

AGENDA MINUTES

Tuesday, May 16, 2006

Legislative Day No. 14

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)

Council Chairman Thomas E. Dernoga commenced Presentation of Proclamations Commendations at 10:00 a.m. and concluded at 10:26 a.m.

Proclamation recognizing Kenmoor Middle School Science Bowl Team as the winners of the “First Annual Regional Maryland Middle School Science Bowl Competition” in Prince George’s County. (Council Chairman Thomas E. Dernoga and Council Member David C. Harrington) - **PRESENTED**

Council Chairman Thomas E. Dernoga and Council Member David C. Harrington presented a proclamation recognizing Kenmoor Middle School Science Bowl Team as the winners of the “First Annual Regional Maryland Middle School Science Bowl Competition” in Prince George’s County.

Proclamation recognizing Miss Jessica Reed as “Miss Bowie State University” in Prince George’s County. (Council Chairman Thomas E. Dernoga and Council Vice Chair Camille A. Exum) - **PRESENTED**

Council Chairman Thomas E. Dernoga and Council Vice Chair Camille A. Exum presented a Proclamation recognizing Miss Jessica Reed as “Miss Bowie State University” in Prince George’s County.

Proclamation presented to Mr. James “Jimmy” Gavin in recognition of his induction into the “African American Golfers Hall of Fame”. (Council Chairman Thomas E. Dernoga, Council Vice Chair Camille A. Exum and Council Member Samuel H. Dean) - **PRESENTED**

Council Chairman Thomas E. Dernoga, Council Vice Chair Camille A. Exum and Council Member Samuel H. Dean presented a proclamation to Mr. James “Jimmy” Gavin in recognition of his induction into the “African American Golfers Hall of Fame.”

CALL TO ORDER: - - *Chairman Dernoga called to order at 10:28 a.m. with the following Council Members present:*

Marilynn M. Bland (absent)
Will Campos
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
Tony Knotts
David C. Harrington (arrived at 10:46 a.m.)
Thomas R. Hendershot
Douglas J. J. Peters (arrived at 10:29 a.m.)

Others Present:

Craig Price, Council Administrator
Robert Williams, Jr., Deputy Council Administrator
Colette Gresham, Legislative Officer
Adrian Howell, County Council Liaison, Office of the County Executive
Kathy Canning, Associate County Attorney
Jackie Brown, Committee Director, PZED
Hawi Sanu, Acting Committee Director, THE

INVOCATION: - - *The Invocation was led by Capacine Abdul-Aziz, Islamic Research & Humanitarian Services Center of America, Inc., Capitol Height, MD.*

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

POINT OF PERSONAL PRIVILEGE:

Council Member Dean reported on High School Assessments provided in Prince George's County and expressed his concerns about urgent need of help for students who might not receive their diploma's by failing the HSA testing.

BRIEFING – (COUNCIL HEARING ROOM) -- BRIEFING HELD; REPORT SUBMITTED

REPORT OF THE CHARTER REVIEW COMMISSION

Judge William D. Missouri, Chairman

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.

First Reading of Bills (Presentation)

CB-27-2006 – AN ACT CONCERNING HOUSING CODE for the purpose of amending the Housing Code to add safety and security requirements for owners of multifamily rental facilities; to provide time periods for administration, implementation and compliance; to add administrative requirements and procedures for licensing owners of multifamily rental facilities; to require safety and security requirements for the issuance and renewal of multifamily rental facility licenses; and generally relating to multifamily rental facility licenses. - **PRESENTED**

Council Bill 27 was presented by the Chairman at the request of the County Executive and referred to the Committee of the Whole.

CB-28-2006 – AN ORDINANCE CONCERNING SAFETY AND SECURITY PLANS for the purpose of amending the Zoning Ordinance to require a Safety and Security Plan for the approval of Detailed Site Plans and Specific Design Plans. - **PRESENTED**

Council Bill 28 was presented by the Chairman at the request of the County Executive and referred to the Committee of the Whole.

