

ACTION MINUTES

Tuesday, November 12, 2013

Business Meeting

(Legislative Day No. 36 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)

CERTIFICATES presented to the **Prince George's County Police Explorers** recognizing their ***“Outstanding Contribution”*** during a County emergency in Prince George's County. (Council Vice Chair Obie Patterson, Council Chair Andrea C. Harrison and Council Members Will A. Campos, Derrick Leon Davis, Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Karen R. Toles and Ingrid M. Turner) **PRESENTED**

Council Vice Chair Obie Patterson, Council Chair Andrea C. Harrison and Council Members Will A. Campos, Derrick Leon Davis, Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Karen R. Toles and Ingrid M. Turner presented certificates to the Prince George's County Police Explorers recognizing their “Outstanding Contribution” during a County emergency in Prince George's County. Members of the Prince George's County Police Explorers were present to accept.

PROCLAMATION presented to **Dora Escobar, Owner, LaChiquita Restaurant**, for her ***“Outstanding Community Service”*** in Prince George's County. (Council Member Will A. Campos, Council Chair Andrea C. Harrison and Council Members Derrick Leon Davis, Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson, Karen R. Toles and Ingrid M. Turner) **PRESENTED**

Council Member Will A. Campos, Council Chair Andrea C. Harrison and Council Members Derrick Leon Davis, Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson, Karen R. Toles and Ingrid M. Turner presented a Proclamation to Dora Escobar, Owner, LaChiquita Restaurant, for her “Outstanding Community Service” in Prince George's County. Ms. Escobar was present to accept.

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM) – (CONTINUED)

PROCLAMATION presented to **Peggy Morris, Co-Founder of Sister4Sister**, recognizing their **“Exemplary Public Service”** in Prince George’s County. (Council Member Karen R. Toles, Council Chair Andrea C. Harrison and Council Members Will A. Campos, Derrick Leon Davis, Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson and Ingrid M. Turner)

PRESENTED

Council Member Karen R. Toles, Council Chair Andrea C. Harrison and Council Members Will A. Campos, Derrick Leon Davis, Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson and Ingrid M. Turner presented a proclamation to Peggy Morris, Co- Founder of Sister 4 Sister, recognizing their “Exemplary Public Service” in Prince George’s County. Ms. Morris and members of "Sister4Sister" were present to accept.

PROCLAMATION presented to **Faye Howell** recognizing the Tri-Area Civic Association for their **“Outstanding Community Service”** in Prince George’s County. (Council Member Karen R. Toles, Council Chair Andrea C. Harrison and Council Members Will A. Campos, Derrick Leon Davis, Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson and Ingrid M. Turner).

PRESENTED

Council Member Karen R. Toles, Council Chair Andrea C. Harrison and Council Members Will A. Campos, Derrick Leon Davis, Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson and Ingrid M. Turner presented a proclamation to Faye Howell recognizing the Tri-Area Civic Association for their “Outstanding Community Service” in Prince George’s County. Ms. Howell was present to accept.

PROCLAMATION presented to **J. Winter Nightwolf** recognizing the month of November, 2013 as **“Native American Month”** in Prince George’s County. (Council Member Will A. Campos, Council Chair Andrea C. Harrison and Council Members Derrick Leon Davis, Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson, Karen R. Toles and Ingrid M. Turner)

PRESENTED

Council Member Will A. Campos, Council Chair Andrea C. Harrison and Council Members Derrick Leon Davis, Mel R. Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson, Karen R. Toles and Ingrid M. Turner presented a proclamation to J. Winter Nightwolf recognizing the month of November, 2013 as “Native American Month” in Prince George’s County. Mr. Nightwolf and two members the Cherokee tribe were present to accept.

CALL TO ORDER- Council Chair Harrison called to order at 2:35 p.m. with the following Council Members present:

Andrea Harrison
Will Campos
Derrick Davis
Mel Franklin
Mary Lehman
Eric Olson
Obie Patterson
Karen Toles
Ingrid Turner

Others 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
Lisa Jackson, County Executive's Office
LaKeecia Allen, Office of Law
Leroy Maddox, Legislative Officer
Karen Zavakos, Legislative Officer
Sandra Eubanks, Director, HEHS Committee
Frank Porter, Director, PSFM Committee
Jackie Brown, Director, PZED Committee
Hawi Sanu, Director, THE Committee

INVOCATION- The Invocation was provided by Pastor Scot Moore, Judah Temple AME Zion Church in Bowie, Maryland. Council Member Olson requested prayer for the family and co-workers of Ron Kirby, Director of Transportation for COG, in his passing. Council Member Harrison requested prayer for the residents of Prince George's County.

