

AGENDA MINUTES

Tuesday, October 20, 2009

Legislative Day No. 29

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) – BRIEFING HELD

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS

– (COUNCIL HEARING ROOM)

Council Chairperson Bland commenced the Presentation of Proclamations/Commendations at 11:02 A.M. and concluded at 11:18 A.M.

Proclamation presented to Business and Professional Women's Foundation of Prince George's County recognizing October 18-24, 2009 as "National Business Women's Week" in Prince George's County. (Council Chairperson Marilynn M. Bland and Council Vice Chair Thomas E. Dernoga) - PRESENTED

Council Chairperson Marilynn M. Bland, Council Vice Chair Thomas E. Dernoga, Council Members Tony Knotts, Samuel H. Dean, Ingrid M. Turner, Eric C. Olson and Will Campos presented a Proclamation to Business and Professional Women's Foundation of Prince George's County recognizing October 18-24, 2009 as "National Business Women's Week" in Prince George's County.

Proclamation presented to Ms. Debra Pierce on being named BPW Foundation's 2009 "Woman of the Year" in Prince George's County. (Council Chairperson Marilynn M. Bland and Council Vice Chair Thomas E. Dernoga) - PRESENTED

Council Chairperson Marilynn M. Bland and Council Vice Chair Thomas E. Dernoga presented a Proclamation to Ms. Debra Pierce on being named BPW Foundation's 2009 "Woman of the Year" in Prince George's County. Ms. Pierce was present to accept.

Proclamation presented to the Maryland Crime Victims' Resource Center, Inc., on being named BPW Foundation's 2009 "Employer of the Year" in Prince George's County. (Council Chairperson Marilynn M. Bland and Council Vice Chair Thomas E. Dernoga) - PRESENTED

Council Chairperson Marilynn M. Bland and Council Vice Chair Thomas E. Dernoga presented a Proclamation to the Maryland Crime Victims' Resource Center, Inc., on being named BPW Foundation's 2009 "Employer of the Year" in Prince George's County.

Proclamation presented to Ms. Rachel Miller on being named 2009 "Miss Maryland Agriculture" (Council Chairperson Marilynn M. Bland and Council Vice Chair Thomas E. Dernoga) - UNABLE TO ATTEND

CALL TO ORDER: - Chairperson Bland called to order at 11:25 with the following

Council Members present:

Marilynn B. Bland

Will Campos

Samuel H. Dean

Thomas E. Dernoga

Camille A. Exum

Andrea C. Harrison

Tony Knotts

Eric C. Olson

Ingrid M. Turner

Others Present:

Craig S. Price, Council Administrator

Robert J. Williams, Jr., Deputy Council Administrator

Michael Herman, County Executive's Office

Todd Turner, Legislative Officer

Karen Zavakos, Legislative Officer

Hawi Sanu, THE Committee Director

Frank Porter, PSFM Committee Director

Jackie Brown, PZED Committee Director

Sandra Eubanks, HEHS Committee Director

Russell King, Associate County Attorney

Marcus Jackson, County Council Liaison, Office of the County Executive

INVOCATION: - *The Invocation was led by Reverend Darrell Hazard, Accokeek First Church of God, Accokeek, Maryland. Chairperson Bland requested special prayers for Colette Gresham, Legislative Officer, in the passing of her father (this morning); Kerry MacWilliams, Budget & Finance Officer, in the passing of her grandfather and William Washburn, Community Planning-Project Leader, in the passing of his father. Council Member Turner for the family of Commissioner Yvonne Walker, resident and activist in the city of Bowie in her passing; Council Member Exum for the family of Christine Barker in the passing of her son. Council Member Olson for the family of Al Kushner, former Mayor of College Park, in his passing and Council Member Dean for Bill Boston undergoing health challenges.*

POINT OF PERSONAL PRIVILEGE:

Chairperson Bland read a statement for the record regarding the passing of Yvonne Walker, Chairperson of the Women's Commission for Prince George's County.

