

AGENDA MINUTES

Tuesday, April 6, 2010

Legislative Day No. 9

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) - BRIEFING HELD

CALL TO ORDER: - Chair Dernoga called to order at 1:44 P.M. 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
Todd Turner, Legislative Officer
Frank Porter, PSFM Committee Director
Hawi Sanu, THE Committee Director
Russell King, Office of Law
Marcus Jackson, County Council Liaison, Office of the County Executive*

INVOCATION: - The Invocation was led by Pastor Daniel Mejia, Emmanuel United Methodist Church, Beltsville, MD. Council Member Harrison requested special prayers for the family of former Delegate Gerri Perry, in her passing.

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

POINT OF PERSONAL PRIVILEGE:

Council Member Harrison spoke on the importance of the Census and urged each person to fill out and return their forms.

1. **CONSENT AGENDA -- CB- 16 ADDED (PAGE 4)-- 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)**

CB-14-2010 - AN ORDINANCE CONCERNING MIXED USE AND COMPREHENSIVE DESIGN ZONES for the purpose of authorizing certain density limitations in Mixed Use and Comprehensive Design Zones. - **PRESENTED**

Council Bill 14 was presented by Council Member Dernoga and referred to the Planning, Zoning and Economic Development (PZED) Committee.

CB-15-2010 - AN ACT CONCERNING CONSERVATION EASEMENTS for the purpose of prohibiting conservation easements on publicly owned property. - **PRESENTED**

Council Bill 15 was presented by Council Member Dernoga and referred to the Planning, Zoning and Economic Development (PZED) Committee.

Council Member Harrison moved to accept additional item to the Agenda; seconded by Council Member Dean. 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**

No items were considered

4. **PUBLIC HEARING:** - **PUBLIC HEARING HELD @ 1:56 P.M.**

**WASHINGTON SUBURBAN SANITARY COMMISSION
PROPOSED FISCAL YEAR 2010-2011 OPERATING & CAPITAL BUDGETS
AND THE
WASHINGTON SUBURBAN SANITARY COMMISSION
CAPITAL IMPROVEMENT PROGRAM FOR
WATER AND SEWERAGE, FOR FISCAL YEARS 2011-2016**

(SEE SEPARATE ACTION AGENDA)

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

CR-25-2010 – A RESOLUTION CONCERNING MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of transferring certain appropriations and expenditures between certain programs in the FY 2009-2010 Operating Budget for the Recreation Fund. - **PUBLIC HEARING HELD; ADOPTED**

Pursuant to proper notice, the Public Hearing convened on Council Resolution 25. Council Member Dean, Chair, of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report on the actions and recommendations from the Committee to the Council. No persons wishing to speak, the public hearing was declared held. Council Member Harrison moved adoption of Council Resolution 25; seconded by Council Member Campos. The motion carried 9-0.

CR-13-2010 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLANS: FY 2006, FY 2007, FY 2008, FY 2009, AND FY 2010 for the purpose of amending the Prince George’s County FY 2006, FY 2007, FY 2008, FY 2009, and FY 2010 Annual Action Plans for Housing and Community Development to restructure, reprogram, and approve Community Development Block Grant (“CDBG”) activities related to housing and community development. - **PUBLIC HEARING HELD**

Pursuant to proper notice, the Public Hearing convened on Council Resolution 13. Don Phillips, Michael Jackson and Dorothy Friedman spoke on Council Resolution 13. All persons wishing to speak having done so, the public hearing was declared held.

TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE MEETING SCHEDULED THURSDAY, APRIL 8 AT 10:00 A.M.

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

CR-5-2010 – A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (AUGUST 2009 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan. - **AMENDED; DR-2 ADOPTED**

Council Member Olson, 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 Member Olson moved adoption of Council Resolution 5; seconded by Council Member Dean. Council Member Bland moved amendment #1 (change 5 to 4); seconded by Council Member Turner. The motion carried 9-0. Council Member Dernoga moved amendment #2 (land returned); seconded by Council Member Dean. The main motion to adopt Council Resolution 5 (DR-2) as amended carried 9-0.

