

AGENDA MINUTES

Tuesday, June 4, 2013

Legislative Day No. 18

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) – BRIEFING HELD

COMMITTEE OF THE WHOLE - (ROOM 2027) -- COMMITTEE MEETING HELD

CR-35-2013 (DR-2) - A RESOLUTION CONCERNING PRINCE GEORGE'S COUNTY PUBLIC EMPLOYEE RELATIONS BOARD EXEMPTION TO RESIDENCY REQUIREMENT for the purpose of exempting the Prince George's County Public Employee Relations Board from the residency requirement. **FAVORABLE RECOMMENDATION**

Robert Williams, Jr., provided an overview on the legislation. Council Member Turner moved favorable recommendation; seconded by Council Member Davis. Under discussion Stephanie Maxwell and Rhonda Weaver Human Resources responded to questions regarding the qualification process and selection procedures for members. The motion carried 9-0.

CALL TO ORDER – (COUNCIL HEARING ROOM)- Council Chair Harrison called to order at 11:23 a.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 Williams, Jr., Council Administrator
William Hunt, Deputy Council Administrator
Redis Floyd, Clerk of the Council
Donna Brown, Deputy Clerk of the Council
Kerry Watson, Office of the County Executive
Courtney Glass, County Executive's Office
Joseph Hamlin, Office of Law
Kathy Canning, Legislative Officer
Colette Gresham, Legislative Officer
Russell King, Office of Law
Frank Porter, Director of the Public Safety and Fiscal Management Committee (PSFM)*

INVOCATION- *The Invocation was provided by Angela J. Rouson, County Employee.*

SPECIAL INTENTIONS:

Council Chair Harrison requested prayer for the good of all in Prince George's County.

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

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 February 12, 2013 **APPROVED**

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

CB-43-2013 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AND ITS AFFILIATED LOCAL 241 (SCHOOL CROSSING GUARDS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, and its affiliated Local 241 to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. **PRESENTED**

Council Bill 43 was presented by the Chair by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

CB-44-2013 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AND ITS AFFILIATED LOCALS 2462, 2735, 3389 AND 1170 for the purpose of approving the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, and its affiliated Locals 2462, 2735, 3389 and 1170 to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. **PRESENTED**

Council Bill 44 was presented by the Chair by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

CB-45-2013 - AN ACT CONCERNING STORMWATER MANAGEMENT – WATERSHED PROTECTION AND RESTORATION PROGRAM for the purpose of establishing a Watershed Protection and Restoration Program, as required by State law; providing for the setting, collection and deposit of a Clean Water Act Fee into a Local Watershed Protection and Restoration Fund; providing for the purposes for which money in the Local Watershed Protection and Restoration Fund may be used; providing for biannual reporting on the operation of the Local Watershed Protection and Restoration Fund; requiring the Department of Environmental Resources to establish policies and procedures for the reduction of the Clean Water Act Fee; and generally relating to the Watershed Protection and Restoration Program. **PRESENTED**

Council Bill 45 was presented by the Chair by request of the County Executive and referred to the Transportation, Housing and the Environment Committee (THE).

CB-46-2013 – AN ACT CONCERNING FINANCE AND TAXATION – TAX CREDITS FOR IMPROVEMENTS TO HISTORIC RESOURCES for the purpose of amending certain requirements for tax credits on County real property taxes for improvements to historic resources in Prince George's County.
PRESENTED

Council Bill 46 was presented by the Chair by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

(c) **Introduction of Resolutions**

CR-44-2013 – A RESOLUTION CONCERNING PERSONNEL BOARD for the purpose of approving a revised reimbursement schedule for full or partial legal fees and court costs for Personnel Board matters. **INTRODUCED**

Council Resolution 44, as proposed by the Chair by request of the County Executive, approves a revised reimbursement schedule for full or partial legal fees and court costs for Personnel Board matters. Council Resolution 44 was introduced by Council Chair Harrison and referred to the Committee of the Whole (C.O.W.).

CR-45-2013 A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2013 for the purpose of amending the Prince George's County Annual Action Plan: FY 2013 to include new HOME Investment Partnerships ("HOME") projects: Hawthorne Place Apartments, The Meadows Apartments, and The Residences at Woodland Springs and approving the reprogramming of \$3,600,000 in HOME funds from the FY 2002, FY 2005, FY 2006, FY 2007, FY 2008, FY 2009, FY 2010, FY 2011 and FY 2012 annual action plans for these projects. **INTRODUCED**

Council Resolution 45, as proposed by the Chair by request of the County Executive, amends the Prince George's County Annual Action Plan: FY 2013 to include new HOME Investment Partnerships ("HOME") projects: Hawthorne Place Apartments, The Meadows Apartments, and The Residences at Woodland Springs and approving the reprogramming of \$3,600,000 in HOME funds from the FY 2002, FY 2005, FY 2006, FY 2007, FY 2008, FY 2009, FY 2010, FY 2011 and FY 2012 annual action plans for these projects. Council Resolution 45 was introduced by Council Members Harrison, Davis and Lehman and referred to the Transportation, Housing and the Environment Committee (THE). Chair Harrison announced that this resolution requires a public hearing.

