

ACTION MINUTES

Tuesday, April 1, 2003

Legislative Day No. 9

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) – BRIEFING HELD

CALL TO ORDER – *Chairman Peter A. Shapiro called to order at 10:28 a.m. with the following Council Members present:*

*Peter A. Shapiro
Marilynn M. Bland
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
David C. Harrington
Thomas R. Hendershot
Tony Knotts
Douglas J. J. Peters*

Others Present:

*Barbara Holtz, Council Administrator
Craig S. Price, Deputy Council Administrator
Ralph Grutzmacher, Legislative Officer
Aisha N. Braveboy, County Council Liaison, Office of the County Executive
Kathy Canning, Associate County Attorney
Cheryl Ringer, Associate County Attorney*

INVOCATION – *The Invocation was provided by Pastor Dennis E. Whitmore, First United Methodist Church of Laurel, Maryland. Special intentions were requested for the families of Mr. Tim Fletcher, Mr. Ron French, Mrs. Jimmie Day, Mr. Carl Granzow, Mr. Alfred Barrett and Ms. Mattie Barnes, in their passings.*

PLEDGE OF ALLEGIANCE – *The pledge was led by Council Member Knotts.*

- **** *Council Member Hendershot moved to accept additional items to the agenda; seconded by Council Member Peters; carried by voice vote.*

1. **CONSENT AGENDA -- CB-21, CB-22 AND CR-14 ADDED (SEE PAGE 3) 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 - **APPROVED**

Council Minutes were approved for Council Sessions held on March 18, 2003 and March 25, 2003.

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

CB-20-2003 – AN ACT CONCERNING GRADING, DRAINAGE, AND POLLUTION CONTROL for the purpose of restricting the construction of certain structures in proximity of drinking water reservoir. - **PRESENTED**

Council Bill 20 was presented by Council Member Dernoga and referred to the Transportation, Housing and the Environment Committee.

CB-21-2003 – (EXECUTIVE ORDER NO. 14-2003) REORGANIZATION PROPOSAL to create the Office of Homeland Security. - **PRESENTED**

Council Bill 21 was received by the Council on March 28, 2003. Final action on Council Bill 21 is required by May 27, 2003. Council Bill 21 was presented by the Chairman at the request of the County Executive and referred to the Committee of the Whole.

CONSENT AGENDA – (CONTINUED)**CB-22-2003 – AN EMERGENCY ACT CONCERNING SUPPLEMENTARY**

APPROPRIATIONS for the purpose of appropriating to the General Fund revenue to provide for costs that were not anticipated in the approved Fiscal Year 2002-2003 Budget. -

PRESENTED

Council Bill 22 was presented by the Chairman at the request of the County Executive and referred to the Committee of the Whole. Chairman Shapiro stated that a public emergency exists affecting the public health, safety, and welfare; said emergency being the need to provide funding to Dimensions Health Corporation in order to support the continuation of essential health services for the citizens and residents of Prince George's County. As the largest provider of inpatient and emergency services, Dimensions Health Corporation is a cornerstone in the health care system in the County. Access to quality health care for the citizens and residents of the County depends on the continuation of Dimensions Health Corporation services. For the past several years, Dimensions Health Corporation has been facing serious financial difficulties resulting in significant operating losses. County funding in Fiscal Year 2003, in the amount of \$3,000,000 is necessary to assist Dimensions Health Corporation with operating costs. Without this supplementary appropriation funding, Dimensions Health Corporation will face increased difficulty in funding vital short-term operating needs that could affect access to care.