CR-10-2010 - A RESOLUTION CONCERNING LOANS TO LIMBACH COMPANY, LLC (“LIMBACH”) FROM THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND (“MEDAF”) AND PRINCE GEORGE’S COUNTY, MARYLAND (THE “COUNTY”) for the purpose of endorsing a loan not to exceed \$100,000 to Limbach from MEDAF and authorizing a loan by the County to Limbach not to exceed \$20,000 for eligible project costs associated with leasing a facility in the County and capital expenditures.

- **ADOPTED**

Council Member Exum, Chair, of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report on the actions and recommendations from the Committee to the Council. Council Member Dernoga moved adoption of Council Resolution 10; seconded by Council Member Turner. The motion carried 9-0.

CR-12-2010 – A RESOLUTION CONCERNING HEALTH CARE for the purpose of expressing the County Council's support for the findings and potential next steps articulated in the Assessing Health and Health Care in Prince George's County Rand Health Report.

- **DR-2 SUBSTITUTED; RULES SUSPENDED; ADOPTED**

Council Member Dean moved to substitute DR-2 in lieu of DR-1; seconded by Council Member Exum. The motion carried by voice vote. Council Member Dean moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 12 (DR-2); seconded by Council Member Harrison. The motion carried 9-0. Council Member Exum moved adoption of Council Resolution 12 (DR-2); seconded by Council Member Dean. The motion carried 9-0.

7. **BRIEFING – (COUNCIL HEARING ROOM) – BRIEFING HELD @ 2:12 P.M.**

STATE STORMWATER MANAGEMENT REGULATIONS

**Ms. Brigid Kenney, Planning Director
Maryland Department of the Environment**

ADDITIONS TO THE AGENDA1. **CONSENT AGENDA – (page 1)**

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

CB-16-2010 - 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. - **PRESENTED**

Council Bill 16 was presented by Council Members Dernoga, Turner and Olson. Council Bill 16 was referred to the Planning, Zoning and Economic Development (PZED) Committee.

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

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Ms. Ursula Aide, Ms. Betsy Brown and Mr. Robert Fox addressed the Council regarding Rosecroft Racetrack.

RECESS: - *Chair Dernoga recessed the meeting at 3:02 P.M.*

A motion to convene in Executive Session was made by Council Member Exum; seconded by Council Member Dean. The motion carried 9-0.

EXECUTIVE SESSION – (EXECUTIVE CONFERENCE ROOM) -- EXECUTIVE SESSION HELD

- (a) Discussion of pending or potential litigation and to consult with counsel to obtain legal advice in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (7), (8).

Topic Discussed: - *Discussion of an ongoing case; Dedra Billings v. Prince George’s County.*

GENERAL ASSEMBLY COMMITTEE MEETING – (COUNCIL HEARING ROOM) – COMMITTEE MEETING HELD

RECONVENE: - *Chair Dernoga reconvened the meeting at 7:08 P.M.*

8. **JOINT PUBLIC HEARING – (COUNCIL HEARING ROOM)**
- **JOINT PUBLIC HEARING HELD**

**HEARING ON THE PROPOSED AMENDMENTS TO THE ADOPTED CENTRAL US 1
CORRIDOR SECTOR PLAN AND ENDORSED SECTIONAL (ZONING) MAP
AMENDMENT
(AS OUTLINED IN CR-18-2010)**

Pursuant to the provisions of Article 28 of the Annotated Code of Maryland and the Zoning Ordinance of Prince George’s County, being also Subtitle 27 of the Prince George’s County Code, the Prince George’s County Council, sitting as the District Council for that part of the Maryland-Washington Regional District Council in Prince George’s County, and the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission public hearing to receive testimony regarding the Proposed Amendments to the Adopted Central US 1 Corridor Sector Plan and Endorsed Sectional (Zoning) Map Amendment (SMA).

(SEE SEPARATE ACTION AGENDA)

ADJOURN: - *Chair Dernoga adjourned the meeting at 8:41 P.M.*

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Donna J. Brown,
Deputy Clerk of the Council