

AGENDA MINUTES

Monday, July 2, 2007

Business Meeting

(Legislative Day No. 19 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) - BRIEFING HELD

COMMITTEE OF THE WHOLE – (ROOM 2027)

**CB-12-2007 – AN ACT CONCERNING SALES AND USE TAX ON
TELECOMMUNICATIONS SERVICE** for the purpose of increasing the levy and
imposition of the sales and use tax on telecommunications service in Prince George's County;
and generally relating to the sales and use tax on telecommunications service.

- **FAVORABLE WITH AMENDMENTS**

CALL TO ORDER - *Chair Exum called to order at 10:53 a.m. with the following
Council Members present:*

*Marilynn M. Bland
Will Campos
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
David C. Harrington
Tony Knotts
Eric C. Olson
Ingrid M. Turner*

Others Present:

*Craig Price, Council Administrator
Robert J. Williams, Jr., Deputy Council Administrator
Ralph Grutzmacher, Legislative Officer
Carmen Jackson-Brown, Legislative Officer
Margaret Addis, Associate County Attorney
Kathy Canning, Associate County Attorney
Russell King, Associate County Attorney
Steve Gilbert, Principal Counsel to District Council
Sandra Eubanks, HEHS Committee Director
Frank Porter, PSFM Committee Director
Marcus Jackson, County Council Liaison, Office of the County Executive*

INVOCATION: - *The Invocation was led by Ralph E. Grutzmacher, County Employee.*

PLEDGE OF ALLEGIANCE: - *The pledge of allegiance was led by Council Member Dernoga.*

DESIGNATION OF MONDAY, JULY 2, 2007 AS LEGISLATIVE DAY NO. 19
Chair Exum designated Monday, July 2, 2007 as Legislative Day number 19.

POINT OF PERSONAL PRIVILEGE:

Council Member Bland thanked her colleagues who attended the Youth Commission program this past weekend.

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

CB-23-2007 – AN ACT CONCERNING CITIZEN COMPLAINT OVERSIGHT PANEL for the purpose of increasing the compensation of members of the Citizen Complaint Oversight Panel and generally relating to the Citizen Complaint Oversight Panel. - **PRESENTED**

Council Bill 23 was presented by the Chairman at the request of the County Executive and referred to the Public Safety and Fiscal Management (PSFM) Committee.

(b) **Introduction of Resolutions**

CR-45-2007 - A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE, AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount \$12,269,172 to the Circuit Court, Office of the State's Attorney, Office of the Sheriff, Police, Fire/EMS, Office of Homeland Security, Departments of Social Services, Family Services, Health, and Public Works and Transportation and Housing and Community Development. - **INTRODUCED**

Council Resolution 45 concerns Supplementary Appropriations of Federal, State and other funds in the amount of \$12,269,172 to the Circuit Court, Office of the State's Attorney, Office of the Sheriff, Police, Fire/EMS, Office of Homeland Security, Departments of Social Services, Family Services, Health, Public Works and Transportation and Housing and Community Development. Council Resolution 45 was introduced by Council Member Exum and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-46-2007 - A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (APRIL 2007 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan. - **INTRODUCED**

Council Resolution 46 concerns the 2001 Water and Sewer Plan (April 2007 Amendment Cycle) to change the water and sewer category designations within the 2001 Water and Sewer Plan. Council Resolution 46 was introduced by Council Member Exum and referred to the Transportation, Housing and the Environment (THE) Committee.

PUBLIC HEARING SCHEDULED FOR TUESDAY, SEPTEMBER 11, 2007 AT 10:00 A.M.

CR-47-2007 – A RESOLUTION CONCERNING NEIGHBORHOOD BUSINESS DEVELOPMENT PROGRAM for the purpose of supporting the financing of the Business Community Empowerment Opportunity Program under the Neighborhood Business Development Program of the Maryland Department of Housing and Community Development. - **INTRODUCED**

Council Resolution 47 supports the financing to Washington Area Community Investment Fund, Inc. (“WACIF”) for implementation of the Business Community Empowerment Opportunity Program (“B-CEO Program”) under the Neighborhood Business Development Program of the Maryland Department of Housing and Community Development (“Neighborhood BusinessWorks Program”). Council Resolution 47 was introduced by Council Member Exum and referred to the Transportation, Housing and the Environment (THE) Committee.

