

# ***ACTION AGENDA***

**Tuesday, September 28, 2004**

**Business Meeting**

**(Legislative Day No. 32 to be declared)**

## **COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

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

**CALL TO ORDER** - - *Chairman Knotts called to order at 10:08 a.m. with the following Council Members Present:*

*Marilynn M. Bland  
Samuel H. Dean  
Thomas E. Dernoga  
Camille A. Exum  
Tony Knotts  
David C. Harrington  
Thomas R. Hendershot  
Douglas J. J. Peters  
Council District 2 (Vacant)*

*Others Present:*

*Barbara L. Holtz, Council Administrator  
Craig S. Price, Deputy Council Administrator  
Robert Williams, Jr., Associate Council Administrator  
Ralph Grutzmacher, Legislative Officer  
Carmen Jackson-Brown-Associate County Attorney  
Aisha Braveboy, County Council Liaison, Office of the County Executive  
Sandra Eubanks, Committee Director (HEHS & THE)  
Steve Gilbert, Principal Counsel to District Council*

**INVOCATION:** *The Invocation was led by Reverend Charles Whitley, Tabernacle Baptist Church, Ft. Washington, MD. Council Member Dean requested Special Intentions for the family of Joshua Carter on his death.*

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

### **DESIGNATION OF SEPTEMBER 28, 2004 AS LEGISLATIVE DAY NO. 32**

*Chairman Knotts designated September 28, 2004 as Legislative Day number thirty-two.*

- \*\* *Council Member Dean moved to accept additional items to the Agenda; seconded by Council Member Harrington. The motion carried by voice vote.*

**CONSENT AGENDA -- CB-92, 93, 94, 95 & 96-2004 ADDED ( 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-85-2004 – AN ACT CONCERNING ANIMAL LICENSING FEE EXEMPTIONS AND REQUIREMENTS FOR RABIES VACCINATION CERTIFICATES** for the purpose of exempting licensing fees for certain individuals and adding a provision related to rabies vaccination reporting by veterinarians. - **PRESENTED**

*Council Bill 85 was presented by the Chairman at the request of the County Executive and referred to the Health, Education and Human Services (HEHS) Committee.*

**CB-86-2004 – AN ACT CONCERNING FIRE SAFETY CODE** for the purpose of amending and updating the County Fire Code. - **PRESENTED**

*Council Bill 86 was presented by the Chairman at the request of the County Executive and referred to the Transportation, Housing and the Environment (THE) Committee.*

**CB-87-2004 – AN ACT CONCERNING BUILDING CODE** for the purpose of amending the Prince George's County Building ordinance, adopting certain amendments to the 2000 Edition of the International Building Code and the International Residential Code for One and Two Family Dwellings, amending sections of the Grading, Drainage and Pollution Control ordinance and generally related to grading, drainage and building standards. - **PRESENTED**

*Council Bill 87 was presented by the Chairman at the request of the County Executive and referred to the Transportation, Housing and the Environment (THE) Committee.*

**CB-88-2004 – AN ORDINANCE CONCERNING WATERFRONT ENTERTAINMENT/RETAIL COMPLEX** for the purpose of amending the definition of a Waterfront Entertainment/Retail Complex to permit residential uses and providing for instances when a Conceptual Site Plan for this use must be revised. - **REMOVED FROM THE AGENDA**

*Chairman announced that Council Bill 88 would be removed from the agenda.*

**CONSENT AGENDA – (CONTINUED)**

**CB-90-2004 – AN ORDINANCE CONCERNING R-E ZONE** for the purpose of permitting elderly housing in the R-E Zone subject to certain requirements. - **PRESENTED**

*Council Bill 90 was presented by Council Member Knotts and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

**CB-91-2004 – AN ORDINANCE CONCERNING R-55 ZONE** for the purpose of permitting multifamily dwellings in the R-55 Zone under certain circumstances. - **PRESENTED**

*Council Bill 91 was presented by Council Member Dernoga and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

**CB-92-2004 – AN ORDINANCE CONCERNING I-3 ZONE** for the purpose of permitting additional industrial uses and modifying development regulations in the I-3 Zone under certain circumstances. - **PRESENTED**

*Council Bill 92 was presented by Council Member Dernoga and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

**CB-93-2004 – AN ACT CONCERNING BOARD OF REGISTRATION FOR BUILDING CONTRACTORS** for the purpose of amending the provisions of the County Code relating to the Board of Registration for Building Contractors. - **PRESENTED**

*Council Bill 93 was presented by Council Member Harrington and referred to the Transportation, Housing and the Environment (THE) Committee.*

**CB-94-2004 – AN ACT CONCERNING BUILDING PERMITS – SUB-SURFACE WATER CONDITIONS** for the purpose of requiring the submission of data concerning the presence of sub-surface water for proposed residential construction with a basement. - **PRESENTED**

*Council Bill 94 was presented by Council Member Harrington and referred to the Transportation, Housing and the Environment (THE) Committee.*

