

ACTION AGENDA

Wednesday, July 23, 2008

Business Meeting

(Legislative Day No. 23 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

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

10:24 A.M. CALL TO ORDER

INVOCATION: Reverend Willard Spurlock, Pastor, Oxon Hill Baptist Church,
Oxon Hill, Maryland

PLEDGE OF ALLEGIANCE

POINT OF PERSONAL PRIVILEGE

Mr. Dean welcomed Mr. Antwaun Colding, a summer intern with the Office of Law.

Designated

DESIGNATION OF JULY 23, 2008 AS LEGISLATIVE DAY NO. 23

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.

Approved

- (a) Approval of County Council Minutes dated June 3, June 10 and June 17, 2008.

- (b) **First Reading of Bills (Presentation)**

Presented

CB-53-2008 – AN ACT CONCERNING HISTORIC PRESERVATION for the purpose of modifying procedures for designation of unclassified historic resources.

Presented by Council Member Olson; referral to PZED

Presented

CB-54-2008 - AN ORDINANCE CONCERNING INFORMATIONAL MAILINGS AND CIVIC ASSOCIATION REGISTRATION for the purpose of making changes to informational mailing requirements for applications.

Presented by the Chairman (by request – Planning Board); referral to PZED

Presented

CB-55-2008 (SUBDIVISION BILL) - AN ACT CONCERNING INFORMATIONAL MAILINGS AND CIVIC ASSOCIATION REGISTRATION for the purpose of making changes to informational mailing requirements for applications.

Presented by the Chairman (by request – Planning Board); referral to PZED

Presented

CB-56-2008 - AN ORDINANCE CONCERNING PUBLIC HEARING SIGNS for the purpose of making changes to the design, content and posting requirements for public hearing signs.

Presented by the Chairman (by request – Planning Board); referral to PZED

- (c) **Introduction of Resolutions**

Introduced

CR-74-2008 - A RESOLUTION CONCERNING FY 2002 – 2011 TEN YEAR SOLID WASTE MANAGEMENT PLAN for the purpose of amending the Prince George’s County FY 2002 – 2011 Ten Year Solid Waste Management Plan by adding the Prince George’s County Western Branch Transfer Station located at 6550 SE Crain Highway, Upper Marlboro.

Introduced by Council Members Dean and Exum; referral to THE

PUBLIC HEARING SCHEDULED FOR 9/9/2008 AT 1:30 P.M.

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

-None-

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

-None-

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

*Amended;
DR-2 introduced*

CB-48-2008 – 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, 2009.

(Favorably reported out of PSFM on 7/14/2008)

Introduced by Council Member Dean

AMENDMENT #1 TO CB-48-2008

*Amended;
DR-3 introduced*

CB-32-2008 (DR-2) – AN ORDINANCE CONCERNING RESIDENTIAL ZONES for the purpose of defining a Conservation Subdivision, a Public Benefit Conservation Subdivision, permitting a Public Benefit Conservation Subdivision in the R-R Zone and establishing bulk regulations for this use.

(Favorably reported out of PZED on 6/18/2008 with amendments)

Introduced by Council Member Dernoga

AMENDMENT #1 TO CB-32-2008 (DR-2)

*Amended;
DR-3 introduced*

CB-33-2008 (DR-2) – AN ACT CONCERNING SUBDIVISIONS for the purpose of establishing requirements, procedures and standards for Public Benefit Conservation Subdivisions and amending certain provisions for conservation subdivisions.

(Favorably reported out of PZED on 6/18/2008 with amendments)

Introduced by Council Member Dernoga and Dean

AMENDMENT #1 TO CB-33-2008 (DR-2)

5. **PUBLIC HEARINGS:**

Public Hearing held

CR-57-2008 – A RESOLUTION CONCERNING WORLD ARTS FOCUS BUILDING A PERFORMANCE THEATER FY 08 for the purpose of amending the Prince George’s County “Annual Action Plan: FY 2006,” “Annual Action Plan: FY 2007,” and “Annual Action Plan: FY 2008” to allow the use of Community Development Block Grant (“CDBG”) funds to reimburse World Arts Focus, Inc. (“World Arts”) for pre-award costs associated with a project entitled, “World Arts Focus Building a Performance Theater FY 08.”