CR-48-2007 – A RESOLUTION CONCERNING COUNTY REAL PROPERTY for the purpose of declaring certain parcels of County-Owned Real Property as surplus, and approving the County Executive’s plan for disposal of such parcels. - **INTRODUCED**

Council Resolution 48 declares certain properties of County-Owned Real Property as surplus, and approves the County Executive’s plan for disposal of such parcels. Council Resolution 48 was introduced by Council Member Turner and referred to the Public Safety and Fiscal Management (PSFM) Committee.

PUBLIC HEARING SCHEDULED FOR TUESDAY, JULY 24, 2007 AT 10:00 A.M.

CR-49-2007 – A RESOLUTION CONCERNING THE 2006 TELECOMMUNICATIONS TRANSMISSION FACILITY MASTER PLAN for the purpose of changing the 2006 Telecommunications Transmission Facility Master Plan to identify areas in the County where additional sites for telecommunications transmission facilities are anticipated to be needed to provide service for public and private uses. - **INTRODUCED**

Council Resolution 49 amends the 2006 Telecommunications Transmission Facility Master Plan to incorporate additional proposed locations for future telecommunication transmission facilities. Council Resolution 49 was introduced by Council Member Exum and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-50-2007 - A RESOLUTION CONCERNING SCHOOL FACILITIES SURCHARGE for the purpose of adjusting the school facilities surcharge for inflation for Fiscal Year 2008, beginning July 1, 2007, as required by State law. - **INTRODUCED**

Council Resolution 50 concerns School Facilities Surcharge for the purpose of adjusting the school facilities surcharge for inflation for Fiscal Year 2008, beginning July 1, 2007, as required by State law. Council Resolution 50 was introduced by Council Members Turner, Dean and Dernoga. Council Resolution 50 was referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-51-2007 - A RESOLUTION CONCERNING PUBLIC SAFETY SURCHARGE for the purpose of adjusting the Public Safety surcharge for inflation for Fiscal Year 2008, beginning July 1, 2007, as required by State law. - **INTRODUCED**

Council Resolution 51 adjusts the Public Safety Surcharge for inflation for Fiscal Year 2008, beginning July 1, 2007, as required by State Law. Council Resolution 51 was introduced by Council Members Knotts, Turner, Dean and Dernoga. Council Resolution 51 was referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-52-2007 - A RESOLUTION CONCERNING THE FY 2003, FY 2004, FY 2005, FY 2006, FY 2007, AND FY 2008 ANNUAL ACTION PLANS FOR HOUSING AND COMMUNITY DEVELOPMENT for the purpose of amending the Prince George's County FY 2003, FY2004, FY 2005, FY 2006, and FY 2007 Annual Action Plans for Housing and Community Development to reprogram Community Development Block Grant projects and project funding plans and to amend the FY 2008 Annual Action Plan to approve new Community Development Block Grant projects and project funding plans, and generally relating to Housing and Community Development. - **INTRODUCED**

Council Resolution 52 amends the Prince George's County FY 2003, FY 2004, FY 2005, FY 2006, and FY 2007 Annual Action Plans for Housing and Community Development to reprogram Community Development Block Grant projects and project funding plans and to amend the FY 2008 Annual Action Plan to approve new Community Development Block Grant projects and project funding plans, and generally relating to Housing and Community Development. Council Resolution 52 was introduced by Council Member Exum and referred to the Transportation, Housing and the Environment (THE) Committee.

PUBLIC HEARING SCHEDULED FOR TUESDAY, SEPTEMBER 11, 2007 AT 10:00 A.M.

CR-53-2007 - A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL FUNDS

for the purpose of appropriating funding from grants in the amount \$2,806,477 to the Department of Housing and Community Development and generally relating to Housing and Community Development. - **INTRODUCED**

Council Resolution 53 concerns a Supplementary Appropriation of Federal Funds for the purpose of appropriating funding from grants in the amount \$2,806,477 to the Department of Housing and Development and generally relating to Housing and Community Development. Council Resolution 53 was introduced by Council Member Exum and referred to the Transportation, Housing and the Environment (THE) Committee.

Council Member Harrington moved adoption of the Consent Agenda; seconded by Council Member Dean. The motion carried by voice vote.

