

ACTION MINUTES

Tuesday, April 29, 2003

Business Meeting

(Legislative Day No. 13 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- AGENDA BRIEFING HELD

CALL TO ORDER – *Chairman Peter A. Shapiro called to order at 10:12 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
Robert Williams, Jr., Associate Council Administrator
Ralph Grutzmacher, Legislative Officer
Aisha N. Braveboy, County Council Liaison, Office of the County Executive
Kathy Canning, Associate County Attorney
Frank Porter, Committee Director, PSFM*

INVOCATION – *The Invocation was provided by Reverend Clarence Parker, III, Associate Pastor, Glendale Baptist Church, Capitol Heights, Maryland.*

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

DESIGNATION OF APRIL 29, 2003 AS LEGISLATIVE DAY NO. 13 – *Chairman Shapiro designated April 29, 2003 as Legislative Day number thirteen.*

PUBLIC HEARINGS:

Appointment of the following individual as Director of Community Relations for Prince George's County:

Mr. Chris Osuji

Prior to public hearing, Chairman Shapiro announced that this item would be continued to May 6, 2003 at 10:00 a.m., at the request of the County Executive.

Appointment of the following individual to the Maryland-National Capital Park and Planning Commission for Prince George's County:

Mr. Sylvester J. Vaughns

Appointment
Replacing: Dr. James Brown
Term Expiring: 6/15/2004

Prior to public hearing, Chairman Shapiro announced that this item would be continued to May 6, 2003 at 10:00 a.m., at the request of the County Executive.

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- **APPROVED**

Council Minutes were approved for Council Sessions held on April 1, 2003, April 8, 2003 and April 15, 2003.

****** *Council Member Harrington moved adoption of the Consent Agenda; seconded by Council Member Knotts; carried by voice vote.*

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

No items were considered.

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

- (a) Proposed letter to Mr. Neil Pedersen, Acting Administrator, State Highway Administration, regarding the final project planning for the I-95/I-495 Greenbelt Metro Access Study. - **CHAIRMAN AUTHORIZED TO SIGN**

A letter was proposed to be sent to Mr. Neil Pedersen regarding final project planning for the I-95/I-495 Greenbelt Metro Access Study. Council Member Dean, as Chairman of the Transportation, Housing and Environment Committee, provided a verbal report of the actions and recommendations of the committee. The proposed letter was favorably reported out of THE on 4/15/2003. Council Member Dean moved to authorize the Chairman's signature; seconded by Council Member Hendershot; carried by roll call vote 7-2 (Opposed: Council Members Dernoga and Peters).

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

CB-16-2003 (DR-2) – AN ORDINANCE CONCERNING PLANNED

ENVIRONMENTAL PRESERVATION COMMUNITIES for the purpose of defining the Planned Environmental Preservation Community use, permitting the use under certain circumstances on property in the E-I-A Zone if a Basic Plan and Comprehensive Design Plan have been approved for the property as of January 1, 2001, requiring compliance with certain design and development standards for the use, and making related amendments to the Zoning Ordinance. - **INTRODUCED**

Council Member Harrington, as Chairman of the Planning, Zoning and Economic Development Committee, provided a verbal report of the committee's actions and recommendations. Council Bill 16 was favorably reported out of PZED on 3/26/2003, recommitted to PZED on 4/22/2003 and favorably reported out of PZED on 4/23/2003 with amendments. Council Resolution 21 was introduced by Council Members Peters, Dernoga and Harrington.

5. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-21-2003 – A RESOLUTION CONCERNING APPROVAL OF SCHOOL FACILITIES AGREEMENTS (SECOND SUBDIVISION GROUP) for the purpose of approving certain school facilities agreements for residential subdivisions with preliminary plan approval before March 4, 2003, and school facilities applications with all information required by State law. - **INTRODUCED; CONVENED AS C.O.W.; DR-2 SUBSTITUTED; DR-2 ADOPTED**