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

OCTOBER ACKNOWLEDGEMENTS: - *Council Chairperson acknowledged that October is:*

- **National Dental Hygiene Month**

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 September 29, 2009
- **APPROVED**
- (b) **Introduction of Resolutions**

CR-76-2009 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS GENERAL SCHEDULE EMPLOYEES - SALARY SCHEDULE G for the purpose of amending the Salary Plan of the County to reflect pay rates and other modified benefits for General Schedule employees. - **INTRODUCED**

Council Resolution 76 amends the Salary Plan of the County to reflect pay rates and other modified benefits for General Schedule employees. Council Resolution 76 was introduced by Council Member Bland and referred to the Public Safety and Fiscal Management (PSFM) Committee.

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

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

No items were considered

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

- (a) Joint signature letter to Ms. Jeanne Hitchcock, Maryland Secretary of Appointments, submitting a list of three individuals for consideration to the Prince George's County Property Tax Assessment Appeals Board and strongly supporting the reappointment of Ms. Elizabeth G. "Susie" Proctor. - **CHAIRPERSON AUTHORIZED TO SIGN**

Council Member Dean moved to authorize the Chairperson's signature; seconded by Council Member Harrison. The motion carried 9-0.

(Favorably reported out of C.O.W. on 10/13/2009)

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

CB-23-2009 (DR-2) – AN ORDINANCE CONCERNING CHECK CASHING

BUSINESSES for the purpose of defining check cashing business, requiring a special exception for this use under certain circumstances, and grandfathering those with valid state licenses for check cashing issued prior to September 1, 2009.

- **INTRODUCED; EXPEDITED**

Jackie Brown, Committee Director of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 23 was favorably reported out of the Planning, Zoning and Economic Development (PZED) Committee on 10/7/2009 with amendments. Council Bill 23 (DR-2) was introduced by Council Members Campos, Dernoga, Olson and Turner. The Clerk was directed to expedite scheduling of Council Bill 23-2009 (DR-2).

CB-36-2009 (DR-2) – AN ORDINANCE CONCERNING FARM WINERY for the purpose of permitting farm wineries in residential zones assessed for agricultural use subject to certain requirements. - **AMENDED; DR-3; INTRODUCED; EXPEDITED**

Jackie Brown, Committee Director of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 36 was favorably reported out of Planning, Zoning and Economic Development (PZED) on 10/7/2009 with amendments. Council Bill 36 (DR2) was introduced by Council Members Dernoga, Bland, Dean, Turner, Olson and Exum. The Clerk was directed to expedite scheduling of Council Bill 36 (DR-2).

CB-39-2009 (DR-2) – AN ORDINANCE CONCERNING AGRITOURISM OR BED-AND-BREAKFAST INN for the purpose of defining agritourism or bed-and-breakfast inn and permitting these uses in certain residential zones. - **INTRODUCED; EXPEDITED**

Jackie Brown, Committee Director of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 39 was favorably reported out of Planning, Zoning and Economic Development (PZED) on 10/7/2009 with amendments. Council Bill 39 (DR-2) was introduced by Council Members Dernoga, Olson, Dean, Bland and Knotts. The Clerk of was directed to expedite scheduling of Council Bill 39 (DR-2).

CB-43-2009 (DR-2) – AN ORDINANCE CONCERNING R-R ZONE for the purpose of modifying the minimum lot size requirements of certain lots in the R-R Zone recorded prior to November 29, 1949. - **INTRODUCED; EXPEDITED**

Jackie Brown, Committee Director of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 43 was favorably reported out of Planning, Zoning and Economic Development (PZED) on 10/7/2009 with amendments. Council Bill 43(DR-2) was introduced by Council Member Olson. The Clerk was directed to expedite scheduling of Council Bill 43 (DR-2).

CB-47-2009 – AN ORDINANCE CONCERNING O-S ZONE for the purpose of amending the net lot area for certain one-family detached dwellings in the O-S Zone.

- **INTRODUCED; EXPEDITED**

Jackie Brown, Committee Director of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 47 was favorably reported out of Planning, Zoning and Economic Development (PZED) on 10/7/2009 with amendments. Council Bill 47 was introduced by Council Member Dernoga. The Clerk was directed to expedite scheduling of Council Bill 47.