CB-29-2006 – AN ACT CONCERNING BUILDING CODE for the purpose of amending the Building Code to add requirements for permitting the use and occupancy of multifamily dwelling units. - **PRESENTED**

Council Bill 29 was presented by the Chairman at the request of the County Executive and referred to the Committee of the Whole.

CB-30-2006 – AN ACT CONCERNING SAFETY AND SECURITY PLANS for the purpose of authorizing the Police Department to review and approve Safety and Security Plans submitted in conjunction with applications for building permits and multifamily rental facility licenses for owners of multifamily rental facilities of ten (10) or more units. - **PRESENTED**

Council Bill 30 was presented by the Chairman at the request of the County Executive and referred to the Committee of the Whole.

CB-31-2006 – AN ORDINANCE CONCERNING USE AND OCCUPANCY PERMITS for the purpose of authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when a use and occupancy permit has not been issued; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when a use and occupancy

permit has been issued and is not in compliance with the provisions of the Zoning Ordinance; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when the activity is found to present an imminent danger and threat to the health, safety, and welfare of the public by not doing so, that there are no other mitigating circumstances to be taken to resolve the imminent danger and threat to the health, safety, and welfare of the public, and that there are no other reasonable means of preventing further danger and threat to the health, safety, and welfare of the public resulting from the continuation of the activity; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when a temporary use and occupancy permit has not been issued; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when a temporary use and occupancy permit has been issued and is not in compliance with the provisions of the Zoning Ordinance; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when the activity is found to present an imminent danger and threat to the health, safety, and welfare of the public by not doing so, that there are no other mitigating circumstances to be taken to resolve the imminent danger and threat to the health, safety, and welfare of the public, and that there are no other reasonable means of preventing further danger and threat to the health, safety, and welfare of the public resulting from the continuation of the activity; authorizing all immediate reasonable and necessary action to implement this Act for the health, safety and welfare of the public; providing for the designation of certain public officials to enforce this Act; providing for enforcement procedures to implement this Act; providing for establishing policies, rules, and procedures to implement this Act; providing for a hearing before the Zoning Hearing Examiner from a violation of this Act; providing for an appeal from the decision of the Zoning Hearing Examiner to the Circuit Court of Maryland; providing for the computation of time pursuant to this Act; and generally relating to use and occupancy permits.

- **PRESENTED**

Council Bill 31 was presented by Council Member Dernoga and referred to the Committee of the Whole.

Introduction of Resolutions

CR-34-2006 – A RESOLUTION CONCERNING PERMITS for the purpose of allowing certain permits of a minor nature, involving an approved Safety and Security Plan to be issued without Planning Board review. - **INTRODUCED**

Council Resolution 34 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Resolution 34 allows certain permits of a minor nature, involving an approved Safety and Security Plan, to be issued without Planning Board review. Council Resolution 34 was introduced by Council Member Dernoga.

CR-35-2006 – A RESOLUTION CONCERNING THE WASHINGTON SUBURBAN SANITARY COMMISSION CAPITAL AND OPERATING BUDGETS FOR FISCAL YEAR 2006 for the purpose of approving a budget supplement to the WSSC Capital and Operating Budgets for Fiscal Year 2006 and the WSSC Capital Improvements Program Fiscal Year 2006-2011. - **INTRODUCED**

Council Resolution 35 introduced at the request of the Washington Suburban Sanitary Commission (WSSC) and referred to the Committee of the Whole. Council Resolution 35 approves a budget supplement to the WSSC Capital and Operating Budgets for Fiscal Year 2006 and amendments to the WSSC Capital Improvement Program for Fiscal Year 2006 to 2011. Council Resolution 35 was introduced by Council Member Dernoga. The Public Hearing is scheduled for Tuesday, 05/30/2006 at 1:30 p.m.