**CB-95-2004 (SUBDIVISION BILL) – AN ACT CONCERNING APPEALS IN CLUSTER SUBDIVISION CASES** for the purpose of modifying the procedures for approval of final plats in cluster subdivision cases, to authorize appeals from Planning Board to District Council of decisions on cluster subdivision final plats. - **PRESENTED**

*Council Bill 95 was presented by Council Members Knotts, Dean, Peters, Dernoga, Exum and Bland. Council Bill 95 was referred to the Planning, Zoning and Economic Development (PZED) Committee.*

**CONSENT AGENDA – (CONTINUED)**

**CB-96-2004 – AN ACT CONCERNING TOWING REGULATIONS** for the purpose of amending provisions of the Code relating to towing regulations and establishing penalties, amending the hours for a property owner to initiate the towing of a vehicle from private property under certain circumstances and establishing the fees to be charged for private property tow services. - **PRESENTED**

*Council Bill 96 was presented by Council Member Exum and referred to the Transportation, Housing and the Environment (THE) Committee.*

**Introduction of Resolutions**

**CR-60-2004 – A RESOLUTION CONCERNING FEDERAL FUNDING FOR NATIONAL GUARD CHALLENGE PROGRAM** for the purpose of expressing the County Council's support of proposed legislation to increase the maximum Federal share of the costs of State programs under the National Guard ChalleNGe Program. - **INTRODUCED**

*Council Resolution, 60 expresses the County Council's support of proposed legislation to increase the maximum Federal share of the costs of State programs under the National Guard ChalleNGe Program. Council Resolution 60 was introduced by Council Member Peters, Harrington, Dernoga, Knotts, Dean, Exum and Bland and referred to the Public Safety and Fiscal Management Committee (PSFM).*

**CR-61-2004 – A RESOLUTION CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION** for the purpose of transferring certain appropriations and expenditures between certain development projects in the Approved Maryland-National Capital Park and Planning Commission's FY 2004-2005 Capital Budget and Fiscal Years 2005-2010 Capital Improvement Program and between certain programs in the FY 2004-2005 Operating Budget for the Recreation Fund; and increasing the appropriation in the Administration Fund. - **INTRODUCED**

*Council Resolution, as proposed by the Chairman at the request of the Planning Board, transfers certain appropriations and expenditures between certain development projects in the M-NCPPC FY 2005 CIP and between certain programs in the FY 2005 Operating Budget for the Recreation Fund. Council Resolution 61 was introduced by Chairman Knotts and referred to the Planning, Zoning and Economic Development Committee (PZED).*

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

**CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

*No items were considered.*

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

*No items were considered.*

**SECOND READING OF BILLS (INTRODUCTION)**

**CB-73-2004 – AN ACT CONCERNING CIGARETTE SALES** for the purpose of prohibiting sales of unpackaged cigarettes. - **INTRODUCED**

*Council Member Exum, as Chair of the Health, Education and Human Services Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 73 prohibits the sale of single cigarettes in Prince George's County. It will mirror State and Federal laws as they pertain to the sale of single cigarettes. . Council Bill 73 was favorably reported out of HEHS on September 15, 2004. Council Bill 73 was introduced by Council Members Knotts, Harrington, Dernoga, Dean, Exum, Peters and Bland.*

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

**CB-80-2004 – AN ACT CONCERNING 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, 2005, as required by State law. - **PUBLIC HEARING HELD; ENACTED**

*Pursuant to public notice, the public hearing convened on Council Bill 80. There were no speakers. The public hearing was declared held. Council Member Dean moved enactment of Council Bill 80; seconded by Council Member Harrington. The motion carried 8-0 (Council District 2-vacant.)*

**BILLS ELIGIBLE FOR FINAL READING - (ENACTMENT)**

**CB-74-2004 – AN ACT CONCERNING AN INTERPROJECT TRANSFER OF APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2005 CAPITAL BUDGET** for the purpose of transferring appropriations between capital projects in the amount of \$1,603,000 from various projects to the County Buildings – Major Renovations Fund. - **DEFERRED TO 10/05/2004**

*Council Member Dean moved enactment of Council Bill 74. Prior to a second, Council Member Dernoga requested that the item be held for one week. The request was accepted by Chairman Knotts and agreed to by the maker of the motion, Council Member Dean. Chairman Knotts announced that final action for Council Bill 74 would be deferred to October 5, 2004.*

**DISTRICT COUNCIL ITEM**

*(SEE SEPARATE ACTION AGENDA)*

**REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL**

*No persons wished to address the Council.*

**ADJOURN** : *Chairman Knotts adjourned the meeting at 10:34 a.m.*

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

**HUD CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT –  
(CAPER REPORT)**

Mr. Thomas M. Thompson, Director  
Department of Housing and Community Development

**Prepared by:**

**Submitted by:**

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Donna J. Brown, Deputy Clerk

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Redis C. Floyd, Clerk of the Council