PLEDGE OF ALLEGIANCE-The Pledge of Allegiance was led by Council Member Campos.

**DESIGNATION OF NOVEMBER 12, 2013 AS LEGISLATIVE DAY NO. 36 -
DESIGNATED**

Chair Harrison designated the day as Legislative Day number thirty-six.

1. **CONSENT AGENDA – 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) Approval of County Council Minutes dated May 30 and June 4, 2013 - **APPROVED**

** *A motion was made by Council Member Davis, seconded by Council Member Franklin, that the Consent Agenda be adopted and all actions approved. The motion carried 9-0.*

2. **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

There were no items considered.

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT**

- (a) Proposed joint signature letter to Dr. David Lever, R.A., D.A., Executive Director, The Interagency Committee on State School Construction, endorsing the Prince George's County Board of Education's proposed FY-2015 capital budget request and to identify the projects considered most critical. **REFERRED TO HEHS COMMITTEE**

COUNCIL SHOULD CONVENE AS THE COMMITTEE OF THE WHOLE PRIOR TO FINAL ACTION

The Committee of the Whole convened at 2:41 p.m. Leroy Maddox, Legislative Officer, provided an overview of the letter. Clarence Stukes, Chief of Supporting Services, spoke to the details of the proposed Capital Improvement Program and responded to questions posed by the Council. Chair Harrison announced that the letter would be discussed during the Health, Education and Human Services Committee scheduled to occur on Thursday, November 14, 2013 at 10:30 a.m.

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

CB-61-2013 (DR-2) - AN ORDINANCE CONCERNING THE M-X-T ZONE for the purpose of extending the time for abrogation of certain provisions of Section 27-547(b) of the Zoning Ordinance. **PUBLIC HEARING HELD; RULES SUSPENDED; ENACTED**

(Introduced by Council Members Davis, Harrison, Turner, Campos and Franklin on 10/1/2013; favorably reported out of PZED on 9/18/2013 with amendments)

Pursuant to proper the notice, the public hearing convened at 3:51 p.m. Thomas Haller spoke in support. William Orleans spoke in opposition. All persons wishing to speak having done, so the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Franklin, to suspend the Council Rules of Procedure to allow for an effective date on the date of adoption. Under discussion, Karen Zavakos, Legislative Officer, spoke to the applicability of the measure. The motion carried 9-0. A motion was made by Vice Chair Patterson, seconded by Council Member Davis, that this Council Bill be enacted. The motion carried 9-0.

5. **RESOLUTIONS ELIGIBLE FOR FINAL READING**

CR-92-2013 - A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (AUGUST 2013 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan. **ADOPTED**

(Introduced by Council Member Harrison on 9/17/2013; favorably reported out of THE on 11/7/2013)

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 Vice Chair Patterson, that this Resolution be adopted. The motion carried 9-0.

CR-116-2013 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE for the purpose of approving and adopting the Analysis of Impediments to Fair Housing Choice for Prince George's County. **ADOPTED**

(Introduced by Council Members Lehman, Harrison and Davis on 9/24/2013; favorably reported out of THE on 11/7/2013)

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 Vice Chair Patterson, that this Resolution be adopted. The motion carried 9-0.

RESOLUTIONS ELIGIBLE FOR FINAL READING – (CONTNUED)

CR-134-2013 - A RESOLUTION CONCERNING PRINCE GEORGE’S COUNTY CONSTRUCTION AND DEMOLITION DIVERSION WORK GROUP for the purpose of establishing the Prince George’s County Construction and Demolition Diversion Work Group to review and evaluate the creation and implementation of diversion of construction and demolition waste program for reuse, recycling and salvaging and to recommend appropriate policies and/or legislation for such a program in the County. **ADOPTED**

(Introduced by Council Member Lehman on 10/29/2013; favorably reported out of THE on 11/7/2013)

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 Vice Chair Patterson, that this Resolution be adopted. The motion carried 9-0.

