



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, October 21, 2014

1:30 PM

Council Hearing Room

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

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

The meeting was called to order at 2:11 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

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, II, County Executive's Office
John Gwynn, Office of Law
Colette Gresham, Legislative Officer
Leroy Maddox, Legislative Officer
Todd Turner, Legislative Officer
Sandra Eubanks, Director HEHS Committee
Frank Porter, Director, PSFM Committee

INVOCATION:

Council Member Toles requested prayer for the family of Greg Waller, in his passing

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Patterson.

LEGISLATIVE DAY NO. 31

1. CONSENT AGENDA

A motion was made by Council Member Davis, seconded by Council Member Olson, 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 September 30, 2013 and October 14, 2014.

These minutes were approved.

(b) Introduction of Resolutions[CR-099-2014](#)

A RESOLUTION CONCERNING CONTRACT APPROVAL for the purpose of approving a multi-year public-private partnership agreement for the design, construction, management, operation and maintenance of up to 4,000 acres of County property comprising Prince George's County's Urban Stormwater Retrofit Program.

Sponsor(s): Davis

Attachment(s): [R2014099.docx](#)
[I-CR-99-2014 Attachment A.pdf](#)
[I-CR-99-2014 Attachment B.pdf](#)
[I-CR-99-2014 Attachment C.pdf](#)
[I-CR-99-2014 Attachment D.pdf](#)
[I-CR-99-2014 Attachment E.pdf](#)

Council Resolution 99 approves a multi-year public-private partnership contract for the implementation of the Prince George's County Urban Stormwater Retrofit Program, and to plan, design, develop, redevelop, construct, renovate, manage, retrofit, integrate, operate, maintain and provide adaptive management of stormwater infrastructure within the County.

This Resolution was introduced by Council Member Davis and referred to the Committee of the Whole

[CR-100-2014](#)

A RESOLUTION CONCERNING LOCAL BUSINESS PARTICIPATION ADVISORY COMMITTEE for the purpose of establishing a Local Business Participation Advisory Committee to the County Council.

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

Attachment(s): [R2014100.doc](#)

Council Resolution 100 establishes a Local Business Participation Advisory Committee to collect and discuss feedback from stakeholders in the local business community concerning the progress of local business and local minority business participation in public and private sector procurement opportunities, local business capacity building efforts and related policies.

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

ADDITION TO THE AGENDA

A motion was made by Council Member Davis, seconded by Council Member Harrison, to accept the additions package. The motion carried unanimously.

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

1. CONSENT AGENDA - (page 3)**(b) Introduction of Resolutions****[CR-101-2014](#)**

A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$5,322,579.24 to the Department of Social Services, Department of Corrections, Office of Homeland Security, Circuit Court and Department of Family Services, Health Department, Police Department, Department of the Environment and Department of Public Works and Transportation.

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

Attachment(s): [R2014101.docx](#)

Council Resolution 101 will provide Supplemental Appropriations for grant program in Fiscal Year 2015 in the amount of \$5,322,579.24 to support the programmatic operations of nine agencies.

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

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

There were no items considered.

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

There were no items considered.

4. SECOND READING OF BILLS – (INTRODUCTION)[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.

Sponsor(s): Franklin, Lehman and Patterson

Attachment(s): [B2014083.docx](#)
[CB-083-2014 Report](#)

Council Member Patterson, as Chair of the Health, Education, and Human Services Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 83 repeals sections 5-120 through 5-125 and 5-127 through 5-129 of the Prince George's County Code, which cover child care facilities, to comport with State law.

This Council Bill was introduced by Council Members Franklin, Lehman and Patterson

[CB-087-2014](#)

AN ACT CONCERNING THE COMMISSION FOR CHILDREN, YOUTH, AND FAMILIES for the purpose of amending provisions of the County Code relating to the composition of the Commission for Children, Youth, and Families.

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

Attachment(s): [B2014087.docx](#)
[CB-087-2014 Report](#)

Council Member Patterson, as Chair of the Health, Education, and Human Services Committee, provided a verbal report of the actions and recommendations of the Committee.

Council Bill 87 amends provisions of the County Code pertaining to the number of voting members of the Commission for Children, Youth, and Families to reduce the voting membership from 25 to 11 and amends the term Chairman to Chairperson.

This Council Bill was introduced by Council Members Turner, Davis, Patterson, Franklin and Toles

SECOND READING OF BILLS – (INTRODUCTION) - (CONTINUED)**[CB-041-2014](#)**

AN ACT CONCERNING BUILDING FEE WAIVER for the purpose of establishing a building fee waiver for certain not-for-profit organizations, and generally relating to building fee exemptions in Prince George's County.