(c) Introduction of Resolutions**CR-14-2003 – A RESOLUTION CONCERNING PRINCE GEORGE'S COUNTY**

ENTERPRISE ZONE for the purpose of endorsing the proposed expansion to the Prince George's County Enterprise Zone. - **INTRODUCED**

Council Resolution 14 was proposed by the Chairman at the request of the County Executive and referred to the Committee of the Whole. Council Resolution 14 approves the proposed expansion of the Prince George's County Enterprise Zone to include the towns or cities of Brentwood, Colmar Manor, Cottage City, District Heights, Edmonston, Forest Heights, Glenarden, Hyattsville, Landover Hills, Mount Ranier, New Carrollton, North Brentwood, and Riverdale Park. Council Resolution 14 was introduced by Council Members Dean, Knotts and Peters. Chairman Shapiro indicated that Council Resolution would be considered in the Committee of the Whole work session scheduled to occur at 12:30 p.m. this date.

****** *Council Member moved to adopt the Consent Agenda; seconded by Council Member Harrington; carried by roll call vote 9-0.*

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

No items were removed.

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

No items were considered.

4. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-13-2003 – A RESOLUTION CONCERNING APPROVAL OF SCHOOL FACILITIES AGREEMENTS (FIRST SUBDIVISION GROUP) for the purpose of approving certain school facilities agreements for residential subdivisions with preliminary plan approval before December 31, 2002, and school facilities applications with all information required by State law. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 13 was proposed by Chairman Shapiro. Council Resolution 13 approves the first group of school facilities agreements in 2003 for eight subdivisions. Council Resolution 13 was introduced by Chairman Shapiro and Council Member Knotts. Council Member Hendershot moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 13; seconded by Council Member Harrington; carried by voice vote. Council Member Hendershot moved adoption of Council Resolution 13; seconded by Council Member Dean; carried by roll call vote 9-0.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

ADJOURN – Chairman Shapiro adjourned the meeting at 10:38 a.m.

BRIEFINGS – (ROOM 2027) – Chairman Shapiro began the series of briefings at , recessed for lunch at 12:15 p.m., reconvened at 12:45 and concluded at p.m.

- **10 YEAR WATER AND SEWERAGE PLAN**

Office of the County Executive
Department of Environmental Resources

Ms. Sandra Eubanks, Director of the Transportation, Housing and the Environment Committee and Ms. Sharon Conway Appel, of the Department of Environmental Resources, provided an overview of the Ten Year Water and Sewerage Plan and responded to questions posed by the Council.

- **HOUSE BILL 24 –2003 ELECTRIC INDUSTRY – AGGREGATION – COUNTIES AND MUNICIPAL CORPORATIONS**

Mr. Robert Williams, Jr., Associate Council Administrator, briefed the Council on the content of House Bill 24-2003. Mr. Thomas Graham representing Potomac Electric Power Company (PEPCO) and the Honorable Derek Davis, House of Representatives, 25th Legislative District, assisted in responding to Council Member's questions. Ms. Aisha Braveboy, Council Liaison, Office of the County Executive, expressed the County Executive's position on House Bill 24 and proposed amendments thereto. Council Member Hendershot moved to oppose House Bill 24; seconded by Council Member Exum; carried by roll call vote 9-0.

- **ENTERPRISE ZONE PROPOSAL**

Iris Boswell, Special Assistant to the County Executive
Joseph James, President and CEO of the Economic Development Corporation

Ms. Iris Boswell, representing the Office of the County Executive, assisted by Mr. Joseph James of the Economic Development Corporations provided an overview of pending Enterprise Zone legislation, Council Resolution 14-2003. Ms. Aisha Braveboy, Council Liaison, Office of the County Executive responded to Council Member's questions.

