



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, April 8, 2014

1:30 PM

Council Hearing Room

1:00 P.M. - AGENDA BRIEFING - (ROOM 2027)

The agenda briefing was held.

1:30 P.M. - CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order at 1:34 p.m. with six members present. Council Members Lehman, Olson and Toles arrived at 1:35 p.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

Donna J. Brown, Deputy Clerk of the Council

Theresa Myers, Legislative Information System Coordinator

Mira Asare, Zoning Assistant to the Clerk

Calvin Hawkins, County Executive's Office

LaKeecia Allen, Office of Law

John Gwynn, Office of Law

Colette Gresham, Legislative Officer

Todd Turner, Legislative Officer

Karen Zavakos, Legislative Officer

Frank Porter, Director, PZED Committee

INVOCATION:

The Inovation was provided by Reverend Vernon Miller, Pastor, Evergreen Baptist Church, Washington, D.C. Council Member Turner congratulated Council Member Lehman on her 50th birthday. Ms. Lehman thanked her colleagues and requested prayer for her two daughters who will undergo tonsillectomies on Friday.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Turner.

DESIGNATION OF APRIL 8, 2014 AS LEGISLATIVE DAY NO. 10

Legislative Day No. 10 was declared.

1. CONSENT AGENDA

(a) Approval of County Council Minutes

[MIN 04012014](#)

County Council Minutes dated April 1, 2014.

These Minutes were approved.

(b) First Reading of Bills (Presentation)[CB-011-2014](#)

AN ACT CONCERNING GENDER IDENTITY NON DISCRIMINATION for the purpose of prohibiting discrimination based on gender identity.

Attachment(s): [B2011011.doc](#)

This Council Bill was removed from Consent Agenda.

[CB-012-2014](#)

AN ORDINANCE CONCERNING RURAL RESIDENTIAL (R-R) ZONE for the purpose of permitting commercial uses in the Rural Residential (R-R) Zone, under certain circumstances.

Attachment(s): [B2014012.doc](#)

This Council Bill was presented by Council Members Campos and Franklin and referred to the Planning, Zoning and Economic Development Committee.

[CB-013-2014](#)

AN ORDINANCE CONCERNING BEFORE AND AFTER SCHOOL RECREATIONAL PROGRAMS for the purpose of amending the age requirements for before and after school recreational programs.

Attachment(s): [B2014013.doc](#)

This Council Bill was presented by Council Member Franklin and referred to the Planning, Zoning and Economic Development Committee.

CB-11-2014 was removed from the Consent Agenda. The Consent Agenda was then adopted and all actions approved by the following vote:

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

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA[CB-011-2014](#)

AN ACT CONCERNING GENDER IDENTITY NON DISCRIMINATION for the purpose of prohibiting discrimination based on gender identity.

Attachment(s): [B2011011.doc](#)

A motion was made by Vice Chair Campos, seconded by Council Member Davis, that this Council Bill be postponed indefinitely. 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[LTR 04082014 a](#)

Proposed letter to Elizabeth M. Hewlett, Chairman, Prince George's County Planning Board, regarding continuation of Reservation Plats for Rights of Way, which are due to expire on June 30, 2014.

Council Member Davis, as Chair of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the Committee.

A motion was made by Council Member Davis, seconded by Council Member Turner, 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-007-2014](#)

AN ACT CONCERNING VIDEO LOTTERY FACILITY ECONOMIC OPPORTUNITIES for the purpose of requiring compliance with local business, local minority business, and local hiring requirements in a development agreement negotiated by the County Executive and a video lottery operator, subject to the approval of the same by County Council resolution, as a condition of the use of a video lottery facility.

Attachment(s): [B2014007.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. Discussion was held regarding the intent of the proposed amendment.

A motion was made by Council Member Patterson, seconded by Council Member Harrison, to include amendment number one to CB-7-2014, Draft 2. The motion failed by the following vote:

Aye: 4 - Harrison, Lehman, Olson and Patterson
Nay: 5 - Franklin, Campos, Davis, Toles and Turner

Much discussion was held regarding the intent of the amendment in relation to the reporting aspect of the bill. Introduction of the bill was delayed until after a recess to allow staff to rework the language.

A motion was made by Council Member Patterson to include amendment number 2 to CB-7-2014, Draft 2; seconded by Council Member Harrison. The motion was withdrawn.

5. PUBLIC HEARING: -(COUNCIL HEARING ROOM)[PH 04082014](#)

WASHINGTON SUBURBAN SANITARY COMMISSION PROPOSED FISCAL YE 2014-2015 OPERATING & CAPITAL BUDGETS AND THE WASHINGTON SUBU SANITARY COMMISSION CAPITAL IMPROVEMENT PROGRAM FOR WATER SEWERAGE, FOR FISCAL YEARS 2015-2020

(SEE SEPARATE AGENDA)

Pursuant to proper notice, the public hearing convened on the WSSC Operating and Fiscal Budgets for FY 2014-2015 and the Capital Improvement Program for Water and Sewerage for Fiscal Years 2015-2019. No persons wishing to speak, the public hearing was declared held.

This Public Hearing was held.

6. PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)[CB-004-2014](#)

AN ORDINANCE CONCERNING R-R ZONE for the purpose of permitting catering establishments in the R-R Zone under certain circumstances.

Sponsor(s): Turner

Attachment(s): [B2014004.doc](#)
[CB-04-2014 Report](#)

Pursuant to proper notice, the public hearing convened on CB-4-2014 (DR-2). Judith F. Davis, Mayor Pro Tem and Council Member, City of Greenbelt spoke as did Mr. J. McNeal, Assistant Director of Recreation for the City of Greenbelt. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held for this Council Bill.