(Introduced by Council Member Campos on 6/10/2008)

Public Hearing held

CR-63-2008 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (APRIL 2008 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan.

(Introduced by Council Member Dean on 6/17/2008)

POINT OF PERSONAL PRIVILEGE

Council Member Exum recognized Mr. Stanley Brady and the Step Ahead Program members visiting the Council. The students aged in range from 4-16 years.

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

Public Hearing held; Amended; DR-2 enacted; reconsidered; New DR-2 substituted; Enacted

CB-49-2008 – AN ACT CONCERNING DAYS OF OPERATIONS OF FARMER’S AND FLEA MARKETS IN PRINCE GEORGE’S COUNTY for the purpose of repealing the use and occupancy permit limitation to weekend and holiday dates of operation of Farmer’s and Flea markets in Prince George’s County.

(Introduced by Council Members Olson and Campos on 7/1/2008 favorably reported out of HEHS on 7/17/2008)

AMENDMENT #1 TO CB-49-2008

Public Hearing held; Enacted

CB-14-2008 (DR-2) – AN ORDINANCE CONCERNING C-S-C ZONE for the purpose of permitting sign shops in the C-S-C Zone under certain circumstances.

(Introduced by Council Member Olson on 6/10/2008; favorably reported out of PZED on 5/27/2008 with amendments)

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

*Public Hearing
held;
Enacted*

CB-15-2008 (DR-2) – AN ORDINANCE CONCERNING I-3 ZONE for the purpose of modifying development regulations in the I-3 Zone under certain circumstances.

(Introduced by Council Members Dean and Harrison on 7/1/2008; favorably reported out of PZED on 6/18/2008 with amendments)

*Public Hearing
held;
Enacted*

CB-25-2008 (DR-2) (SUBDIVISION BILL) – AN ACT CONCERNING ADEQUATE PUBLIC FACILITIES AND ROADS for the purpose of amending the findings for adequacy of public facilities and roads improvements for development on property subject to a specific public facilities financing and implementation program.

(Introduced by Council Members Dean and Exum on 6/10/2008; favorably reported out of PZED on 6/4/2008 with amendments)

*Public Hearing
held;
Enacted*

CB-26-2008 – AN ORDINANCE CONCERNING COMPREHENSIVE DESIGN ZONES for the purpose of amending the applicable required findings of approval for Comprehensive Design Plans for certain properties that were placed in the Comprehensive Design Zone through a master plan or sector plan approved after October 1, 2006.

(Introduced by Council Members Dean, Exum and Bland on 6/10/2008; favorably reported out of PZED on 5/27/2008)

*Public Hearing
held;
Amended;
DR-3 enacted*

CB-29-2008 (DR-2) – AN ORDINANCE CONCERNING REGIONAL URBAN COMMUNITY for the purpose of defining the Regional Urban Community use; permitting the use in the M-X-T Zone; permitting the use in the R-M Zone; and making related amendments to the Zoning Ordinance.

(Introduced by Council Members Dean and Harrison on 7/1/2008; favorably reported out of PZED on 6/18/2008 with amendments)

AMENDMENT # 1 TO CB-29-2008 (DR-2)

*Public Hearing
held;
Enacted*

CB-11-2008 (DR-2) – AN ACT CONCERNING ENERGY CONSERVATION REAL PROPERTY TAX CREDIT for the purpose of establishing a tax credit for real property for residential homeowners who utilize solar or geothermal energy conservation devices.

(Introduced by Council Members Olson, Dernoga, Campos, Exum, Harrison, Dean and Turner on 7/1/2008; favorably reported out of PSFM on 6/16/2008 with amendments)

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

*Public Hearing
held;
Enacted*

CB-34-2008 – 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 \$9,155,000 to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Library Facilities including the acquisition of sites 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.

(Introduced by Council Member Dean on 7/1/2008; favorably reported out of PSFM on 6/16/2008)

*Public Hearing
held;
Enacted*

CB-35-2008 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 \$38,134,000 to finance the design, construction, reconstructions, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public Safety Facilities (including Fire Department 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.

