

Prince George's County Council

*County Administration Building
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland
20772-3050*



Meeting Agenda - Final

**Tuesday, October 20, 2020
10:00 AM**

(VIRTUAL MEETING)

County Council

Todd M. Turner, Council Chair, District 4

Monique Anderson-Walker, District 8

Derrick Leon Davis, District 6

Thomas E. Dernoga, District 1

Mel Franklin, At-Large

Dannielle M. Glaros, District 3

Sydney J. Harrison, District 9

Calvin S. Hawkins, II, Vice Chair, At-Large

Jolene Ivey, District 5

Rodney C. Streeter, District 7

Deni L. Taveras, District 2

Robert J. Williams, Jr., Council Administrator

RULES OF COURTESY

You are now participating in the process of representative government. We welcome your interest and hope you will attend Prince George's County Council meetings often. Good government depends on the interest and involvement of you and your fellow citizens.

VIRTUAL COUNCIL MEETINGS

Given the current state of the novel coronavirus (COVID-19) pandemic, and under the Governor's "Proclamation and Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19" and the Prince George's County State of Emergency Declaration, the County Council is operating under emergency procedures.

REGULAR COUNCIL MEETINGS

The Prince George's County Council meets at 10:00 a.m. each Tuesday in the Council Hearing Room in the County Administration Building, Upper Marlboro, Maryland. Legislative sessions are held on the first and third Tuesday of each month and business meetings are scheduled on the alternate weeks. All County Council Sessions are public meetings, however, a part of the meeting may be conducted in closed session.

In addition to its normal function as the County Council, the Council will frequently sit as the District Council for zoning matters or as the Board of Health. The capacity in which the Council acts on agenda items will be recorded in the minutes for each meeting.

PUBLIC PARTICIPATION IN COUNCIL MEETINGS

The Prince George's County Council will meet virtually until further notice. To encourage civic engagement, the Council has established an eComment portal to serve as an alternative method of public participation in the Council's virtual meetings. The portal allows citizens to register to speak on agenda items that are scheduled for public hearing and/or submit a comment or letter into the official public record, in lieu of verbal testimony.

Please note, that written testimony or comments will be accepted in electronic format, rather than by U.S. mail. For those unable to use the portal, comments/written correspondence may be emailed to: clerkofthecouncil@co.pg.md.us or faxed to (301) 952-5178. All testimony and comments received by the deadline will become part of the public record of the meeting and, when feasible, shared and noted at the meeting.

Registration and comment submissions should be received by 3:00 p.m. on the day BEFORE the meeting. Testimony and comments will not be accepted via social media or by telephone/voice mail message.

In accordance with ADA requirements, accommodations for hearing impaired, disabled persons, and visually impaired persons can be provided upon reasonable notice to the Clerk of the Council. Sign language and interpreters for non-english speakers are available with reasonable advance notice by emailing clerkofthecouncil@co.pg.md.us or calling 301-952-3600.

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10:00 A.M. - CALL TO ORDER - (VIRTUAL MEETING)

INVOCATION / MOMENT OF SILENCE

LEGISLATIVE DAY NO. 28

1. CONSENT AGENDA

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

[MIN 10132020](#) County Council Minutes dated October 13, 2020.

Attachment(s): [10132020](#)

(b) Introduction of Resolutions

[CR-103-2020](#)

Draft: 1

A RESOLUTION CONCERNING LOANS TO CYBRARY, INC. (CYBRARY) FROM THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE FUND (MEDAF) AND PRINCE GEORGE'S COUNTY (THE COUNTY) for the purpose of endorsing a loan not to exceed seven hundred and fifty thousand dollars (\$750,000) to Cybrary from the Maryland Department of Commerce MEDAF program, which, in conjunction with the conditional loan from the County's Economic Development Incentive Fund (EDI Fund) not to exceed two hundred and fifty thousand dollars (\$250,000), will be used for eligible project costs associated with supporting the retention and relocation of Cybrary to Riverdale, MD and capital expenditures.

Attachment(s): [R2020103](#)

[CR-103-2020 Exhibit A](#)

[CR-103-2020 Exhibit B](#)

The Council Chair (by request - County Executive); referral to C.O.W.

To be introduced by:

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

[Consent30-20](#) **MOTION TO ADOPT CONSENT AGENDA**

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

[LTR](#)
[10202020a](#)

Proposed joint letter Mr. Gregory I. Slater, Secretary, Maryland Department of Transportation, regarding 495/I-270 Managed Lanes Study Draft Environmental Impact Statement ("DEIS")

Attachment(s): [I-495 I-270 Managed Lanes Joint Letter \(Draft\)](#)

Council Chair Todd M. Turner; referral to C.O.W.