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

7. PUBLIC HEARING/RESOLUTION - (COUNCIL HEARING ROOM)[CR-011-2014](#)

A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (DECEMBER 2013 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Pla

Sponsor(s): Franklin and Davis

Attachment(s): [R2014011.doc](#)

Pursuant to proper notice, the public hearing was convened on CR-11-2014. Edward C. Gibbs, Esq. representing 13/PW-01 spoke requesting category change from Category 5 to 3. Thomas H. Haller representing 13/W-03 spoke requesting category change from Category 5 to 4. The public hearing was declared held. Chairman Franklin announced that this Resolution would be considered by the Transportation, Housing and the Environment Committee on Thursday, April 10, 2014 at 10:00 a.m.

The Public Hearing was held on this Resolution.

RECESS

Meeting went into recess at 2:32 p.m.

8. GENERAL ASSEMBLY/COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM)

GENERAL ASSEMBLY UPDATE

Todd Turner, Legislative Officer provided Council Members with an overview of the accomplishments of the 2014 Session of the Maryland General Assembly. See separate Standing Committee Report for details.

9. COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)[CR-012-2014](#)

A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2014 for the purpose of amending the Annual Action Plan for Housing and Community Development: FY 2014 and approving the reprogramming and reallocation of \$1,696,830.86 in Community Development Block Grant (“CDBG”) funds from the FY 2011, FY 2012, FY 2013, and FY 2014 Annual Action Plans to a new activity, the Single-Family Homeowner Occupied Housing Rehabilitation Assistance Program (the “Program”), to be administered by a Third Party Entity (“Administrator”).

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

Attachment(s): [R2014012.doc](#)
[I-CR-12-2014 Attachment B.pdf](#)
[I-CR-12-2014 Attachment C.pdf](#)

COMMITTEE OF THE WHOLE REPORT: FAVORABLE WITH AMENDMENTS

The Committee of the Whole convened at 3:46 p.m. Todd Turner, Legislative Officer, provided an overview of the proposed draft two of the legislation. Eric Brown, Director of the Department of Housing and Community Development, spoke to the proposal, indicating a Housing and Community Development (HUD) spending deadline of May 2, 2014. He and Estella Alexander, Deputy Director, responded to questions posed by the Council regarding: the City of Hyattsville, City of Greenbelt, selection process, grants, timelines for agreement execution, reimbursement statuses. Kenneth Williams, Council Administrative Staff, spoke to the HUD lump sum provisions. Howard Ways, Executive Director of the Redevelopment Authority, responded to questions regarding selection of a third party lender. The committee concluded at 5:13 p.m.

RECONVENE

The meeting reconvened at 5:14 p.m.

4. SECOND READING OF BILLS – (INTRODUCTION) - (CONTINUED)

[CB-007-2014](#)

AN ACT CONCERNING VIDEO LOTTERY FACILITY ECONOMIC

OPPORTUNITIES for the purpose of requiring compliance with local business, local minority business, and local hiring requirements in a development agreement negotiated by the County Executive and a video lottery operator, subject to the approval of the same by County Council resolution, as a condition of the use of a video lottery facility.

Attachment(s): [B2014007.doc](#)

A newly drafted amendment number two was proffered. Collete Gresham, Legislative Officer read the amendment into the record and answered questions proffered by Council Member Toles.

A motion was made by Council Member Patterson, seconded by Council Member Davis, to include amendment number two to CB-7-2014, Draft 2. The motion carried by the following vote:

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

CB-7-2014, Draft 3 was introduced by Council Members Franklin, Campos, Davis and Toles.

10. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**[CR-012-2014](#)**

A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2014 for the purpose of amending the Annual Action Plan for Housing and Community Development: FY 2014 and approving the reprogramming and reallocation of \$1,696,830.86 in Community Development Block Grant (“CDBG”) funds from the FY 2011, FY 2012, FY 2013, and FY 2014 Annual Action Plans to a new activity, the Single-Family Homeowner Occupied Housing Rehabilitation Assistance Program (the “Program”), to be administered by a Third Party Entity (“Administrator”).

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

Attachment(s): [R2014012.doc](#)
[I-CR-12-2014 Attachment B.pdf](#)
[I-CR-12-2014 Attachment C.pdf](#)

Todd Turner, Legislative Officer provided a verbal report of the actions and recommendations of the Committee of the Whole.

A motion was made by Vice Chair Campos, seconded by Council Member Davis that DR-2 be substituted in lieu of DR-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 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

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests to address the Council.

RECESS

Meeting went into recess at 5:20 p.m.

7:00 P.M. - RECONVENE

11. PUBLIC HEARING: -(COUNCIL HEARING ROOM)[CR-014-2014](#)

A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2015 for the purpose of approving and adopting the Prince George's County Fiscal Year 2015 Annual Action Plan for Housing and Community Development 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 2011-2015 Consolidated Plan.

Sponsor(s): Davis

Attachment(s): [R2014014.doc](#)
[I-CR-14-2014 Attachment A.pdf](#)
[I-CR-14-2014 Attachment B.pdf](#)
[CDBG April 8 2014 PH agenda.pdf](#)

See separate minutes.

This public hearing was held.

ADJOURN

The meeting adjourned at 8:09 p.m.

Prepared by:

Theresa D. Myers, LIS Coordinator

Submitted by:

Redis C. Floyd, Clerk of the Council