Sponsor(s): Olson

Attachment(s): [B2014041.doc](#)
[CB-041-2014 Report](#)

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 Harrison, 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

Council Member Davis, as Chair of the Transportation, Housing and the Environment Committee (THE) provided a verbal report of the actions and recommendations of the Committee. Council Bill 41 establishes a building fee waiver for certain not-for-profit organizations, and generally relates to building fee exemptions.

Draft 3 of this Council Bill was introduced by Council Members Olson, Patterson, Davis, Harrison, Turner and Franklin

SECOND READING OF BILLS – (INTRODUCTION) - (CONTINUED)[CB-086-2014](#)

AN ACT CONCERNING SUBTITLE 32 - WATER RESOURCES PROTECTION AND GRADING CODE for the purpose of amending the Rain Check Rebate Program, a enacted as part of CB-40-2012, by increasing the maximum lifetime rebate allowable to County property owners who install approved stormwater management practices, authorizing rebate disbursement prior to construction and expanding program eligibility for homeowners, condominium, and civic associations.

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

Attachment(s): [B2014086.doc](#)
[CB-086-2014 Report](#)

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.

Council Bill 83 amends the Rain Check Rebate Program enacted as a part of CB 40-2012 by increasing the maximum lifetime rebate allowable to County property owners who install approved stormwater management practices, authorizes rebate disbursement prior to construction and expands program eligibility to include homeowners, condominium, and civic associations.

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

[CB-078-2014](#)

AN ACT CONCERNING ADMINISTRATION for the purpose of prohibiting certain employers from conducting a criminal background check or otherwise inquiring into an applicant's criminal record until the conclusion of a first interview; requiring certain employers to provide prior notice to an applicant or employee when taking an adverse action concerning the applicant's or employee's employment; providing for enforcement by the Executive Director of the Human Relations Commission; and generally regulating the use of criminal records in the hiring process by certain employer.

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

Attachment(s): [B2014078.doc](#)
[CB-78-2014 Report.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.

Council Bill 78 prohibits certain employers from conducting a criminal background check or otherwise inquiring into an applicant's criminal record during the interview process under certain conditions; requires certain employers to provide notice of an adverse action; provides for enforcement by the Executive Director of the Human Relations Commission; and generally regulates the use of criminal records in the hiring process by certain employers.

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

SECOND READING OF BILLS – (INTRODUCTION) - (CONTINUED)[CB-079-2014](#)

AN ACT CONCERNING HUMAN TRAFFICKING - LODGING ESTABLISHMENTS - ROOM RENTAL for the purpose of prohibiting lodging establishments from renting rooms for certain rental periods; providing exceptions to certain rentals; providing for the enforcement of and penalties required pursuant to this Act; and generally relating to lodging establishment regulation in the County.

Sponsor(s): Toles and Olson

Attachment(s): [B2014079.doc](#)
[CB-79-2014 Report .doc](#)

Todd Turner, Legislative Officer, spoke to the intent of the amendment.

A motion was made by Council Member Toles, 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

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. Council Bill 79 requires that any person who owns or operates a hotel, rooming house, tourist home, motel or tourist cabin park within the County shall be prohibited from renting rooms by the hour.

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

SECOND READING OF BILLS – (INTRODUCTION) - (CONTINUED)[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](#)
[CB-80-2014 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.

Council Bill 80 provides that any person who owns or operates a hotel, rooming house, tourist home, motel or tourist cabin park within the County shall be required to provide training to employees on how to identify human trafficking activities and human trafficking victims and requires that lodging establishments identified in Sec. 5-171.01(a) shall be required to annually certify that all of their employees have completed the required training.

This Council Bill was introduced by Council Members Toles, Lehman, Olson and Harrison

[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](#)
[CB-81-2014 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.

Council Bill 81 amends the County Code provisions for licensing massage establishments, operators, managers and technicians to require certain information.

This Council Bill was introduced by Council Members Toles, Lehman, Harrison and Franklin

[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](#)
[CB-82-2014 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.

Council Bill 82 amends the County public nuisance provisions to clarify neighborhood nuisance provisions and the provisions concerning the administration and functions of the Prince George's County Nuisance Abatement Board for addressing acts that disturb the public peace.

This Council Bill was introduced by Council Members Olson, Toles, Lehman, Franklin and Patterson

[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.doc](#)
[CB-84-2014 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.

Council Bill 84 amends the County's Code of Ethics to reflect changes made by the Maryland General Assembly regarding the lobbying registration process, and will amend the Code to change the lobbyist and financial disclosure statement reporting date.

This Council Bill was introduced by Council Member Turner

SECOND READING OF BILLS – (INTRODUCTION) - (CONTINUED)**[CB-090-2014](#)**

AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2015 Budget.

Attachment(s): [B2014090.doc](#)
[I-CB-90-2014 Attachment.pdf](#)
[CB-90-2014 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. Council Bill 90

provides additional appropriation authority totaling \$299,900 in the General Fund by appropriating fund balance and allocating to 27 volunteer fire stations based on payments not made in FY 2013.