[LTR](#)
[10202020b](#)

Proposed joint signature letter to Mr. Gregory Slater, Secretary, Maryland Department of Transportation regarding 2021 Priority Projects List for the FY 2021-2026 State Consolidated Transportation Program (CTP).

Attachment(s): [2021-26 CTP Transportation Priority Projects Joint Letter \(Draft\)](#)
[2021-26 CTP Transportation Priority Projects List \(Draft\)](#)

The Council Chair (by request - County Executive); referral to C.O.W.

4. SECOND READING OF BILLS – (INTRODUCTION)

[CB-034-2020](#)

Draft: 2

AN ACT CONCERNING LANGUAGE ACCESS FOR PUBLIC SERVICES for the purpose of amending Language Access division of the County Code to define the Language Access Contact, adjust the language threshold, define enforcement and penalties, and expanding the agencies affected.

Sponsor(s): Taveras

Attachment(s): [B2020034](#)
[CB-034-2020 AIS](#)
[CB-034-2020 Report](#)

(Favorably reported out of C.O.W. on 10/15/2020 with amendments)

To be introduced by Council Member Taveras

Legislative History:

6/9/20	County Council	presented and referred to the Sitting as the Committee of the Whole
6/18/20	Sitting as the Committee of the Whole	Held in Committee
10/8/20	Sitting as the Committee of the Whole	Held in Committee
10/15/20	Sitting as the Committee of the Whole	Favorably recommended with amendments

[CB-053-2020](#)

Draft: 2

AN ACT CONCERNING LANDLORD-TENANT CODE AIR CONDITIONIN for the purpose of providing that the Landlord-Tenant Code require that any equipment provided by a landlord shall be properly installed, connected and maintained; providing that air conditioning equipment shall be able to generate temperatures at a certain level; exempting certain properties from the requirement; providing that a tenant may opt out of the requirement to receive air conditioning; providing for temporary exemption from the requirement under certain circumstances and generally relating to air conditioning equipment provided by the landlord.

Sponsor(s): Taveras, Glaros, Turner, Ivey, Streeter, Anderson-Walker, Davis, Franklin, Hawkins, Dernoga and Harrison

Attachment(s): [B2020053](#)
[CB-053-2020 AIS](#)
[CB-053-2020 Report](#)

AMENDMENT #1 TO CB-53-2020 (DR-2)

To be introduced by Council Members Taveras, Glaros, Turner, Ivey, Streeter, Anderson-Walker, Davis, Franklin, Hawkins, Dernoga and Harrison

Legislative History:

7/14/20	County Council	presented and referred to the Sitting as the Committee of the Whole
9/17/20	Sitting as the Committee of the Whole	Favorably recommended with amendments to the County Council
9/29/20	County Council	introduced
10/6/20	County Council	reconsidered
10/6/20	County Council	deferred

CB-055-2020

Draft: 2

AN ACT CONCERNING QUALIFIED DATA CENTERS - PERSONAL

PROPERTY TAX EXEMPTION for the purpose of establishing a personal property tax exemption on the personal property of a Qualified Data Center; defining certain terms; providing for certain amounts of personal property tax exemptions under certain conditions; requiring a certain notice; and generally relating to personal property tax exemptions on qualified data centers.

Attachment(s): [B2020055](#)

[CB-055-2020 Attachment 1](#)

[CB-055-2020 Attachment 2](#)

[CB-055-2020 AIS](#)

[CB-055-2020 Report](#)

(Favorably reported out of C.O.W. on 10/8/2020 with amendments)

To be introduced by:

Legislative History:

9/9/20	County Council	presented and referred to the Sitting as the Committee of the Whole
9/24/20	Sitting as the Committee of the Whole	Held in Committee
10/8/20	Sitting as the Committee of the Whole	Favorably recommended with amendments

[CB-056-2020](#)

Draft: 2

AN ACT CONCERNING THE BUILDING CODE OF PRINCE GEORGE'S

COUNTY for the purpose of updating the provisions of the Building Code of Prince George's County (the "County") to conform to the 2018 editions of the International Building Code, the International Mechanical Code, the International Energy Conservation Code and the International Residential Code for One- and Two-Family Dwellings.