CB-40-2009 (DR-2) - AN ACT CONCERNING TOWING REGULATIONS for the purpose of amending provisions of the Code relating to towing regulations and towing of vehicles from private property, establishing license fees and penalties, and transferring certain responsibilities regarding towing regulations from the Police Department to the Department of Environmental Resources. - **AMENDED; DR-3 INTRODUCED**

Council Member Dernoga, Chair of the Transportation, Housing and the Environment (THE) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 40(DR-2) was favorably reported out of Transportation, Housing and the Environment (THE) on 10/13/2009 with amendments. Council Member Dean moved amendment #1; seconded by Council Member Harrison. The motion carried 9-0. Council Bill 40(DR-3) was introduced by Council Members Exum, Dernoga, Knotts, Dean and Bland.

CB-54-2009 - AN ORDINANCE CONCERNING THE URBAN CENTERS AND CORRIDOR NODES DEVELOPMENT CODE OF PRINCE GEORGE'S COUNTY for the purpose of establishing a new Subtitle to the County Code that specifies development review and approval procedures and design regulations to control and ensure future transit-oriented, pedestrian-friendly, mixed-use development in selected Centers and Corridor Nodes within Prince George's County, Maryland. - **INTRODUCED; EXPEDITED**

Council Bill 54 was introduced by Council Member Dean and referred to the Planning, Zoning and Economic Development (PZED) Committee. The Clerk was directed to expedite scheduling of Council Bill 54.

CB-55-2009 - AN ORDINANCE CONCERNING URBAN CENTERS AND CORRIDOR NODES DEVELOPMENT CODE OF PRINCE GEORGE'S COUNTY for the purpose of amending the Zoning Ordinance of Prince George's County, Maryland to incorporate appropriate references, regulations, and procedures pertaining to Subtitle 27A of the Prince George's County Code, and to delete an obsolete section pertaining to the Interim General Plan Amendment for Growth Policy. - **INTRODUCED; EXPEDITED**

Council Bill 55 was introduced by Council Member Dean and referred to the Planning, Zoning and Economic Development (PZED) Committee. The Clerk was directed to expedite scheduling of Council Bill 55.

5. **PUBLIC HEARINGS:** - **PUBLIC HEARING HELD; ALL NOMINEES CONFIRMED**
Pursuant to proper notice, the public hearing convened on the Appointment of the below listed individuals to the Historic Preservation Commission for Prince George's County. Council Member Harrison, Chair of the Health, Education and Human Services (HEHS) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Michael Herman, County Executive's Representative, introduced the below listed Nominees to the Historic Preservation Commission for Prince George's County to the Council. Mr. David A. Turner spoke for the Nominees on their functions and the importance of the Historic Preservation Commission for Prince George's County. Council Member Knotts moved confirmation of all Nominees as listed; seconded by Council Member Dean. The motion carried 9-0.

● **Appointment of the following individuals to the Historic Preservation Commission for Prince George's County:**

Ms. Susan H. Pruden	Appointment/Board of Realtors Representative Replacing: Ms. Joyce A. Hawkins Term Expiring: 6/30/2012
Ms. Lillian K. Beverly	Reappointment/Municipal Representative Term Expiring: 6/30/2010
Mr. Robert H. Schnabel (Unable to attend)	Reappointment/Historical & Cultural Trust Representative Term Expiring: 6/30/2010
Mr. Jack I. Thompson, Jr.	Reappointment/Preservation Restoration Representative Term Expiring: 6/30/2011
Mr. John Peter Thompson	Reappointment/Chamber of Commerce Representative Vice Chair Term Expiring: 6/30/2012
Mr. David A. Turner	Reappointment/History Expert/Chair Term Expiring: 6/30/2012
Mr. Herman A. Windsor	Reappointment/Farm Bureau Representative Term Expiring: 6/30/2010

PUBLIC HEARING HELD; ALL NOMINEES CONFIRMED

Pursuant to proper notice, the public hearing convened on the Appointment of the below listed individuals to the Historical and Cultural Trust for Prince George's County. Council Member Harrison, Chair of the Health, Education and Human Services (HEHS) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Michael Herman, County Executive's Representative, introduced the below listed Nominees to the Historical and Cultural Trust for Prince George's County to the Council. Mr. Alfonso A. Narvaez spoke for the Nominees on their functions and the importance of the Historical and Cultural Trust for Prince George's County. Council Member Knotts moved confirmation of all Nominees to the Historical and Cultural Trust for Prince George's County; seconded by Council Member Olson. The motion carried 9-0.