(Introduced by Council Members, Dean, Olson, Exum, Bland, Harrison and Turner on 7/1/2008; favorably reported out of PSFM on 6/16/2008)

*Public Hearing
held;
Enacted*

CB-36-2008 – 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 \$112,596,000 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.

(Introduced by Council Members Dean, Bland, Harrison and Turner on 7/1/2008; favorably reported out of PSFM on 6/16/2008)

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

*Public Hearing
held;
Enacted*

CB-37-2008 – 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 \$153,224,000 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 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.

(Introduced by Council Members Dean, Bland, Harrison, Dernoga, Olson and Turner on 7/1/2008; favorably reported out of PSFM on 6/16/2008)

*Public Hearing
held;
Enacted*

CB-38-2008 – 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 \$48,731,000 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.

(Introduced by Council Members Dean, Bland, Harrison, Turner, Exum and Olson on 7/1/2008; favorably reported out of PSFM on 6/16/2008)

*Public Hearing
held;
Enacted*

CB-45-2008 (DR-2) – AN ACT CONCERNING CONTRACT APPROVALS for the purpose of approving Energy Savings and Lease Financing agreements for the purchase, installation and financing of certain energy efficient equipment that is guaranteed to reduce Prince George's County ("County") energy consumption and maintenance costs at County building sites.

(Introduced by Council Member Dean on 7/1/2008; favorably reported out of PSFM on 6/30/2008 with amendments)

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

*Public Hearing
held;
Enacted*

CB-46-2008 – AN ACT CONCERNING CONTRACT APPROVALS for the purpose of approving the lease of certain improvements by Prince George's County.

(Introduced by Council Member Dean on 7/1/2008; favorably reported out of PSFM on 6/30/2008)

*Public Hearing
held; amended;
DR-2 enacted*

CB-50-2008 - AN ACT CONCERNING AMENDMENT OF SECTION 317, CHARTER OF PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 317 of the Charter of Prince George's County to provide clarification as to the prescribed scheduling and notice periods for legislation by the Clerk of the Council.

(Introduced by Council Members Exum and Bland on 7/1/2008; favorably reported out of PSFM on 7/14/2008)

AMENDMENTS # 1 AND #2 TO CB-50-2008

*Public Hearing
held;
Enacted*

CB-51-2008 – AN ACT CONCERNING FISCAL YEAR 2008-2009 CURRENT EXPENSE BUDGET for the purpose of amending certain revenue estimates and certain appropriations in the Annual Budget and Appropriations Ordinance for Fiscal Year 2008-2009.

(Introduced by Council Member Dean on 7/1/2008; favorably reported out of PSFM on 7/14/2008)

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

Adopted

CR-64-2008 – A RESOLUTION CONCERNING FINANCIAL ASSISTANCE TO THE PRINCE GEORGE'S COUNTY ECONOMIC DEVELOPMENT CORPORATION ("EDC") FOR A FEASIBILITY STUDY OF AN INTERNATIONAL OFFICE AND WAREHOUSE INCUBATOR for the purpose of approving \$62,500 in grant funding from the Maryland Economic Development Assistance Fund ("MEDAF") to EDC to evaluate the feasibility of an international office and warehouse business incubator at Steeplechase 95 International Business Park.

(Introduced by Council Members Dean and Turner on 7/1/2008; favorably reported out of PSFM on 7/14/2008)

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (CONTINUED)

*Rules suspended;
Adopted*

CR-68-2008 – RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF NEW CARROLLTON for the purpose of approving the enactment of Ordinance No. 07-19 amending Chapter 66 of the Code of the City of New Carrollton concerning residential storage.

(Introduced by Council Member Olson on 7/15/2008)

MOTION REQUIRED TO SUSPEND THE RULES PRIOR TO ADOPTION

*Rules suspended;
Adopted*

CR-69-2008 – A RESOLUTION CONCERNING THE ENACTMENT OF A CERTAIN ORDINANCE OF THE CITY OF GLENARDEN for the purpose of approving the enactment of Ordinance O-11-2008 amending Chapter 149 of the Code of the City of Glenarden concerning residential parking.