Attachment(s): [B2020056](#)
[CB-056-2020 AIS](#)
[CB-056-2020 Report](#)

(Favorably reported out of C.O.W. on 10/15/2020 with amendments)

To be introduced by:

Legislative History:

9/9/20	County Council	presented and referred to the Sitting as the Committee of the Whole
9/24/20	Sitting as the Committee of the Whole	Held in Committee
10/15/20	Sitting as the Committee of the Whole	Favorably recommended with amendments

[CB-062-2020](#)

Draft: 1

AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION AND STORMWATER MANAGEMENT BONDS

for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Four Hundred Seventy-Three million, Nine Hundred Eighty-Four thousand dollars (\$473,984,000) in aggregate principal amount of general obligation and 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 improvement of certain capital projects and capital projects 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; or purchase of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2021, 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 the probable useful lives thereof; prescribing or providing for the procedures for the issuance and sale of such bonds 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; showing compliance with the power of the County to incur indebtedness; directing the application of the proceeds of such bonds and the proceeds of bonds previously issued by an act of the County; 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 the pledge of Clean Water Act Fees to the payment of the principal of and interest on such bonds related to clean water projects when due; authorizing and empowering the County to issue and sell an amount not to exceed Four Hundred Seventy-Three million, Nine Hundred Eighty-Four thousand dollars (\$473,984,000) . . .

Attachment(s): [B2020062](#)
[CB-062-2020 Attachment 1](#)
[CB-062-2020 AIS](#)
[CB-062-2020 Report](#)

(Favorably reported out of C.O.W. on 10/8/2020)

To be introduced by:

Legislative History:

9/15/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/8/20	Sitting as the Committee of the Whole	Favorably recommended

[CB-071-2020](#)

Draft: 2

AN ACT CONCERNING HEALTHY CHILDREN’S MEALS AND BEVERAGES for the purpose of providing legislative intent and findings; defining children’s meal at a food service facility; defining a food service facility; defining covered establishments; defining default beverages; defining independent food service facilities; establishing nutrition requirements for children’s meals; establishing default beverages for children’s meals; providing for certain qualifications, enforcement and penalties as it generally relates to healthy children’s meals and beverages.

Sponsor(s): Harrison, Glaros, Streeter, Taveras, Davis, Dernoga, Hawkins, Franklin and Anderson-Walker

Attachment(s): [B2020071](#)
[CB-071-2020 AIS](#)
[CB-071-2020 Report](#)

(Favorably reported out of C.O.W. on 10/15/2020 with amendments)

To be introduced by Council Members Harrison, Glaros, Streeter, Taveras, Davis, Dernoga, Hawkins, Franklin and Anderson-Walker

Legislative History:

9/22/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/15/20	Sitting as the Committee of the Whole	Favorably recommended with amendments

[CB-075-2020](#)

Draft: 1

AN ACT CONCERNING GROCERY STORE REAL PROPERTY TAX

CREDIT FOCUS AREA for the purpose of modifying the definition of a Grocery Store Focus Area and making Healthy Food Priority Areas eligible for the Grocery Store Real Property Tax Credit.

Sponsor(s): Franklin, Glaros, Harrison, Davis, Taveras, Ivey, Dernoga, Streeter, Hawkins, Turner and Anderson-Walker

Attachment(s): [B2020075](#)
[CB-075-2020 AIS](#)
[CB-075-2020 Report](#)

(Favorably reported out of C.O.W. on 10/8/2020)

To be introduced by Council Members Franklin, Glaros, Harrison, Davis, Taveras, Ivey, Dernoga, Streeter, Hawkins, Turner and Anderson-Walker

Legislative History:

9/22/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/8/20	Sitting as the Committee of the Whole	Favorably recommended

[CB-076-2020](#)