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

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

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

No items were considered

PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT -- (3 (a) ADDED; SEE PAGE 7)

SECOND READING OF BILLS – (INTRODUCTION)

CB-17-2006 - AN ACT CONCERNING COMMISSION FOR VETERANS for the purpose of establishing a Commission for Veterans and setting forth its duties and responsibilities.
- **INTRODUCED**

Council Member Knotts, Chair, Health, Education and Human Services Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 17 was introduced by Council Members Knotts, Peters, Dean, Harrington, Campos and Dernoga.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No person wished to address the Council

RECESS: - - *Chairman Dernoga recessed the meeting at 11:28 a.m.*

COMMITTEE OF THE WHOLE – (ROOM 2027)

- **BRIEFING ON ADULT ENTERTAINMENT IMPACT STUDY**
- **BRIEFING HELD**

- **CB-1-2006 - - AN ORDINANCE CONCERNING USE AND OCCUPANCY PERMITS**
- **HELD**
- **CB-31-2006 - AN ORDINANCE CONCERNING USE AND OCCUPANCY PERMITS**
- **HELD**

RECONVENE: - - *Chairman Dernoga reconvened the meeting at 1:46 p.m.*

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

CR-28-2006 – A RESOLUTION CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of transferring certain appropriations and expenditures between certain projects in the Approved Maryland-National Capital Park and Planning Commission's FY 2005-2006 Capital Budget and Fiscal Years 2006-2011 Capital Improvement Program. - **PUBLIC HEARING HELD; DR-2 SUBSTITUTED; ADOPTED**

Council Member Dean, Chair, of Planning Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Resolution 28 transfers certain appropriations and expenditures between certain projects in the Approved Maryland-National Capital Park and Planning Commission's FY2005-2006 Capital Budget and Fiscal Years 2006-2011 Capital Improvement Program. Council Resolution 28 was favorably reported out of PZED on 5/3/2006 with amendments. Council Member Knotts moved to substitute Draft 2 in lieu of Draft 1 of Council Resolution 28; seconded by Council Member Dean. The motion carried by voice vote. Council Member Harrington moved adoption of Council Resolution 28(DR-2); seconded by Council Member Campos. The motion carried 8-0. (Absent: Council Member Bland).

BRIEFING – (COUNCIL HEARING ROOM) -- BRIEFING HELD

SENIOR LIVING MARKET STUDY

Ms. Margaret Wylde, President
Pro Matura Group, LLC

RECESS: - - *Chairman Dernoga recessed the meeting at 2:45 p.m.*

BRIEFING – (ROOM 2027) -- CANCELLED

INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED FOR MONDAY, MAY 22, 2006.

PUBLIC HEARING:**PRINCE GEORGE'S COUNTY PROPOSED FY 2007 OPERATING BUDGET, SIX-YEAR CAPITAL PROGRAM (INCLUDING THE CAPITAL IMPROVEMENT BUDGET) AND THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION PORTION OF THE COUNTY FY 2007 OPERATING BUDGET, PROPOSED BUDGET OF THE REDEVELOPMENT AUTHORITY, REVENUE AUTHORITY AND INDUSTRIAL DEVELOPMENT AUTHORITY OF PRINCE GEORGE'S COUNTY****(SEE SEPARATE AGENDA)****- PUBLIC HEARING HELD****ADDITION TO THE AGENDA****PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT – (page 4)****- CHAIRMAN AUTHORIZED TO SIGN**

Proposed letter to Samuel J. Parker, Jr., Chairman, Prince George's County Planning Board, regarding continuation of Reservation Plats for Rights of Way, which are due to expire on June 30, 2006.

Council Member Harrington, Chair, of Transportation Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. A letter was proposed to be sent to Samuel J. Parker, Jr., Chairman of Prince George's County Planning Board, regarding continuation of Reservation Plats for Rights of Way, which are due to expire on June 30, 2006. Council Member Dean moved to authorize the Chairman's signature; seconded by Council Member Harrington. The motion carried 8-0. (Absent: Council Member Bland.)

ADJOURN: - - *Chairman Dernoga adjourned the meeting at 8:45 p.m.*

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council