Council Resolution 21 approves school facilities agreements for 21 subdivisions, pursuant to CB-40-2001 and Chapter 389 of the Laws of Maryland of 2002. Council Resolution 21 was introduced by Chairman Shapiro and Council Members Dean and Knotts. Chairman Shapiro announced that the Council would convene as the Committee of the Whole. Barbara Holtz, Council Administrator, explained the contents of the proposed Draft 2 of Council Resolution 21 and responded to Council Member's questions. Chairman Shapiro concluded the Committee of the Whole and reconvened as the County Council. Council Member Harrington moved to substitute Draft 2 in lieu of Draft 1; seconded by Council Member Knotts; carried by voice vote. Council Member Harrington moved adoption of Council Resolution 21, Draft 2; seconded by Council Member Peters; carried by roll call vote 9-0.

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

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. - **PUBLIC HEARING HELD; FINAL ACTION DEFERRED TO 5/6/03**

Pursuant to proper notice, the public hearing convened for Council Bill 17. No persons wishing to speak, the public hearing was declared held. Chairman Shapiro announced that final action of this item would be deferred to May 6, 2003 at 10:00 a.m. Ms. Lindsey Raider, Bond Counsel, responded to Council Member's questions regarding the effects of the one week delay in final action.

**PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) –
(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. - **PUBLIC HEARING HELD; ENACTED**

Chairman Shapiro announced 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.

Pursuant to proper notice, the public hearing convened for Council Bill 22. Mr. Kirk Blackman and Mr. Samuel Wynkoop spoke in support of the measure. Also present were the following members of the various Dimensions Health Corporation boards: Mr. Jacob Levin, Ms. Alice Mahan, Ms. Kitty Shoap, Mr. John Rosser, Mr. Lee Williams and Mr. Al Hayes. All persons wishing to speak having done so, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 22; seconded by Council Member Knotts; carried by roll call vote 9-0.

POINTS OF PERSONAL PRIVILEGE: - *Chairman Shapiro and Council Members Harrington, Exum, Knotts, Dean and Hendershot thanked the Dimensions Health Corporation board members for their service to the citizens of Prince George's County and encouraged a continued dialogue to resolve issues related to the corporation's financial standing. Ms. Carol Bragg of the Nurses Corp for Prince George's Hospital Center was also applauded for her efforts.*

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

CR-7-2003 (DR-2) – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (DECEMBER 2002 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan. **DR-2 SUBSTITUTED; AMENDED; DR-3 ADOPTED**

Council Member Peters moved to substitute Draft 2 of Council Resolution 7 in lieu of Draft 1; seconded by Council Member Dean; carried by voice vote. Council Member Bland moved amendment number one to the Council Resolution 7, Draft 2; seconded by Council Member Hendershot; carried by voice vote. Council Member Hendershot moved adoption of Council Resolution 7, Draft 3; seconded by Council Member Peters; carried by roll call vote 9-0.

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. - **FINAL ACTION DEFERRED TO 5/6/03**

Chairman Shapiro announced that final action of this item would be deferred to May 6, 2003 at 10:00 a.m.

CR-12-2003 (DR-2) – 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. - **FINAL ACTION DEFERRED TO 5/6/03**

Chairman Shapiro announced that final action of this item would be deferred to May 6, 2003 at 10:00 a.m.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

- **** *Council Member Dean moved to convene in Executive Session to discuss the status of Dimensions Health Corporation and other legal issues in accordance with Maryland Annotated Code, State Government Sections 10-508(a)(4) and 10-508(a)(7).*

ADJOURN – *Chairman Shapiro adjourned the meeting at 10:50 a.m.*

EXECUTIVE SESSION – (ROOM 2027) -- EXECUTIVE SESSION HELD

- (a) Discussion regarding status of Dimensions Health Corporation in accordance with Maryland Annotated Code, State Government, Section 10-508(a)(4).
- (b) Discussion to obtain legal advice in accordance with Maryland Annotated Code, State Government, Section 10-508(a)(7).

PUBLIC SAFETY & FISCAL MANAGEMENT COMMITTEE MEETING – (ROOM 2027) -- COMMITTEE MEETING HELD

Prepared by:

Submitted by:

Donna J. Brown, Office Manager

Redis C. Floyd, Clerk of the Council