Draft: 1

AN ACT CONCERNING STORMWATER MANAGEMENT - WASTEWATER PROTECTION AND RESTORATION PROGRAM REVENUE OBLIGATIONS - MARYLAND WATER QUALITY FINANCING ADMINISTRATION LOANS for the purpose of authorizing and empowering Prince George’s County, Maryland (the “County”) to borrow money and incur indebtedness in an aggregate principal amount not exceeding One Hundred Million Dollars (\$100,000,000) (the “Loan”) under one or more loan agreements (each, a “Loan Agreement”) to be executed and delivered by the County and the Maryland Water Quality Financing Administration (“MWQFA”) to be evidenced and secured by one or more revenue notes or other obligations (each, a “Note”) in an aggregate principal amount equal to the amount of the Loan under the Loan Agreements and to borrow money and incur indebtedness in order to refund or refinance the Loan and the Notes and any other indebtedness authorized hereby in a maximum principal amount not to exceed one hundred fifty percent (150%) of the aggregate principal amount of the indebtedness refunded or refinanced (collectively, the “Obligations”), pursuant to the Maryland Water Quality Financing Administration Act, Sections 9-1601 to 9-1622, inclusive, of the Environment Article of the Annotated Code of Maryland, as amended, replaced or recodified from time to time (the “Water Quality Act”) and Section 10-203(b) of the Local Government Article of the Annotated Code of Maryland, as amended, replaced or recodified from time to time (collectively, the “Enabling Acts”), for the purpose of financing and refinancing in whole or in part costs of the design, planning, construction, equipping, installation, reconstruction, establishment, expansion, extension, enlargement, demolition, improvement and acquisition of certain capital improvement projects of the County’s Stormwater Management - Watershed Protection and Restoration Program set forth in the capital program and the capital budget of the County adopted by the County pursuant to Council Bill CB-32-2016, passed by the County Council on May 26, 2016, and approved by the County Executive of the County (the “County Executive”) on May 31, 2016, including describing the capital projects to be financed, refinanced and reimbursed in whole or in part from the proceeds of the Loan hereby authorized and the estimated costs thereof; approving the form and authorizing and providing for the execution of the Loan Agreements and the Notes; prescribing or providing for the form and tenor of the Notes and the terms and conditions for the issuance and sale thereof at private sale to MWQFA created pursuant to the Water Quality Act; directing the application of the proceeds of the Loan; providing that the Obligations and the interest and any premium on them shall be limited obligations of the County payable from and secured by certain amounts from time to time on deposit in the Local Watershed Protection and Restoration Fund established pursuant to Section 10-301 of the Prince George’s County Code, as amended, replaced or recodified from time to time, and shall never constitute an indebtedness or charge against the full faith and credit or taxing powers of the County within the meaning of any constitutional or charter provision or statutory limitation; authorizing the private

(negotiated) or public sale of the Obligations as determined by the County Executive to be in the best interest of the County and other details with respect to the sale of such Obligations; providing for the preparation and distribution of a preliminary official statement and a final official statement to be used in connection with the sale of the Obligations; covenanting or providing for the making of certain covenants on matters relating to the tax-exempt status of interest on the Obligations; providing for compliance with Securities and Exchange Commission Rule 15c2-12; providing for the authorization of and entry into interest rate exchange agreements or contracts in connection with or incidental to any of the obligations authorized by this Act; authorizing the County Executive to delegate to appropriate officials the power to make certain determinations and sign certain documents, certificates or agreements authorized to be made or signed by the County Executive herein; and otherwise generally determining or providing for the determination of certain matters in connection with the authorization, issuance, sale, delivery and payment of the Obligations and the consummation of the transactions contemplated by this Act.

Attachment(s): [B2020076](#)
[CB-076-2020 AIS](#)
[CB-076-2020 Report](#)

(Favorably reported out of C.O.W. on 10/8/2020)

To be introduced by:

Legislative History:

9/22/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/8/20	Sitting as the Committee of the Whole	Favorably recommended

[CB-077-2020](#)

Draft: 2

AN ACT CONCERNING PROMPT PAYMENT PROCUREMENT

STANDARD for the purpose of strengthening the prompt payment standards for the delivery of goods or services in public procurement with Prince George's County.

Sponsor(s): Franklin

Attachment(s): [B2020077](#)
[CB-077-2020 AIS](#)
[CB-077-2020 Report](#)

(Favorably reported out of C.O.W. on 10/15/2020 with amendments)

To be introduced by Council Member Franklin

Legislative History:

9/29/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/13/20	Sitting as the Committee of the Whole	Held in Committee
10/15/20	Sitting as the Committee of the Whole	Favorably recommended with amendments

[CB-081-2020](#)

Draft: 2

AN ACT CONCERNING PROPERTY STANDARDS ENFORCEMENT ON NONRESIDENTIAL PROPERTY IN PRINCE GEORGE'S COUNTY for the purpose of increasing the authority of the Administrative Hearing Unit of the Department of Permitting, Inspections, and Enforcement (DPIE) to enforce property standards and maintenance violations on nonresidential property in Prince George's County.