● **Appointment of the following individuals to the Prince George's County Historical and Cultural Trust:**

Ms. Phyllis L. Anderson

Appointment
Replacing: Ms. Dawn Davit
Term Expiring: 6/30/2010

Delegate Gerron S. Levi
(Unable to attend)

Appointment/Maryland General Assembly
Replacing: Delegate Justin Ross
Term Expiring: 6/30/2010

Ms. Karen R. Toles

Appointment
Replacing: Mr. George D. Denny, Jr.
Term Expiring: 6/30/2012

Dr. John T. Wulu, Jr.

Appointment
Replacing: Ms. Phyllis L. Cox
Term expiring: 6/30/2013

Ms. Lynne A. Anderson

Reappointment
Term Expiring: 6/30/2012

Ms. Nancy Dixon-Saxon

Reappointment
Term Expiring: 6/30/2013

Ms. Mildred R. Gray

Reappointment
Term Expiring: 6/30/2011

Mr. Michael S. Leventhal (Unable to attend)	Reappointment Term Expiring: 6/30/2010
Mr. Alfonso A. Narvaez	Reappointment Term Expiring: 6/30/2011
Ms. Susan H. Pruden	Reappointment Term Expiring: 6/30/2013
Ms. Carolyn C. Rowe (Unable to attend)	Reappointment Term Expiring: 6/30/2012
Mr. Robert H. Schnabel (Unable to attend)	Reappointment Term Expiring: 6/30/2011
Mr. Jack I. Thompson, Jr.	Reappointment Term Expiring: 6/30/2012

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

CB-12-2009 – AN ACT CONCERNING HOUSING AND ZONING VIOLATIONS – CIVIL MONETARY FINES for the purpose of amending the schedule of civil monetary fines for Zoning Ordinance and Housing Code violations.

- **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 12. No persons wishing to speak, the public hearing was declared held. Council Member Dernoga moved enactment of Council Bill 12; seconded by Council Member Olson. The motion carried 9-0.

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

CR-58-2009 - A RESOLUTION CONCERNING THE FORMATION OF AN AGRICULTURAL DISTRICT PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM for the purpose of recommending

that the Maryland Agricultural Land Preservation Foundation approves the petition of Richard H. and Peggy B. Dobson to establish an agricultural district.

- **PUBLIC HEARING HELD; ADOPTED**

Pursuant to proper notice, the public hearing convened on Council Resolution 58. No persons wishing to speak, the public hearing was declared held. Council Member Dernoga, Chair of the Transportation, Housing and the Environment (THE) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Resolution 58 was introduced by Council Member Bland on 9/9/2009 and was favorably reported out of the Transportation, Housing and the Environment (THE) Committee on 9/24/2009. Council Member Dernoga moved adoption of Council Resolution 58; seconded by Council Member Exum. The motion carried 9-0.

8. **BILLS ELIGIBLE FOR FINAL READING (ENACTMENT)**

CB-4-2009 – AN ACT CONCERNING CONTRACT APPROVALS for the purpose of approving the lease of certain improvements by Prince George's County.

- **AMENDED; DR-2 ENACTED**

Council Member Exum, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 4 was introduced by Council Member Olson on 6/23/2009. The public hearing was held on 7/21/2009 with no action taken. Council Bill 4 reported out of Public Safety and Fiscal Management (PSFM) on 10/7/2009 with recommended amendments. Council Member Turner moved amendment #1; seconded by Council Member Exum. The motion carried by voice vote. Council Member Exum moved enactment of Council Bill 4 (DR-2); seconded by Council Member Knotts. The motion carried 9-0.

9. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-78-2009 – A RESOLUTION CONCERNING THE PUBLIC FACILITIES ELEMENT OF THE PRELIMINARY SUBREGION 1 MASTER PLAN AND PROPOSED SECTIONAL MAP AMENDMENT for the purpose of identifying

inconsistencies between the Preliminary Subregion 1 Master Plan and existing or proposed State or County facilities and approving the inclusion of any new transportation proposals prior to the adoption of the sector plan by the Prince George's County Planning Board.

- **DEFERRED TO 10/27/2009**

CR-73-2009 – A RESOLUTION CONCERNING THE PUBLIC FACILITIES ELEMENT OF THE PRELIMINARY GLENN DALE-SEABROOK-LANHAM AND VICINITY SECTOR PLAN AND PROPOSED SECTIONAL MAP AMENDMENT for

the purpose of identifying inconsistencies between the Preliminary Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Proposed Sectional Map Amendment and existing or proposed State or County facilities, and approving the inclusion of any new transportation proposals prior to the adopting of the Sector Plan by the Planning Board.