This Council Bill was introduced by Council Members Toles and Franklin

5. PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)**[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, Campos, Davis, Franklin, Harrison, Olson, Patterson, Toles and

Attachment(s): [B2014022.doc](#)
[CB-22-2014 Report](#)

Pursuant to proper notice, the public hearing was convened at 2:47 p.m. Piero Mellits, The Honorable H. Edward Ricks, Warren Stanton, Kenneth Stack, Jr., Charles Walker, Jonathan P. Bigony, Jay Tucker, Roussan Etienne, Jr., Ed Woods, Eric VanTassel, The Honorable Stephen Sonnett, Karen Coakley spoke in support. All persons wishing to speak having done so, the public hearing was declared held.

This Council Bill was public hearing held

Colette Gresham, Legislative Officer, explained the intent of the amendment.

A motion was made by Council Member Lehman, seconded by Council Member Toles, 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 Lehman, seconded by Council Member Olson, 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. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)[CR-089-2014](#)

A RESOLUTION CONCERNING PILOT AGREEMENT FOR KEYS ENERGY CENTER LLC 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 Keys Energy Center LLC (the “Company”).

Sponsor(s): Franklin and Patterson

Attachment(s): [R2014089.docx](#)
[CR-89-2014 Report](#)

Deferred to October 28, 2014.

This Resolution was deferred

7. INTRODUCTION AND ADOPTION OF RESOLUTIONS[CR-097-2014](#)

A RESOLUTION CONCERNING THE CHESAPEAKE BAY CRITICAL AREA SECTIONAL MAP AMENDMENT for the purpose of approving the Chesapeake Bay Critical Area Overlay Zone Sectional Map Amendment, in accordance with State law, as adopted by the Prince George’s Planning Board pursuant to PGCPB No. 14-57.

Attachment(s): [R2014097.doc](#)
[I-CR-97-2014 Attachment A.pdf](#)

Council Resolution approves the 2014 Chesapeake Bay Critical Area Overlay Zone Sectional Map Amendment to incorporate the requirements of House Bill 1253, which requires that local jurisdictions amend their Chesapeake Bay Critical Area Overlay Zones for consistency with the current State-established boundaries.

This Resolution was introduced by Council Member Franklin

A motion was made by Council Member Olson, seconded by Council Member Davis, to suspend the Council's Rules of Procedure to allow for the immediate adoption 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 this Resolution be adopted. The motion carried by the following vote:

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

INTRODUCTION AND ADOPTION OF RESOLUTIONS - (CONTINUED)[CR-098-2014](#)

A RESOLUTION CONCERNING THE COLLEGE PARK-RIVERDALE PARK TRANSIT DISTRICT OVERLAY ZONE for the purpose of proposing amendments to the Adopted College Park-Riverdale Park Transit District Development Plan and Endorse Transit District Overlay Zoning Map Amendment and directing that an additional public hearing be held before the District Council in order to receive public testimony on the proposed amendments.

Attachment(s): [R2014098.doc](#)

Council Resolution 98 proposes amendments to the Adopted College Park Transit District Development Plan and Transit District Overlay Zoning Map Amendment and directs that an additional public hearing be held before the District Council in order to take testimony and receive public comment on the proposed amendments.

This Resolution was introduced by Council Member Olson

A motion was made by Council Member Olson, seconded by Council Member Davis, to suspend the Council Rules of Procedure to allow for the immediate adoption 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 this Resolution be adopted. The motion carried by the following vote:

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

[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](#)

A motion was made by Council Member Davis, seconded by Council Member Olson, that this Resolution be discharged from the Transportation, Housing and the Environment Committee. 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

Ms. D. J. Campbell of Bowie, Maryland, addressed the Council regarding various Constitutional and national issues.

ADJOURN

The meeting was adjourned at 3:28 p.m.

COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)**[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](#)

COMMITTEE OF THE WHOLE RECOMMENDATION: HELD

The Committee of the Whole was convened at 3:33 p.m. Todd Turner, Legislative Officer, provided an overview of the Resolution. Susan Hubbard and Mary Giles of the Department of Permitting, Inspections and Enforcement spoke to the process for development of the manual, provided a brief summary of the scope of the document and responded to questions posed by the Council (See Administrative Day file for detailed Clerk's notes). This Resolution was held for further discussion. The committee concluded at 3:55 p.m.

7:00 P.M. - TOWN HALL MEETING - ECONOMIC DEVELOPMENT

The Town Hall Meeting was held. (See separate Minutes for details)

Prepared by:

Donna J. Brown, Deputy Clerk of the Council

Submitted by:

Redis C. Floyd, Clerk of the Council