

ACTION AGENDA

Tuesday, July 11, 2006

Business Meeting

(Legislative Day No. 21 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

9:30 A.M. AGENDA BRIEFING – (ROOM 2027) -- AGENDA BRIEFING HELD

**10:19 A.M. PRESENTATION TO MEMBERS OF THE CHARTER REVIEW
COMMISSION – (COUNCIL HEARING ROOM) -- PRESENTED**

10:31 A.M. CALL TO ORDER

INVOCATION: Pastor Dwayne Johnson, Reid Temple AME Church, Glendale,
Maryland

PLEDGE OF ALLEGIANCE

Designated **DESIGNATION OF JULY 11, 2006 AS LEGISLATIVE DAY NO. 21**

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)**

Presented

CB-65-2006 – (EXECUTIVE ORDER NO. 7-2006) REORGANIZATIONAL PROPOSAL relating to the Department of Environmental Resources and the Department of Public Works and Transportation.

Received by the Council on June 15, 2006 – Final action required by August 14, 2006; referral to C.O.W.

Presented

CB-66-2006 – AN ORDINANCE CONCERNING DEVELOPMENT DISTRICT OVERLAY ZONE for the purpose of amending the Development District Standards for the D-D-O Zone under certain circumstances.

To be presented by Council Member Campos; referral to PZED

(b) **Introduction of Resolutions**

Introduced

CR-60-2006 – A RESOLUTION CONCERNING TAXABILITY OF COUNTY OBLIGATIONS for the purpose of repealing CR-78-1991, effective upon the date of adoption of this Resolution by the County Council and signature by the Chair of the County Council and the County Executive of this Resolution, and requiring that this Resolution shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any County debt issued prior to the effective date of this Resolution.

The Chairman (by request – County Executive); referral to C.O.W.

Introduced by Council Member Dernoga

Introduced

CR-61-2006 – A RESOLUTION CONCERNING THE LISTING OF LOCAL QUESTIONS ON THE 2006 BALLOT for the purpose of designating the order and form in which local questions shall be placed on the 2006 ballot and matters related thereto.

Introduced by Council Members Dernoga, Exum and Harrington; referred to C.O.W.

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

None

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

*Chairman
authorized to
sign*

- (a) Proposed letter to Samuel J. Parker, Jr., Chairman, Prince George's County Planning Board, granting request for a five month extension of the timeframe for preparing the Public Safety Master Plan.

The Chairman (by request – Planning Board)

4. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced;
rules suspended;
adopted*

CR-62-2006 - A RESOLUTION CONCERNING BLUE RIBBON COMMITTEE ON HIGH STAKES TESTING for the purpose of amending CR-42-2006 and CR-48-2006 by further increasing the membership of the Blue Ribbon Committee on High Stakes Testing.

Introduced by Council Members Dean, Peters, Knotts, Exum and Harrington

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

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

Appointment of the following individual to the Board of Library Trustees for Prince George's County:

Confirmed

John Peter Thompson

Replacing: David M. Tilch
Term Expiring: 12/31/2009

(Favorably reported out of HEHS on 6/20/2006)

6. **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD**

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

<i>Confirmed</i>	The Honorable Lillian K. Beverly	Appointment: Municipal Representative Term Expiring: 6/30/2007
<i>Confirmed</i>	Mr. Henry C. Turner, Jr.	Appointment: Minority Building Association Representative Term Expiring: 6/30/2008
<i>Confirmed</i>	Ms. Joyce Ann Hawkins	Appointment: Board of Realtors Representative Term Expiring: 6/30/2009
<i>Confirmed</i>	Mr. Jack I. Thompson, Jr.	Appointment: Building/Preservation Restoration Representative Term Expiring: 6/30/2008
<i>Confirmed</i>	Mr. John Peter Thompson	Reappointment: Commerce Representative Appointment: Vice Chair Term Expiring: 6/30/2009

(Favorably reported out of HEHS on 6/20/2006)

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

Public hearing held; enacted **CB-18-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE'S COUNTY** for the purpose of assigning certain existing classes of work to the bargaining unit represented by Prince George's Correctional Officers' Association, Inc. (PGCOA) (Civilian Unit).

(Introduced by Council Members Dernoga, Peters, Dean and Harrington on 6/6/2006; favorably reported out of PSFM on 5/24/2006)

Public hearing held; enacted **CB-20-2006 – AN ACT CONCERNING LENGTH OF SERVICE AWARD PROGRAM** for the purpose of increasing certain benefits under the Length of Service Award Program for volunteers and surviving spouses and providing that the Office of Human Resources Management shall administer the Length of Service Award Program.

(Introduced by Council Members Dernoga, Peters, Knotts, Dean, Harrington, Campos and Bland on 6/6/2006; favorably reported out of PSFM on 5/24/2006)

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) – (CONTINUED)

*Public hearing
held; enacted*

CB-25-2006 – AN ACT CONCERNING SUPPLEMENTARY

APPROPRIATIONS for the purpose of appropriating additional revenue from available and uncommitted fund balance to the Fleet Management Internal Service Fund, and to provide funds for costs that were not anticipated in the Approved Fiscal Year 2005-2006 Budget for the Fleet Management Internal Service Fund.