- **DEFERRED TO 10/27/2009**

CR-79-2009 – A RESOLUTION CONCERNING THE PUBLIC FACILITIES ELEMENT OF THE PRELIMINARY SUBREGION 4 MASTER PLAN AND PROPOSED SECTIONAL MAP AMENDMENT for the purpose of identifying

inconsistencies between the Preliminary Subregion 4 Master Plan and existing or proposed State or County facilities and approving the inclusion of any new transportation proposals prior to the adoption of the sector plan by the Prince George's County Planning Board.

- **AMENDED; DR-2 INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 79 concerns The Public Facilities Element of the Preliminary Subregion 4 Master Plan and Proposed Sectional Map Amendment for the purpose of identifying inconsistencies between the Preliminary Subregion 4 Master Plan and Proposed Sectional Map Amendment and existing or proposed State or County facilities, and approving the inclusion of any new transportation proposals prior to the adopting of the Sector Plan by the Planning Board. Council Resolution 79 was introduced by Council Members Harrison, Dean and Exum. Council Member Dean moved amendment #1; seconded by Council Member Harrison. The

motion carried 9-0. Council Member Exum moved amendment #2; seconded by Council Member Knotts. The motion carried 9-0. Council Member Dean moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 79 (DR-2): seconded by Council Member Olson. The motion carried by voice vote. Council Member Dean moved adoption of Council Resolution 79(DR-2) as amended; seconded by Council Member Exum. The motion carried 9-0.

ADDITIONS TO THE AGENDA

1. CONSENT AGENDA

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.

(b) Introduction of Resolutions

CR-77-2009 – A RESOLUTION CONCERNING ONE LARGO METRO

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 Act"), such development district to be located in an unincorporated area of the County known as Largo, Maryland and to be known as the "One Largo Metro 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 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 Act and secured by the tax increment fund; and generally relating to the One Largo Metro Development District. - **INTRODUCED**

Council Resolution 77 designates the One Largo Metro Development District and providing for and determining certain matters in connection with the establishment of the 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. Council Resolution 77 was introduced by Council Members Dean and Knotts. Council Resolution 77 was referred to the Public Safety and Fiscal Management (PSFM) Committee.

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

4. **SECOND READING OF BILLS – (INTRODUCTION) – (page 3)**

CB-41-2009 - AN ORDINANCE CONCERNING MARYLAND –NATIONAL CAPITAL PARK AND PLANNING COMMISSION – PRINCE GEORGE’S COUNTY DISTRICT COUNCIL – DELEGATION OF POWERS for the purpose of allowing the governing body of a municipal corporation to exercise certain powers of the district council, subject to certain limitations. - **DISCHARGED FROM PZED; DR-2 SUBSTITUTED; INTRODUCED**

Council Bill 41 was introduced by Council Members Dean and Olson. Council Bill 41 was referred to the Planning, Zoning and Economic Development (PZED) Committee. Council Member Dean moved to discharge the Planning, Zoning and Economic Development (PZED) Committee; seconded by Council Member Olson. The motion carried 7-2 (Opposed: Council Members Exum and Knotts.) Council Member Dean moved to substitute DR-2 in lieu of DR-1; seconded by Council Member Dernoga. The motion carried 5-4 (Opposed: Council Members Bland, Campos, Exum and Knotts). The Clerk was directed to expedite scheduling of Council Bill 41(DR-2).

CB-46-2009 – AN ACT CONCERNING ELECTRICAL CODE for the purpose of amending the Prince George’s County Electrical Code, adopting certain amendments to the 2008 Edition of the National Electrical Code and amending certain sections as it relates to building standards. - **DEFERRED**

Council Member Dernoga requested that Council Bill 46 remain in the Transportation, Housing and the Environment (THE) Committee.

CB-57-2009 - AN ORDINANCE CONCERNING R-L ZONE for the purpose of modifying the regulations applicable to development of open space in the R-L Zone. - **INTRODUCED; EXPEDITED**

Council Bill 57 was introduced by Council Member Bland and referred to the Planning, Zoning and Economic Development (PZED) Committee. The Clerk was directed to expedite scheduling of Council Bill 57.