COMMITTEE OF THE WHOLE – (ROOM 2027) – *Chairman Shapiro convened the Committee of the Whole at 2:08 p.m. and concluded at 2:08 p.m.*

CB-17-2003 – AN ACT CONCERNING THE DISPOSITION BY LEASE FOR PUBLIC PURPOSES OF THE UPPER MARLBORO JUSTICE CENTER SITE AT WATER STREET AND JUDGES DRIVE IN CONNECTION WITH THE ISSUANCE BY INDUSTRIAL DEVELOPMENT AUTHORITY OF PRINCE GEORGE’S COUNTY, MARYLAND OF CERTAIN ECONOMIC DEVELOPMENT REFUNDING REVENUE BONDS AND/OR REVENUE BONDS DESCRIBED HEREIN

for the purpose of authorizing, in accordance with County Code Section 2-111.01, the County Executive to provide for (i) amendments to extend the term, among other purposes, of the existing lease by Prince George’s County, Maryland to the Industrial Development Authority of Prince George’s County, Maryland (The “Authority”) of the land on which the Prince George’s County Justice Center (also known as the Upper Marlboro Justice Center) is located or (ii) the disposition of the Upper Marlboro Justice Center site by separate lease to the Authority in connection with a proposed expansion of certain facilities currently located thereon, in either such case in connection with the issuance and sale by the Authority of certain refunding revenue bonds and/or revenue bonds identified herein and in accordance with the parameters set forth in this Act; and generally relating to any such disposition by lease. - **FAVORABLE RECOMMENDATION**

Council Member Hendershot moved a favorable recommendation for Council Bill 17; seconded by Council Member Dean; carried by roll call vote 6-0 (Absent: Council Members Dernoga, Harrington and Peters)

CR-11-2003 – A RESOLUTION CONCERNING INDUSTRIAL DEVELOPMENT AUTHORITY OF PRINCE GEORGE’S COUNTY, MARYLAND ECONOMIC DEVELOPMENT REFUNDING REVENUE BONDS AND REVENUE BONDS RELATING TO THE EXISTING UPPER MARLBORO JUSTICE CENTER AND A CONTEMPLATED EXPANSION THEREOF

for the purpose of authorizing and approving the issuance, sale and delivery by the Industrial Development Authority of Prince George’s County, Maryland (the “Authority”) of its refunding revenue bonds and its revenue bonds pursuant to the provisions of the Maryland Economic Development Revenue Bond Act or such other statutory authority as may be effective when such bonds are issued, for the purpose of (i) refinancing a portion of the cost of acquisition of certain facilities known as the Prince George’s County Justice Center, located at Water Street and Judges Drive, Upper Marlboro, Maryland (the “UMJC”) and leased to Prince George’s County, Maryland (the “County”) and (ii) financing (including by reimbursing prior project expenditures) all or a portion of the cost of acquisition of an expansion of a portion of the UMJC and related improvements; providing that the maximum aggregate principal amount of refunding revenue bonds that may be issued may not exceed Thirty-Five Million Dollars (\$35,000,000); providing that the maximum aggregate principal amount of revenue bonds that may be issued may not exceed Thirty Million Dollars (\$30,000,000); providing that no such refunding revenue bonds or revenue bonds shall be issued after December 31, 2003; and generally providing for and determining various matters in connection with the authorization, issuance, sale and delivery of such refunding revenue bonds and such revenue bonds and the consummation of the transactions contemplated by this Resolution. -

FAVORABLE RECOMMENDATION

Council Member Hendershot moved a favorable recommendation for Council Bill 17; seconded by Council Member Dean; carried by roll call vote 6-0 (Absent: Council Members Dernoga, Harrington and Peters)

COMMITTEE OF THE WHOLE – (ROOM 2027) – (CONTINUED)

CR-12-2003 – A RESOLUTION CONCERNING THE UPPER MARLBORO JUSTICE CENTER for the purpose of approving the revised site plan for the expansion of the Marbury Wing of the Justice Center in Upper Marlboro. - **FAVORABLE RECOMMENDATION**

Council Member Hendershot moved a favorable recommendation for Council Bill 17; seconded by Council Member Dean; carried by roll call vote 6-0 (Absent: Council Members Dernoga, Harrington and Peters)

Prepared by:

Donna J. Brown, Office Manager

Submitted by:

Redis C. Floyd, Clerk of the Council