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

No items were considered

Council Member Dernoga moved to accept additional items to the Agenda; seconded by Council Member Dean. The motion carried by voice vote.

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

No items were considered

4. **SECOND READING OF BILLS – (INTRODUCTION) -- CB-25, 26, 27-2007 AND CB-12-2007 (DR-2) ADDED (SEE PAGE 7)**

CB-24-2007 - AN ACT CONCERNING THE PRINCE GEORGE'S COUNTY HISTORIC AGRICULTURAL RESOURCE PRESERVATION PROGRAM for the purpose of establishing the Prince George's County Historic Agricultural Resource Preservation program. - **DR-2 SUBSTITUTED; DR-2 INTRODUCED**

Council Bill 24 concerns the establishment of a Prince George's County Historic Agricultural Resource Preservation Program to permit the acquisition of historic conservation easements. Council Bill 24 (DR-2) was distributed to Council Members at the agenda briefing prior to scheduled Council Session. Council Bill 24 (DR-2) was introduced by Council Members Dernoga, Bland, Turner and Dean. Council Bill 24 (DR-2) was referred to the Planning, Zoning and Economic Development (PZED) Committee.

5. **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD - CONFIRMED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Pursuant to proper notice the public hearing convened on the appointment of the below listed individuals to the Revenue Authority for Prince George's County. County Executive, Jack B. Johnson, introduced the nominees to the Council. Each nominee was present and spoke on their own behalf. No other persons wishing to speak, the public hearing was declared held. Council Member Dean moved confirmation of all nominees to the Revenue Authority for Prince George's County; seconded by Council Member Knotts. The motion carried 9-0.

▪ **Appointment of the following individuals to the Revenue Authority for Prince George's County:**

Mr. Floyd Gilmore

Appointment
Replacing: Albert Byrd
Term Expiring: 7/28/2008

Ms. Barbara Taha

Appointment
Replacing: Perry Smith, III
Term Expiring: 7/28/2009

Mr. George Nwabukwu

Appointment
Replacing: Athena Malloy Groves
Term Expiring: 2/28/2010

Mr. Reginald L. Forbes

Reappointment/Chair
Term Expiring: 7/28/2009

Mr. Harold A. King

Reappointment
Term Expiring: 7/28/2010

▪ **Appointment of the following individuals to the Commission for Women for Prince George's County: - CONFIRMED**

Council Member Bland, Chair of the Health, Education and Human Services Committee, provided a verbal report of the actions and recommendation of the Committee to the Council. Pursuant to proper notice, the public hearing convened on the appointment of the below listed individuals to the Commission for Women for Prince George's County. County Executive, Jack B. Johnson, introduced other persons wishing to speak, the public hearing was declared held. Council Member Olson moved confirmation of all nominees to the Commission for Women for Prince George's County; seconded by Council Member Turner. The motion carried 9-0.

Ms. Oretha Bridgwaters

Appointment
Replacing: Cassandra Burckhalter
Term Expiring: 5/1/2009

Ms. Penelope I. Guzman	Appointment Replacing: Janice L. Berry-Chen Term Expiring: 5/1/2009
Ms. Jennifer B. Jones	Appointment Replacing: Victoria Adams-Eley Term Expiring: 5/1/2008
Ms. Mi Young Pak	Appointment Replacing: Jacqueline Steele-McCall Term Expiring: 5/1/2009
Dr. Jane Ross, Ph.D.	Appointment Replacing: Njeri Mwalimu Term Expiring: 5/1/2008
Ms. Linda Johnson Thomas	Appointment Replacing: Toni A. Smith Term Expiring: 5/1/2010
Ms. Yvonne Walker	Appointment Replacing: Barbara S. Taha Term Expiring: 5/1/2008
Ms. Amanda C. Welch	Appointment Replacing: Lenita A. Walker Term Expiring: 5/1/2010
Ms. Agnes Diane Williams	Appointment Replacing: Fatoumata Thiam Term Expiring: 5/1/2010
Ms. Lisa Proctor	Reappointment Term Expiring: 5/1/2008