CB-58-2009 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of appropriating funding from grants in the amount of \$10,682,603 to the Department of Housing and Community Development, Health Department, Department of Family Services, Office of the State’s Attorney, Office of Homeland Security, Fire/EMS Department, Volunteer Fire Department, Police Department, and making a technical correction to CB-19-2009. - **INTRODUCED**

Council Bill 58 was introduced by Council Member Bland at the request of the County Executive and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CB-59-2009 – (EMERGENCY BILL) – AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, AND THE AUTHORIZATION TO ENTER INTO RELATED AND/OR ALTERNATIVE ARRANGEMENTS, TO FINANCE PUBLIC SCHOOL FACILITIES IN AN AMOUNT NOT TO EXCEED \$29,638,000 for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Twenty-nine Million Six Hundred Thirty-Eight Thousand Dollars (\$29,638,000) in aggregate principal amount of general obligation bonds for the purpose of financing in whole or in part costs of the construction, rehabilitation or repair of certain capital projects for public school facilities set forth in the capital budget of the County for the fiscal year ending June 30, 2010, or usable portions thereof, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs and probable useful lives thereof; prescribing or providing for the procedures for the issuance and sale of such bonds at public or private or negotiated sale; declaring the County's official intent to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable federal law; authorizing the consolidation of such bonds with other bonds for purposes of such sale; showing compliance with the power of the County to incur indebtedness; directing the application of the proceeds of such bonds; pledging the full faith and credit and taxing power of the County to the payment of such bonds and providing for the levy and collection of taxes necessary for the payment of the principal of such bonds when due; showing compliance with the limitations on the power of the County to incur indebtedness; authorizing the County Executive to enter into agreements with the Prince George's County Board of Education and public instrumentalities of the County or the State of Maryland to finance said capital projects, including agreements regarding sale and leaseback (or other similar arrangements) appropriate to said financing; covenanting or providing for the making of certain covenants on matters relating to the tax-exempt status of interest on such bonds and/or the credit against federal income tax on such bonds issued as qualified school construction bonds; providing for compliance with Securities and Exchange Commission Rule 15c2-12; authorizing the County Executive to delegate to appropriate officials the power to make certain determinations and sign certain documents, certificates or agreements authorized to be made or signed by the County Executive herein; and otherwise generally determining or providing for the determination of certain matters in connection with the issuance, sale and delivery of the general obligation bonds and/or alternative arrangements authorized by this Act. - **INTRODUCED**

In accordance with the provisions of Section 317 of the Charter, the County Council hereby declares that a public emergency exists affecting the public health, safety, and welfare; said emergency being the County's immediate need to take advantage of the federal allocation to the Prince George's County Public Schools of Twenty-five Million One Hundred Two Thousand Dollars (\$25,102,000) of qualified school construction bond volume cap in calendar year 2009 in order to achieve savings in the cost of debt service.
- **INTRODUCED**

Council Bill 59 was introduced by Council Member Dean and referred to the Public Safety and Fiscal Management (PSFM) Committee.

Council Member Dean moved to convene in Executive Session; seconded by Council Member Knotts. The motion carried 9-0.

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM) – EXECUTIVE SESSION HELD

- (a) To consult with counsel, staff, consultants, or other individuals to obtain legal advice and discussion regarding pending or potential litigation in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (7) and (8).

Topic discussed: *Briefing by Office of Law on litigation concerning the Energy Tax.*

DISTRICT COUNCIL ITEMS: - *Chairperson Bland commenced as the District Council at 1:28 P.M.*

(SEE SEPARATE ACTION AGENDA)

ADJOURNED: - *Chairperson Bland adjourned the meeting at 1:43 P.M.*

COMMITTEE OF THE WHOLE – (ROOM 2027) - COMMITTEE OF THE WHOLE (COW) HELD

ADOPTED NEW CARROLLTON TRANSIT DISTRICT DEVELOPMENT PLAN AND TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT

(DIGEST OF TESTIMONY)

Mr. William Washburn, Project Leader, M-NCPPC
- **DEFERRED TO 11/10/2009**

2:00 P.M. **HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE – (ROOM 2027) -- COMMITTEE MEETING HELD**

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council