(Introduced by Council Members Dernoga, Dean, Knotts, Bland and Peters on 6/6/2006; favorably reported out of PSFM on 5/24/2006)

*Public hearing
held; enacted*

CB-22-2006 – AN ACT CONCERNING NOTICE TO PURCHASERS OF REAL

ESTATE for the purpose of amending the wording required in the notice that sellers must give to purchasers of residential real property, to correct an inadvertent error in the legislation that imposed the notice requirement.

(Introduced by Council Members Knotts, Peters, Dean, Exum, Harrington, Bland and Dernoga on 6/13/2006; favorably reported out of THE on 6/8/2006)

8. **PUBLIC HEARING:**

*Public hearing
held*

CR-41-2006 – A RESOLUTION CONCERNING THE 2001 WATER AND

SEWER PLAN SCHEIG/KYLE PROPERTIES for the purpose of changing a water and sewer category designation of property within the 2001 Water and Sewer Plan.

(Introduced by Council Member Peters, Knotts and Dernoga on 5/23/2006)

**TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE MEETING
SCHEDULED FOR JULY 13, 2006 AT 10:00 A.M.**

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

*Rules suspended;
adopted*

CR-53-2006 - A RESOLUTION CONCERNING THE SCHOOL FACILITIES SURCHARGE for the purpose of adjusting the school facilities surcharge for inflation for Fiscal Year 2007, beginning July 1, 2006, as required by State law.

(Introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland on 6/20/2006)

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

*Rules suspended;
adopted*

CR-54-2006 - A RESOLUTION CONCERNING THE PUBLIC SAFETY SURCHARGE for the purpose of adjusting the public safety surcharge for inflation for Fiscal Year 2007, beginning July 1, 2006, as required by State law.

(Introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland on 6/20/2006)

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

11:08 A.M.

10. **DISTRICT COUNCIL ITEMS**

(SEE SEPARATE ACTION AGENDA)

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

None

11:22 A.M.

ADJOURN

11:35 A.M.

COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM)**THE PRELIMINARY SECTOR PLAN AND PROPOSED SECTIONAL MAP
AMENDMENT FOR WESTPHALIA****TRANSCRIPT ANALYSIS**

- *Motion by Council Member Dean; seconded by Council Member Exum for amendments as listed below. Motion carried 6-0. (In favor: Council Members Dernoga, Campos, Dean, Exum, Hendershot and Knotts) (Absent: Council Members Bland, Harrington and Peters)*
 1. *Refined design concepts and phasing strategies for the Westphalia Town Center to require a mix of urban residential, nonresidential, and public and quasi-public uses to be consistent with the 2002 General Plan policies for a Regional Center, and to ensure construction of high intensity commercial and office development in the first stages of construction.*
 2. *Add new policies and strategies that address needs of existing communities.*
 3. *Add new policies and strategies that address economic development issues for the Westphalia Sector Plan.*
 4. *Eight revised SMA rezoning changes recommended by the Planning Board in PGCPB Resolution No. 06-159 for the purpose of additional public testimony. (Updated to include references to exhibits that were added to the record after the close of the public hearing record.)*
 5. *A Development District Overlay Zone that encompasses the entire sector plan area to ensure a comprehensive review of all development applications and adherence to the policies, strategies and design guidelines contained in the sector plan.*
- *Motion by Council Member Dean; seconded by Council Member Hendershot to accept letters received after the close of the record. Motion carried 6-0. (In favor: Council Members Dernoga, Campos, Dean, Exum, Hendershot and Knotts) (Absent: Council Members Bland, Harrington and Peters)*
- *Motion by Council Member Dean; seconded by Council Member Exum for favorable recommendation with amendments. Motion carried 7-0. (In favor: Council Members Dernoga, Campos, Dean, Exum, Hendershot, Knotts and Peters) (Absent: Council Members Bland and Harrington)*

COMMITTEE OF THE WHOLE – (CONTINUED)*Favorable*

CB-49-2006 – AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR PUBLIC WORKS AND TRANSPORTATION FACILITIES 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 Sixty-two Million Three Hundred Twenty-seven Thousand Dollars (\$62,327,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public Works and Transportation Facilities, including the acquisition of sites therefore, prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

Favorable

CB-50-2006 – AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR LIBRARY FACILITIES 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 Eleven Million Two Hundred Eighty-eight Thousand Dollars (\$11,288,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Library Facilities including the acquisition of sites therefore; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

Favorable

CB-51-2006 - AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR PUBLIC SAFETY FACILITIES 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 Nine Million Two Hundred Fifty-nine Thousand Dollars (\$9,259,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public Safety Facilities (including Fire Department Facilities), including the acquisition of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

COMMITTEE OF THE WHOLE – (CONTINUED)*Favorable***CB-52-2006 - AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR COUNTY BUILDINGS**

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 Fifteen Million Six Hundred Thousand Dollars (\$15,600,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of County Buildings including the acquisition of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

*Favorable***CB-53-2006 - AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR PRINCE GEORGE'S COMMUNITY COLLEGE**

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 Fifteen Million Four Hundred Ninety-nine Thousand Dollars (\$15,499,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Community College Facilities, including the acquisition of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

*Favorable***CB-55-2006 – 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 One Hundred Thirty-one Million Six Hundred Two Thousand Dollars (\$131,602,000), 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.