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

CR-38-2007 – A RESOLUTION CONCERNING LOANS TO CAPITAL LIGHTING & SUPPLY, INC. (“CAPITAL LIGHTING”) FROM THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND (“MEDAF”) AND PRINCE GEORGE’S COUNTY, MARYLAND (THE “COUNTY”) for the purpose of endorsing a loan not to exceed \$200,000 to Capital Lighting from MEDAF and authorizing a loan by the County to Capital Lighting not to exceed \$20,000 for eligible Project costs associated with leasing or purchasing a facility in the County and capital expenditures. - **ADOPTED**

Council Member Knotts, Chair, Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Resolution 38 was introduced by Council Members Turner and Dean on 06/05/2007 and was favorably reported out of PSFM on 06/18/2007. Council Member Dean moved

adoption of Council Resolution 38; seconded by Council Member Turner. The motion carried 9-0.

7. **DISTRICT COUNCIL ITEMS**

SEE SEPARATE ACTION AGENDA

ADDITIONS TO THE AGENDA

4. **SECOND READING OF BILLS – (INTRODUCTION) – (page 5)**

CB-25-2007 – 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 Four Hundred Forty-Three Million Six Hundred and Sixty-eight Thousand Dollars (\$443,668,000) 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, 2008,

- **CONVENED AS COMMITTEE OF THE WHOLE; FAVORABLE RECOMMENDATION WITH TECHNICAL AMENDMENTS; INTRODUCED; FURTHER DISCUSSION TO BE HELD IN THE COMMITTEE**

Craig Price, Council Administrator, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Under discussion, Council Member Dernoga requested representatives from DER & DPWT be present for the next worksession to answer questions. Council Member Campos moved favorable recommendations; seconded by Council Member Turner. The motion carried 9-0. Council Bill 25 was introduced by Council Member Exum and referred to the Transportation, Housing and the Environment (THE) Committee.

CB-26-2007 – 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 Seventeen Million Five Hundred and Seventy-one Thousand Dollars (\$17,571,000) in aggregate principal amount of general obligation stormwater managements bonds for the purpose of providing funds for financing in whole or in part costs of 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, 2008, - **CONVENED AS COMMITTEE OF THE WHOLE; FAVORABLE RECOMMENDATION WITH TECHNICAL AMENDMENTS; INTRODUCED; FURTHER DISCUSSION TO BE HELD IN (THE) COMMITTEE**

Craig Price, Council Administrator, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Council Bill 26 was introduced by Council Member Exum and referred to the Transportation, Housing and the Environment (THE) Committee.

CB-27-2007 - AN ACT CONCERNING BORROWING TO FINANCE SCHOOL PROJECTS for the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full faith and credit, at any time and from time to time, in an aggregate principal amount not exceeding Forty-nine Million One Hundred Forty-six Thousand Dollars (\$49,146,000), to finance the construction, including the design, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, repair or modernization, of school buildings in the County; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; and providing generally for the issuance of such bonds. - **CONVENED AS COMMITTEE OF THE WHOLE; FAVORABLE RECOMMENDATION; INTRODUCED; FURTHER DISCUSSION TO BE HELD IN (PSFM) COMMITTEE.**

Craig Price, Council Administrator, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Council Bill 27 was introduced by Council Members Exum, Knotts, Dean, Harrington, Dernoga, Turner, Olson and Bland and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CB-12-2007 (DR-2) – AN ACT CONCERNING SALES AND USE TAX ON TELECOMMUNICATIONS SERVICE for the purpose of increasing the levy and imposition of the sales and use tax on telecommunications service in Prince George's County; and generally relating to the sales and use tax on telecommunications service.
- **INTRODUCED**

Council Bill 12 (DR-2) concerns the sales and use tax on telecommunications service for the purpose of increasing the levy and imposition of the sales and use tax on telecommunications service in Prince George's County; and generally relating to the sales and use tax on telecommunications service. Council Bill 12(DR-2) was introduced by Council Members Exum, Dean, Dernoga, Bland and Harrington. Council Bill 12 (DR-2) was favorably reported out of Committee of the Whole (C.O.W). on 7/2/2007 with amendments. The motion carried 6-2-1. (Against: Council Member Campos and Olson. Astained: Council Member Turner).

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No person wished to address the Council

ADJOURN: - *Chair Exum adjourned the meeting at 12:32 P.M.*

BRIEFING – (ROOM 2027) - **CANCELLED**

INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED FOR MONDAY, JULY 9, 2007.

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council

