

AGENDA MINUTES

Tuesday, September 21, 2010

Legislative Day No. 25

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) - BRIEFING HELD

CALL TO ORDER: - *Chair Dernoga called to order at 10:23 A.M. with the following Council Members present:*

*Marilynn B. Bland
Will Campos (Absent)
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
Andrea C. Harrison
Tony Knotts
Eric C. Olson
Ingrid M. Turner*

Others Present:

*Robert J. Williams, Jr., Deputy Council Administrator
Carmen Jackson-Brown, Legislative Officer
Todd Turner, Legislative Officer
Karen Zvakos, Legislative Officer
Hawi Sanu, THE Committee Director
Jackie Brown, PZED Committee Director
Russell King, Office of Law
Marcus Jackson, County Council Liaison, Office of the County Executive*

INVOCATION: - *The Invocation was led by Reverend Clarence Parker, III, Associate Pastor, Sanctuary at Kingdom Square, Capitol Heights, Maryland. Council Member Bland requested special prayers for the family of Mary Murphy in the loss of her mother and for Dr. David Billings who is scheduled for surgery today.*

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

PRESENTATION TO COUNCIL MEMBERS AND COUNTY EXECUTIVE

- **PRESENTED**

NATIONAL WEATHER SERVICE – STORM READY COUNTY CERTIFICATION

Mr. Christopher Strong
Meteorologist/Forecaster, National Weather Service

Mr. Richard Muth
Executive Director, Maryland Emergency Management Agency

1. **CONSENT AGENDA – CR-89 ADDED (PG. 7) -- 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 dated June 1, 2010.

- **APPROVED**

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

CB-85-2010 – AN ACT CONCERNING ANIMAL CONTROL for the purpose of amending the definitions of farm animal and livestock and generally relating to animal control.

- **PRESENTED**

Council Bill 85 was presented by Council Member Dean and referred to the Committee of the Whole (COW) scheduled for 9/22/2010 @ 2:30 P.M.

CB-86-2010 - AN ACT CONCERNING AGRICULTURAL INDUSTRY for the purpose of amending and adding to the Right to Farm provision and generally regarding agriculture.

- **PRESENTED**

Council Bill 86 was presented by Council Member Dean and referred to the Committee of the Whole (COW) scheduled for 9/22/2010 @ 2:30 P.M.

CB-87-2010 - AN ACT CONCERNING AGRICULTURE for the purpose of amending the definition of agriculture and generally relating to agriculture.

- **PRESENTED**

Council Bill 87 was presented by Council Member Dean and referred to the Committee of the Whole (COW) scheduled for 9/22/2010 @ 2:30 P.M.

CB-88-2010 – AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION STORMWATER MANAGEMENT BONDS for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Thirty-Eight Million Nine Hundred Sixty Thousand Dollars (\$38,960,000) ...

- **PRESENTED**

Council Bill 88 was presented by Council Member Dernoga and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CB-89-2010 - AN ACT CONCERNING CONTRACT APPROVALS for the purpose of approving a multi-year Lease Financing Agreement for the lease/purchase of Snow Removal Equipment and Fire/EMS Ambulances.

- **PRESENTED**

Council Bill 89 was presented by Council Member Dernoga and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CB-90-2010 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Seventy-Six Million Fifty-Six Thousand (\$76,056,000) in aggregate principal amount of general obligation bonds with serial maturities, including mandatory sinking fund installments in lieu of serial maturities, for the purpose of providing funds for financing in whole or in part costs of the planning, construction, reconstruction, establishment, extension, enlargement, demolition, improvement or acquisition of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2011, 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 probable useful lives thereof; prescribing or providing for the procedures for the issuance and sale of such bonds at 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; 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 and empowering the County to issue and sell an amount not to exceed Seventy-Six Million Fifty-Six Thousand (\$76,056,000) in general obligation bond anticipation notes in anticipation of the issuance and sale of the bonds authorized hereby; providing for the issuance of such bond anticipation notes in the form of commercial paper or revolving loan notes; providing for the issuance of such bond anticipation notes and the bonds authorized hereby in the form of variable rate demand obligations; authorizing certain determinations to be made in connection with the sale of any such bond anticipation notes; authorizing the consolidation of such bond anticipation notes with other notes for purposes of such sale; pledging the full faith and credit and taxing power of the County to the payment of such bond anticipation notes and providing for the levy and collection of taxes necessary for the payment of