COMMITTEE OF THE WHOLE – (CONTINUED)*Favorable*

CB-56-2006 - 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 Two Hundred Thirty-nine Million Forty-three Thousand Dollars (\$239,043,000) 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, 2007, 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 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 Income Tax Regulations; 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 and interest on such bonds when due; authorizing and empowering the County to issue and sell an amount not to exceed Two Hundred Thirty-nine Million Forty-three Thousand Dollars (\$239,043,000) in general obligation bond anticipation notes in anticipation of the issuance and sale of the bonds authorized hereby; . . .

Favorable

CB-57-2006 - 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 Nine Million Seven Hundred One Thousand Dollars (\$9,701,000) in aggregate principal amount of general obligation stormwater management bonds for the purpose of providing funds for financing in whole or in part costs of the 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, 2007, constituting facilities (including without limitation any land, interest in land or equipment) for the control and disposition of storm and surface waters, including floodproofing, flood control or navigation programs and other stormwater programs and systems, environmental restoration and/or wetlands construction, and the protection, conservation, creation and acquisition of certain property described in the Maryland Annotated Code Environment Article consistent with federal and Maryland laws and regulations on the subject of nontidal and private wetlands, as applicable, 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 thereof; prescribing or providing for the procedures for the issuance and sale of such bonds, including at private (negotiated) sale or public 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 Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; directing the application of the proceeds of such bonds; providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; authorizing and empowering the County to issue and sell an amount not to exceed Nine Million Seven Hundred One Thousand Dollars (\$9,701,000) in general obligation stormwater management bond anticipation notes in anticipation of the issuance and sale of the bonds authorized hereby; . . .

COMMITTEE OF THE WHOLE – (CONTINUED)

- Favorable* **CB-54-2006 - AN ACT CONCERNING THE HOMESTEAD PROPERTY TAX CREDIT** for the purpose of establishing the homestead property tax credit for the County property tax for the taxable year beginning July 1, 2007.
- Favorable* **CB-65-2006 – (EXECUTIVE ORDER NO. 7-2006) REORGANIZATIONAL PROPOSAL** relating to the Department of Environmental Resources and the Department of Public Works and Transportation.
- Received by the Council on June 15, 2006 – Final action required by August 14, 2006; referral to C.O.W.
- Favorable* **CR-52-2006 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, SHERIFF OFFICIALS, SALARY SCHEDULE S-O** for the purpose of amending the Salary Plan of the County to reflect wage and benefit modifications of Sheriff Officials.
- Favorable* **CR-59-2006 - A RESOLUTION CONCERNING THE TRANSIT DISTRICT OVERLAY ZONE AND TRANSIT DISTRICT DEVELOPMENT PLAN FOR THE WEST HYATTSVILLE AREA AND SECTIONAL MAP AMENDMENT** for the purpose of approving amendments to the Transit District Overlay Zone and Transit District Development Plan for the West Hyattsville Area and SMA, as proposed in the SMA Revisory Petition adopted in CR-57-2006.
- No Action* **CR-60-2006 – A RESOLUTION CONCERNING TAXABILITY OF COUNTY OBLIGATIONS** for the purpose of repealing CR-78-1991, effective upon the date of adoption of this Resolution by the County Council and signature by the Chair of the County Council and the County Executive of this Resolution, and requiring that this Resolution shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any County debt issued prior to the effective date of this Resolution.
- Deferred to 7/18/2006* **CR-61-2006 – A RESOLUTION CONCERNING THE LISTING OF LOCAL QUESTIONS ON THE 2006 BALLOT** for the purpose of designating the order and form in which local questions shall be placed on the 2006 ballot and matters related thereto.
- 1:00 P.M.**
*No action taken;
C.O.W.
scheduled for
7/18/2006* **CB-61-2006 - AN ACT CONCERNING ADULT ENTERTAINMENT CLUBS** for the purpose of regulating the adult entertainment premises, entertainers, and managers by establishing license requirements and penalties for violators and amending the provisions of the Code to clarify the use of the terms “public place” and “place open to the public.”

2:00 P.M.**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE MEETING
-- (ROOM 2027) -- COMMITTEE MEETING HELD****3:00 P.M.****PLANNING, ZONING AND ECONOMIC DEVELOPMENT COMMITTEE
MEETING -- (ROOM 2027) -- COMMITTEE MEETING HELD****REMINDER**

Thurs., July 13, 2006	10:00 a.m.	THE Committee Meeting (Room 2027)
Tues., July 18, 2006	9:30 a.m.	County Council Agenda Briefing (Room 2027)
	9:45 a.m.	Proclamations
	10:00 a.m.	Call to Order