CR-46-2013 - A RESOLUTION CONCERNING SUITLAND DEVELOPMENT

DISTRICT for the purpose of designating a contiguous area within Prince George's County, Maryland (the "County") as a "development district" as that term is used in Sections 12-201 through 12-213, inclusive, of the Economic Development Article of the Annotated Code of Maryland, as amended (the "Tax Increment Financing Act"), such development district to be located in an unincorporated area of the County known as Suitland, Maryland and to be known as the "Suitland Development District"; providing for, and determining, various matters in connection with the establishment of a development district, creating a tax increment fund with respect to the development district, and allocating certain property taxes with respect to the development district to be paid over to the tax increment fund as provided in the Tax Increment Financing Act; making certain findings and determinations with respect to the tax increment fund and the uses of such fund; providing that special obligation bonds may be issued from time to time pursuant to an ordinance or ordinances enacted in accordance with the Tax Increment Financing Act and secured by the tax increment fund; and generally relating to the Suitland Development District.

INTRODUCED

Council Resolution 46, as proposed by the Chair by request of the County Executive, designates a contiguous area within Prince George's County, Maryland as a "development district" as the "Suitland Development District" and provides for, and determines, various matters in connection with the establishment of a development district, creating a tax increment fund with respect to the development district, and allocating certain property taxes with respect to the development district to be paid over to the tax increment fund as provided in the Tax Increment Financing Act. Council Resolution 46 was introduced by Council Members Harrison, Davis, Franklin, Lehman, Patterson and Toles and referred to the Public Safety and Fiscal Management Committee (PSFM).

CR-47-2013 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, LOCAL 241

(SCHOOL CROSSING GUARDS) – SALARY SCHEDULE X for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, Local 241 (School Crossing Guards). **INTRODUCED**

Council Resolution 47 as proposed by the Chair by request of the County Executive amends the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, Local 241 (School Crossing Guards). Council Resolution 47 was introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Patterson, Toles and Turner and referred to the Public Safety and Fiscal Management Committee (PSFM).

CR-48-2013 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (“AFSCME”), AFL-CIO, AND ITS AFFILIATED LOCALS 1170 (HEALTH DEPARTMENT, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND DEPARTMENT OF FAMILY SERVICES), 2462 (DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION AND DEPARTMENT OF ENVIRONMENTAL RESOURCES), 2735 (DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND OFFICE OF CENTRAL SERVICES) AND 3389 (DEPARTMENT OF FAMILY SERVICES AND HEALTH DEPARTMENT) – SALARY SCHEDULE A for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George’s County, Maryland and Council 67, AFSCME Locals 1170, 2462, 2735 and 3389.
INTRODUCED

Council Resolution 48, as proposed by the Chair by request of the County Executive, amends the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George’s County, Maryland and Council 67, AFSCME Locals 1170, 2462, 2735 and 3389. Council Resolution 48 was introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Patterson, Toles and Turner and referred to the Public Safety and Fiscal Management Committee (PSFM).

***Council Member Davis moved to adopt the Consent Agenda; seconded by Council Member Patterson. The motion carried by voice vote.*

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

There were none.

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

There were none.

4. **PUBLIC HEARINGS/RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION)**

CR-35-2013 (DR-2) - A RESOLUTION CONCERNING PRINCE GEORGE'S COUNTY PUBLIC EMPLOYEE RELATIONS BOARD EXEMPTION TO RESIDENCY REQUIREMENT for the purpose of exempting the Prince George's County Public Employee Relations Board from the residency requirement. **PUBLIC HEARING HELD; ADOPTED**

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 convened on Council Resolution 35. There were no speakers. All persons wishing to speak having done so, the hearing was declared held. Council Member Davis moved adoption of Council Resolution 35; seconded by Council Member Olson. The motion carried 9-0.

RECESSED-The meeting recessed at 11:37 a.m.

5. **COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM) – COMMITTEE MEETING HELD**

The Committee of the Whole convened at 1:32 p.m.

- **Appointees to the Public Employee Relations Board For Prince George's County: FAVORABLE RECOMMENDATION**

Joshua M. Javits Appointment: Impasse Panel
Replacing: Seymour Strongin
Term Expiration: March 7, 2015

Homer C. LaRue Appointment: Impasse Panel
(unable to attend) Term Expiration: March 7, 2015

Michael Wolf Appointment: Unfair Labor Practice/Negotiability Panel
Term Expiration: March 7, 2015

Marvin E. Johnson Appointment: Representation Panel
Term Expiration: March 7, 2015

Gloria J. Johnson Appointment: Representation Panel
Term Expiration: March 7, 2015

Pursuant to proper notice the public hearing convened on the appointment of the nominees to Public Employee Relations Board for Prince George's County. Stephanie Maxwell, Director of Human Resources Management, provided a brief overview. Each nominee introduced themselves and summarized their qualifications and experience. Homer C. LaRue was unable to attend. Council Member Toles moved a favorable recommendation; seconded by Council Member Olson. The motion carried 9-0.