the principal of and interest on such bond anticipation notes when due and covenanting to issue the bonds in anticipation of which such notes are issued; authorizing and empowering the County to issue, sell and deliver build America bonds and empowering the County Executive to make an irrevocable election that such bonds be issued; authorizing and empowering the County to issue, sell and deliver general obligation refunding bonds for the purpose of refunding all or a part of the bonds authorized hereby in an aggregate principal amount not to exceed 150% of the outstanding principal amount of the bonds to be refunded thereby, the proceeds of such refunding bonds to be used for the public purpose of providing funds sufficient to pay principal of, redemption premium, if any, and interest on such refunded bonds at the respective maturity, redemption, and interest payment dates of such refunded bonds; prescribing or providing for the procedure for the issuance and sale of such refunding bonds; empowering the County Executive to determine the time and method for the sale of such refunding bonds and other details with respect to the sale of such refunding bonds; pledging the full faith and credit of the County to the payment of such refunding bonds and the interest on such refunding bonds, when due, and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such refunding bonds when due; showing compliance with the limitations on the power of the County to incur indebtedness; covenanting or providing for the making of certain covenants on matters relating to the tax-exempt status of interest on such bonds, bond anticipation notes and refunding bonds, as applicable; 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 issuance, sale and delivery of the general obligation bonds, bond anticipation notes and refunding bonds authorized by this Act.

- **PRESENTED**

Council Bill 90 was presented by Council Member Dernoga and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CB-91-2010 - AN ACT CONCERNING AGRICULTURE for the purpose of amending the definition of agriculture and generally relating to agriculture. - **PRESENTED**

Council Bill 91 was presented by Council Members Dean and Bland. Council Bill 91 was referred to the Committee of the Whole (COW) scheduled for 9/23/2010 @ 2:30 P.M.

CB-92-2010 - AN ORDINANCE CONCERNING AGRICULTURE, AGRITOURISM, EQUINE ACTIVITIES AND EQUINE FACILITY for the purpose of amending the definitions of agriculture and agritourism; adding definitions for equine activities and equine facility; and permitting these uses in certain residential zones and generally relating to these uses. - **PRESENTED**

Council Bill 92 was presented by Council Members Dean and Bland. Council Bill 92 was referred to the Committee of the Whole (COW) scheduled for 9/23/2010 @ 2:30 P.M.

(c) **Introduction of Resolutions**

CR-81-2010 – A RESOLUTION CONCERNING DEDICATION PLAQUES for the purpose of establishing the County's policy on dedication plaques placed on County facilities and buildings. - **INTRODUCED**

Council Resolution 81 establishes the County's policy on dedication plaques placed on County facilities and buildings. Council Resolution 81 was introduced by Council Members Turner, Dean and Harrison. Council Resolution 81 was referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-82-2010 – A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (APRIL 2010 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan. - **INTRODUCED**

Council Resolution 82 concerning the 2008 Water and Sewer Plan (April 2010 Amendment Cycle) to change the water and sewer category designations within the 2008 Water and Sewer Plan. Council Resolution 82 was introduced by Council Member Dernoga and referred to the Transportation, Housing and the Environment (THE) Committee.

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 26, 2010 @ 10:00 A.M.

CR-83-2010 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS GENERAL SCHEDULE EMPLOYEES - SALARY SCHEDULE G for the purpose of amending the Salary Plan of the County to reflect pay rates and other modified benefits for General Schedule employees. - **INTRODUCED**

Council Resolution 83 amends the Salary Plan for General Schedule Employees to be effective July 1, 2010. Council Resolution 83 was introduced by Council Member Dernoga and was referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-84-2010 – A RESOLUTION CONCERNING NEIGHBORHOOD BUSINESSWORKS PROGRAM for the purpose of supporting the financing of the Potomac Gourmet Pantry under the Neighborhood Business Works Program of the Maryland Department of Housing and Community Development. - **INTRODUCED**

Council Resolution 84 supports the financing of Potomac Gourmet Pantry under the Neighborhood Business Works Program. Council Resolution 84 was introduced by Council Member Harrison and referred to the Transportation, Housing and the Environment (THE) Committee.