(Introduced by Council Member Dean on 7/15/2008)

MOTION REQUIRED TO SUSPEND THE RULES PRIOR TO ADOPTION

8. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced;
DR-2
substituted;
Amended;
DR-3 adopted*

CR-67-2008 - A RESOLUTION CONCERNING THE LISTING OF LOCAL QUESTIONS OF THE 2008 BALLOT for the purpose of designating the order and form in which local questions shall be placed on the 2008 Ballot and matters related thereto.

(C.O.W. held on 7/21/2008; verbal report to be provided)

To be introduced by Council Member Dean

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

11:21 A.M.

RECESS

9. **COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM) –
COMMITTEE MEETING HELD**

*Favorable with
amendments*

**CR-57-2008 – A RESOLUTION CONCERNING WORLD ARTS FOCUS
BUILDING A PERFORMANCE THEATER FY 08** for the purpose of amending the Prince George’s County “Annual Action Plan: FY 2006,” “Annual Action Plan: FY 2007,” and “Annual Action Plan: FY 2008” to allow the use of Community Development Block Grant (“CDBG”) funds to reimburse World Arts Focus, Inc. (“World Arts”) for pre-award costs associated with a project entitled, “World Arts Focus Building a Performance Theater FY 08.”

AMENDMENT #1 TO CR-57-2008

*Favorable with
amendments*

**CR-63-2008 – A RESOLUTION CONCERNING THE 2001 WATER AND
SEWER PLAN (APRIL 2008 CYCLE OF AMENDMENTS)** for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan.

11:30 A.M.

RECONVENE

7. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) –
(CONTINUED FROM PAGE 8)**

*DR-2
substituted;
Adopted*

**CR-57-2008 (DR-2) – A RESOLUTION CONCERNING WORLD ARTS
FOCUS BUILDING A PERFORMANCE THEATER FY 08** for the purpose of amending the Prince George’s County “Annual Action Plan: FY 2006,” “Annual Action Plan: FY 2007,” and “Annual Action Plan: FY 2008” to allow the use of Community Development Block Grant (“CDBG”) funds to reimburse World Arts Focus, Inc. (“World Arts”) for pre-award costs associated with a project entitled, “World Arts Focus Building a Performance Theater FY 08.”

(Introduced by Council Member Campos on 6/10/2008; favorably reported out of C.O.W. on 7/23/2008 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

*DR-2
substituted;
Adopted*

**CR-63-2008 (DR-2) – A RESOLUTION CONCERNING THE 2001 WATER
AND SEWER PLAN (APRIL 2008 CYCLE OF AMENDMENTS)** for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan.

(Introduced by Council Member Dean on 6/17/2008; favorably reported out of C.O.W. on 7/23/2008 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

ADDITIONS TO THE AGENDA

Motion to convene into Executive Session made by Council Member Exum; seconded by Council Member Campos; motion carried 8-0. (Absent: Council Member Knotts)

EXECUTIVE SESSION – (FIRST FLOOR EXECUTIVE CONFERENCE ROOM) – EXECUTIVE SESSION HELD

- (a) Discussion to consider proposal for business to remain in the State in accordance with Maryland Annotated Code, State Government, Section 10-508 (a)(4).

8. **INTRODUCTION AND ADOPTION OF RESOLUTIONS – (page 9)**

*Introduced;
Rules suspended;
Adopted*

CR-75-2008 - A RESOLUTION CONCERNING PERSONNEL BOARD SUBPOENA for the purpose of issuing a subpoena pursuant to Section 1012 of the Charter for Prince George’s County Charter in response to a request initiated by the Personnel Board pursuant to Section 16-105 of the County Code.

Introduced by Council Member Dean

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

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

-None-

12:15 P.M.

ADJOURN

REMINDER

AUGUST RECESS

Mon.. Sept. 8, 2008	9:30 a.m.	District Council Agenda Briefing (Room 2027)
	10:00 a.m.	Call to Order(Council Hearing Room)
	1:30 p.m.	District Council continued
Tues. Sept. 9, 2008	1:00 p.m.	County Council Agenda Briefing (Room 2027)
	1:30 p.m.	Call to Order (Council Hearing Room)
	7:00 p.m.	Public Hearing – Branch Avenue Corridor Sector Plan and SMA