Sponsor(s): Franklin and Streeter

Attachment(s): [B2020081](#)
[CB-081-2020 AIS](#)
[CB-081-2020 Report](#)

(Favorably reported out of C.O.W. on 10/15/2020 with amendments)

To be introduced by Council Members Franklin and Streeter

Legislative History:

9/29/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/13/20	Sitting as the Committee of the Whole	Favorably recommended with amendments

[CB-082-2020](#)

Draft: 2

AN ACT CONCERNING PROPERTY TAX CREDIT for the purpose of authorizing the partial property tax credit for residential real property located in an area adversely impacted by the Brown Station Road Sanitary Landfill.

Sponsor(s): Davis

Attachment(s): [B2020082](#)
[CB-082-2020 AIS](#)
[CB-082-2020 Report](#)

(Favorably reported out of C.O.W. on 10/15/2020 with amendments)

To be introduced by Council Member Davis

Legislative History:

9/29/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/15/20	Sitting as the Committee of the Whole	Favorably recommended with amendments

[CB-086-2020](#)

Draft: 1

AN ACT CONCERNING SPECIAL FOOD SERVICE FACILITIES - FOOD HALLS for the purpose of establishing a business license for Special Food Service Facilities - Food Halls.

Sponsor(s): Ivey, Glaros, Streeter and Taveras

Attachment(s): [B2020086](#)
[CB-086-2020 AIS](#)
[CB-086-2020 Report](#)

(Favorably reported out of C.O.W. on 10/15/2020)

To be introduced by Council Members Ivey, Glaros, Streeter and Taveras

Legislative History:

10/6/20	County Council	rules suspended
10/6/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/15/20	Sitting as the Committee of the Whole	Favorably recommended

5. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)[CR-087-2020](#)

Draft: 1

A RESOLUTION CONCERNING THE 2018 WATER AND SEWER PLAN (JUNE 2020 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2018 Water and Sewer Plan.

Sponsor(s): Turner, Taveras, Davis, Hawkins and Harrison

Attachment(s): [R2020087](#)
[CR-087-2020 Attachments A & B](#)
[CR-087-2020 AIS](#)
[CR-087-2020 Report](#)

(Favorably reported out of C.O.W. on 10/15/2020)

To be introduced by:

Legislative History:

9/9/20	County Council	introduced and referred to the Sitting as the Committee of the Whole
10/13/20	County Council	public hearing held
10/15/20	Sitting as the Committee of the Whole	Favorably recommended

CR-100-2020

Draft: 2

A RESOLUTION CONCERNING CONTRACT APPROVALS for the purpose of approving a multi-year Memorandum of Understanding (MOU) to clearly allocate the County's and Prince George's County Public Schools' (PGCPS) roles, rights and responsibilities with respect to funding and oversight for the PGCPS Public-Private Partnership for the design, construction, financing and maintenance of County Public Schools (Project).

Sponsor(s): Turner, Streeter, Franklin, Hawkins, Harrison, Glaros, Davis and Taveras

Attachment(s): [R2020100](#)
[CR-100-2020 Attachment A](#)
[CR-100-2020 AIS](#)
[CR-100-2020 Report](#)

(Favorably reported out of C.O.W. on 10/15/2020 with amendments)

Legislative History:

10/6/20	County Council	introduced and referred
10/13/20	Sitting as the Committee of the Whole	Held in Committee
10/15/20	Sitting as the Committee of the Whole	amended (1)
10/15/20	Sitting as the Committee of the Whole	called for the previous question
10/15/20	Sitting as the Committee of the Whole	Favorably recommended with amendments

7. BRIEFINGS

[BR 10202020b](#) POLICE REFORM TASK FORCE / BODY-CAMERA STATUS

Hector Velez, Interim Chief of Police

Judge Maureen Lamasney
Police Reform Work Group Co-Chair

Delegate Alonzo Washington
Police Reform Work Group Co-Chair

[BR 10202020c](#) PRINCE GEORGE'S FORWARD TASK FORCE REPORT

Dr. Charlene Dukes
Former President of Prince George's Community College
Co-Chair of the Prince George's Forward Task Force

Mr. David Velazquez
President and CEO, Pepco Holdings
Co-Chair of the Prince George's Forward Task Force

ADJOURN

1:30 P.M. - COMMITTEE OF THE WHOLE - (VIRTUAL MEETING)

(SEE SEPARATE AGENDA)

REMINDERS
(ALL VIRTUAL MEETINGS)

Thurs., Oct. 22, 2020
10:00 a.m. - Committee of the Whole Worksession

Fri., Oct. 23, 2020
10:00 a.m. - Re-Entry Task Force

Mon., Oct. 26, 2020
10:00 a.m. - District Council Call to Order