The Committee of the Whole concluded at 1:49 p.m.

RECONVENE-*The meeting reconvened at 1:50 p.m.*

6. **PUBLIC HEARINGS:**

- **Appointees to the Public Employee Relations Board For Prince George's County: PUBLIC HEARING HELD; ALL CONFIRMED**

M. David Vaughn Appointment: Impasse Panel
Replacing: Rolf Valtin
Term Expiration: March 7, 2015

Ira F. Jaffe Appointment: Unfair Labor Practice/Negotiability Panel
Replacing: Herbert Fishgold
Term Expiration: March 7, 2015

Charles Feigenbaum Appointment: Unfair Labor Practice/Negotiability Panel
Term Expiration: March 7, 2015

Elliot H. Shaller Appointment: Unfair Labor Practice/Negotiability Panel
Replacing: Joseph Sharnoff
Term Expiration: March 7, 2015

(Favorably reported out of C.O.W. on 5/7/2013)

Joshua M. Javits Appointment: Impasse Panel
Replacing: Seymour Strongin
Term Expiration: March 7, 2015

Homer C. LaRue Appointment: Impasse Panel
(unable to attend) Term Expiration: March 7, 2015

Michael Wolf Appointment: Unfair Labor Practice/Negotiability Panel
Term Expiration: March 7, 2015

Marvin E. Johnson Appointment: Representation Panel
Term Expiration: March 7, 2015

Gloria J. Johnson Appointment: Representation Panel
Term Expiration: March 7, 2015

(Verbal C.O.W. report to be provided)

Pursuant to proper notice the public hearing convened on the appointment of the nominees to Public Employee Relations Board for Prince George's County. Colette Gresham, Legislative Officer provided a verbal report of the actions and recommendations of the Committee of the Whole. Council Chair Harrison acknowledged each nominee, in lieu of verbal testimonies. M. David Vaughn, Ira F. Jaffe, Elliot H. Shaller and Homer C. LaRue were unable to attend. All persons wishing to speak having done so, the public hearing was declared held. Council Member Toles moved to confirm; seconded by Council Member Franklin. The motion carried 9-0.

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

CB-20-2013 – AN ORDINANCE CONCERNING EXPEDITED TRANSIT-ORIENTED DEVELOPMENT for the purpose of defining Expedited Transit-Oriented Development and amending the approval requirements for certain transit-oriented development projects in order to incentivize transit-oriented development in Prince George's County. **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 20. There were no speakers. All persons wishing to speak having done so, the hearing was declared held. Council Member Davis moved enactment; seconded by Council Member Olson. Under discussion Council Members Franklin and Olson thanked Council Staff for their efforts in this legislation. The motion carried 9-0.

8. **RESOLUTIONS ELIGIBLE FOR FINAL READING**

CR-31-2013 – A RESOLUTION CONCERNING CONTRACT APPROVALS for the purpose of approving the lease of certain improvements by Prince George's County. **ADOPTED**

Council Member Davis moved adoption of Council Resolution 31; seconded by Council Member Franklin. The motion carried 7-1-1 (Opposed: Council Member Lehman, Abstained: Council Member Olson).

***Council Member Davis moved to accept the additions package; seconded by Council Member Patterson the motion carried 9-0.*

ADDITIONS TO THE AGENDA

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

- (a) Discussion of personnel issues in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (1) (i) (ii).

Topic Discussed: Discussion of appointment process for Prince George's County Board of Education under HB-1107 (Chapter 147 Laws of 2013)

Council Member Turner moved to convene in accordance with state law as printed above; seconded by Council Member Davis. The motion carried 9-0.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Mr. Pete Holden addressed the Council regarding New Horizon Supportive Services.

ADJOURNED- *The meeting was adjourned at 2:13 p.m.*

COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM)

CR-44-2013 – A RESOLUTION CONCERNING PERSONNEL BOARD for the purpose of approving a revised reimbursement schedule for full or partial legal fees and court costs for Personnel Board matters. **FAVORABLE RECOMMENDATION**

The Committee of the Whole convened at 2:14 p.m.

Rhonda Weaver, Deputy Director of Humans Resource Management, provided an overview of the legislation. Council Member Olson moved a favorable recommendation; seconded by Council Member Davis. The motion carried 9-0.

Prepared by:

Sherry Bias, Administrative Aide

Submitted by:

Redis C. Floyd, Clerk of the Council