CR-132-2013 - A RESOLUTION CONCERNING PILOT AGREEMENT FOR SAFEWAY AT UNIVERSITY TOWN CENTER 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 ECHO-UTC, LLC (the “Contract Purchaser”). **ADOPTED**

(Introduced by Council Members Harrison, Campos, Olson, Davis and Franklin on 10/29/2013; favorably reported out of C.O.W. on 11/5/2013)

Frank Porter, Director, PSFM 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 Campos, that this Resolution be adopted. The motion carried 9-0.

CR-123-2013 – A RESOLUTION CONCERNING TEMPORARY COUNTY-BASED BUSINESS CERTIFICATION for the purpose of temporarily considering local business with certain existing business certifications to be certified County-based businesses for the purposes of Section 10A-101(13) of the Code. **ADOPTED**

(Introduced by Council Members Franklin, Davis, Harrison, Turner and Lehman on 10/8/2013; favorably reported out of PSFM on 11/7/2013)

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 Council Member Franklin, that this Resolution be adopted. The motion carried 8-0 (Absent: Council Member Campos).

RESOLUTIONS ELIGIBLE FOR FINAL READING – (CONTNUED)

CR-129-2013 – A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$371,266 to the Police Department, Health Department and the Office of the Sheriff. **ADOPTED**

(Introduced by Council Members Franklin, Lehman, Patterson, Davis, Toles and Turner on 10/15/2013; favorably reported out of PSFM on 11/7/2013)

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 Franklin, that this Resolution be adopted. The motion carried 8-0 (Absent: Council Member Campos).

6. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-137-2013 - RESOLUTION CONCERNING THE LARGO TOWN CENTER SECTOR PLAN for the purpose of approving with revisions, as an Act of the County Council of Prince George's County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Prince George's County, the Largo Town Center Sector Plan, thereby defining long-range land use and development policies for the Largo Town Center area, generally comprised of the properties bounded by the Capital Beltway (I-95/I-495) to the west, Landover Road (MD 202) and the southwest boundary of the Woodview Village subdivision to the north, Campus Way North, Lake Arbor Way, and Landover Road (MD 202) to the east, and Central Avenue (MD 214) to the south. **INTRODUCED; CONVENED IN COW; FAVORABLY RECOMMENDED AS AMENDED; DR-2 SUBSTITUTED; ADOPTED**

Council Resolution 137, as proposed by the Chair by request of the Planning Board, approves the Largo Town Center Sector Plan with certain revisions. Council Resolution 137 was introduced by Council Member Davis. Chair Harrison convened the Committee of the Whole at 4:11 p.m. William Washburn, Project Coordinator, facilitated a video presentation on the Largo Town Center Sector Plan. Karen Zavakos, Legislative Officer, outlined technical corrections and amendment to be proposed for both Council Resolution 137 and 138. A motion was made by Council Member Davis, seconded by Council Member Franklin, to include amendment number one. The motion carried 8-0 (Absent: Council Member Campos). A motion was made by Council Member Davis, seconded by Council Member Turner, for a favorable committee recommendation with amendments. The motion carried 8-0 (Absent: Council Member Campos). Chair Harrison reconvened the County Council. Karen Zavakos, Legislative Officer, 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 Patterson, to substitute Draft 2 in lieu of Draft 1. The motion carried 8-0 (Absent: Council Member Campos). A motion was made by Council Member Davis, seconded by Council Member Franklin, that this Resolution be adopted. The motion carried 8-0 (Absent: Council Member Campos).

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTNUED)**CR-138-2013 - A RESOLUTION CONCERNING THE LARGO TOWN CENTER**

SECTIONAL MAP AMENDMENT for the purpose of approving with revisions, as an Act of the County Council of Prince George's County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Prince George's County, the Largo Town Center Sectional Map Amendment ("SMA"), thereby setting forth and adopting detailed zoning proposals for the Largo Town Center area, generally comprised of the properties bounded by the Capital Beltway (I-95/I-495) to the west, Landover Road (MD 202) and the southwest boundary of the Woodview Village subdivision to the north, Campus Way North, Lake Arbor Way, and Landover Road (MD 202) to the east, and Central Avenue (MD 214) to the south. **INTRODUCED; CONVENED IN COW; FAVORABLY RECOMMENDED AS AMENDED; DR-2 SUBSTITUTED; ADOPTED**

