to proper notice, the public hearing was convened at 12:10 p.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held on this Council Bill

Chairman Franklin clarified that Council Bill 68 merely codifies recommendations of the Compensation Review Board as required by State law. Robert Williams, Jr., Council Administrator responded to questions posed by the Council and further clarified that the Council did not change any of the recommendations of the Review Board but must codify the recommendations made.

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-069-2014](#)**

AN ACT CONCERNING HOMESTEAD PROPERTY TAX CREDIT for the purpose of establishing the homestead property tax credit for the County property tax for the tax year beginning July 1, 2015.

Sponsor(s): Franklin, Davis, Lehman and Patterson

Attachment(s): [B2014069.doc](#)
[CB-69-2014 Report.dotx](#)

Karen Zavakos, Legislative Officer, provided a verbal report of the actions and recommendations of the Committee of the Whole. Pursuant to proper notice, the public hearing was convened at 12:18 p.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held on this Council Bill

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

6. BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)**[CB-056-2014](#)**

AN ORDINANCE CONCERNING ASSISTED LIVING FACILITIES for the purpose of permitting Assisted Living Facilities in the Mixed Use - Transportation Oriented (M-X-T) Zone, under certain circumstances.

Sponsor(s): Turner, Harrison and Lehman

Attachment(s): [B2014056.doc](#)
[CB-056-2014 Report](#)

A motion was made by Council Member Turner, seconded by Council Member Davis, that this Council Bill be amended (1). 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 Turner, 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

10:30 A.M. - BRIEFING – (COUNCIL HEARING ROOM)[BR-14-051](#)**PRINCE GEORGE'S COUNTY HUMAN TRAFFICKING TASK FORCE
2013-14 ANNUAL REPORT AND RECOMMENDATIONS**

D. Michael Lyles, Esquire
Chair, Prince George's County Human Trafficking Task Force

Chairman Franklin announced that this briefing would be rescheduled to a later date

This Briefing was Rescheduled to a later date

11:00 A.M. - BRIEFING – (COUNCIL HEARING ROOM)[BR-14-050](#)**BGE INVESTING IN PRINCE GEORGE'S COUNTY**

Michael L. Fowler
External Affairs Manager
BGE Governmental & External Affairs

The briefing convened at 12:25 p.m. Michael L. Fowler, External Affairs Manager, Baltimore Gas and Electric, facilitated a PowerPoint presentation on the company's investment in Prince George's County and responded to questions posed by the Council (See the Administrative Day File for detailed Clerk's notes). Mr. Fowler also announced the BGE 3rd Annual Emergency Response and Support Grant Program, which will provide up to \$3,000 in funding to first responders and 501 C3 service and support agencies.

This Briefing was held

DISTRICT COUNCIL ADDITIONS TO THE AGENDA

A motion was made by Council Member Davis, seconded by Council Member Olson, to accept the District Council additions package. The motion carried by the following vote:

Aye: 8 - Franklin, Campos, Davis, Harrison, Lehman, Olson,
Patterson and Turner

Absent: 1 - Toles

DISTRICT COUNCIL ITEMS - (COUNCIL HEARING ROOM)

District Council items were considered (See separate District Council Minutes for details).

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Warren Stanton, Laurel Volunteer Fire Department, thanked the Council for their action on Council Bill 22, which addresses the Length of Service Award Program for volunteers and their surviving spouses.

RECESS

1:30 P.M. - GENERAL ASSEMBLY/RULES COMMITTEE – (ROOM 2027)

2:30 P.M. PLANNING, ZONING AND ECONOMIC DEVELOPMENT COMMITTEE - (ROOM 2027)

Prepared by:

Donna J. Brown, Deputy Clerk of the Council

Submitted by:

Redis C. Floyd, Clerk of the Council