Council Resolution 138, as proposed by the Chair by request of the Planning Board, approves the Largo Town Center Sectional Map Amendment with certain revisions. Council Resolution 137 was introduced by Council Member Davis. Chair Harrison convened the Committee of the Whole. A motion was made by Council Member Davis, seconded by Council Member Franklin, to include amendment number one. The motion carried 8-0 (Absent: Council Member Campos). A motion was made by Council Member Davis, seconded by Council Member Turner, for a favorable committee recommendation with amendments. The motion carried 8-0 (Absent: Council Member Campos). Chair Harrison reconvened the County Council. Karen Zavakos, Legislative Officer, 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 Vice Chair Patterson, to substitute Draft 2 in lieu of Draft 1. The motion carried 8-0 (Absent: Council Member Campos). A motion was made by Council Member Davis, seconded by Council Member Franklin, that this Resolution be adopted. The motion carried 8-0 (Absent: Council Member Campos).

CR-139-2013 - A RESOLUTION CONCERNING THE SOUTHERN GREEN LINE

STATION AREA SECTOR PLAN AND SECTIONAL MAP AMENDMENT for the purpose of proposing amendments to the Adopted Southern Green Line Station Area Sector Plan and Endorsed Sectional Map Amendment and directing that a joint public hearing be held to receive testimony on the proposed amendments. - **DEFERRED**

This Resolution was deferred to November 19, 2013.

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTNUED)

CR-140-2013 - A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$4,771,903 to the Department of Social Services, Department of Corrections, Office of Homeland Security, Office of the Sheriff, Circuit Court, Department of Family Services, Health Department, Fire/EMS Department, Police Department, Office of the State's Attorney and Department of Housing and Community Development.

Council Resolution 140, as proposed by the Chair by request of the County Executive, provides supplemental appropriations for Federal, State and other funds in the amount of \$4,771,903 for Fiscal Year 2014 to support new and/or continuing grant program efforts for eleven (11) County agencies, was Council Resolution 140 was introduced by Council Members Davis, Turner, Franklin, Patterson and Lehman. A motion was made by Council Member Olson, seconded by Council Member Davis, that the Council Rules of Procedure be suspended to allow for immediate adoption of this Resolution. The motion carried 7-0 (Absent: Council Members Campos and Toles). A motion was made by Council Member Davis, seconded by Council Member Olson, that this Resolution be adopted. The motion carried 7-0 (Absent: Council Members Campos and Toles).

7. BRIEFING – (COUNCIL HEARING ROOM) – BRIEFING HELD**FORECLOSURE TASK FORCE – RECOMMENDATIONS**

Council Member Obie Patterson, Task Force Chair

The briefing was convened at 4:38 p.m. Council Member Patterson, Chair of the Foreclosure Task Force, provided a verbal report of the actions and recommendations of the task force. Todd Turner, Legislative Officer, provided an overview of the Attorney General's comments on the recommendations. The following individuals addressed the Council regarding the recommendations: Robert Strupp, Marielle Macher, Patricia Washington, Sandra Shirley, Nannette Johnson, Samuel El-Amin, Pamela Adegbum, W. Ann Lytle, Erveina L. Nichols, Ericka Key, Tyrone Jackson, Roland Akumngang, Cynthia Garnett, Bertina Jones, Lucy Cardwell and Kenneth Everett. Eric Brown, Director of the Department of Housing and Community Development clarified the County's recently proposed foreclosure prevention plan.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Lucy Duff addressed the Council regarding the Prince George's Peace and Justice Coalition's efforts in the Community.

RECESS - *The meeting went into recess at 6:02 p.m.*

8. **EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM)**

To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, to consult with counsel to seek legal advice, and to discuss pending or potential litigation in accordance with Section 10-508(a)(4, 7, 8), State Government, Annotated Code of Maryland. - **DEFERRED TO MONDAY, 11/18/2013**

RECONVENE - *The meeting was reconvened at 7:21 p.m.*

9. **JOINT PUBLIC HEARING – (COUNCIL HEARING ROOM)**

**THE PRELIMINARY COUNTYWIDE GENERAL PLAN UPDATE:
PLAN PRINCE GEORGE'S 2035**

Pursuant to the provisions of the Land Use Article 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 Countywide General Plan Update: Plan Prince George's 2035*.

The joint Public Hearing was held (See separate Action Agenda).

ADJOURN - *The meeting was adjourned at 9:32 p.m.*

Prepared By:

Donna J. Brown, Deputy Clerk of the Council

Submitted By:

Redis C. Floyd, Clerk of the Council