CR-85-2010 – A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS

for the purpose of appropriating funding from grants in the amount of \$2,713,131 to the Police Department, Office of Homeland Security, Office of the Sheriff, Health Department and Department of Public Works and Transportation. - **INTRODUCED**

Council Resolution 85 concerns Supplementary Appropriations of Federal, State and other funds in the amount of \$2,713,131 and will support grant programs in the Police Department, Office of Homeland Security, Office of the Sheriff, Health Department and Department of Public Works and Transportation. Council Resolution 85 was introduced by Council Member Harrison and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-86-2010 - A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS

for the purpose of appropriating funding from grants in the amount of \$4,615,713 to the Department of Family Services, Health Department, Office of State's Attorney and the Fire/EMS Department. - **INTRODUCED**

Council Resolution 86 concerns Supplementary Appropriations of Federal, State and other funds in the amount of \$2,713,131 and will support grant programs in the Police Department, Office of Homeland Security, Office of the Sheriff, Health Department and Department of Public Works and Transportation. Council Resolution 86 was introduced by Council Members Turner and Harrison. Council Resolution 86 was referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-87-2010 - A RESOLUTION CONCERNING REVITALIZATION TAX CREDIT for the purpose of establishing that a multifamily unit development known as Jericho Senior Living, LLC located in census tract number 8035, qualifies for a revitalization/ redevelopment tax credit pursuant to Section 10-235.02 and Section 10-235.03 of the Prince George's County Code. - **INTRODUCED**

Council Resolution 87 establishes that a multifamily unit development known as Jericho Senior Living, LLC located in census tract number 8035, qualifies for a revitalization/ redevelopment tax credit pursuant to Section 10-235.02 and Section 10-235.03 of the Prince George's County Code. Council Resolution 87 was introduced by Council Members Harrison and Dean. Council Resolution 87 was referred to the Public Safety and Fiscal Management (PSFM).

Council Member Exum moved to accept additional items to the Agenda; seconded by Council Member Harrison. 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 -**

CR-70-2010 – 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 Solid Waste Management Plan by adding the Brandywine Recycling Center located at 14167, 14169 and 14175 Brandywine Road, Brandywine, Maryland.

- **PUBLIC HEARING HELD**

Pursuant to proper notice, the public hearing convened on Council Resolution 70. Mr. Charles Renninger spoke in support of Council Resolution 70. All persons wishing to speak having done so, the public hearing was declared held.

**TRANSPORTATION, HOUSING AND THE ENVIRONMENT (THE) COMMITTEE
SCHEDULED THURSDAY, SEPTEMBER 23, 2010 AT 10:00 A.M..**

5. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-88-2010 – A RESOLUTION CONCERNING THE COUNTY COUNCIL LEADERSHIP ACHIEVEMENT SCHOLARSHIP for the purpose of making certain clarifying amendments to the County Council Leadership Achievement Scholarship.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 88 makes certain clarifying amendments to the County Council Leadership Achievement Scholarship. Council Resolution 88 was introduced by Council Members Dernoga, Bland and Exum. Council Member Harrison moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 88; seconded by Council Member Dean. The motion carried by voice vote. Council Member Dean moved adoption of Council Resolution 88; seconded by Council Member Exum. The motion carried 8-1. (Absent: Council Member Campos).

6. **BRIEFING – (COUNCIL HEARING ROOM) – BRIEFING HELD**

● **REPORT OF EQUINE INDUSTRY TASK FORCE**

K. Teya Moore, Esquire, Task Force Chairman

Mr. Moore provided a brief overview of the efforts of the Equine Industry Task Force and gave a synopsis of the contents of the report. Council Members Knotts, Dean and Bland congratulated the members on their outstanding efforts.

7. **SECOND READING OF BILLS – (INTRODUCTION) -- CB-91-2010 AND CB-92-2010 MOVED TO CONSENT AGENDA FOR PRESENTATION AND REFERRAL TO C.O.W.**

ADDITIONS TO THE AGENDA

1. **CONSENT AGENDA – (pg 2)**

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.

- (c) **Introduction of Resolutions**

CR-89-2010 - A RESOLUTION CONCERNING FY 2002 – 2011 TEN YEAR SOLID WASTE MANAGEMENT PLAN for the purpose of amending the Prince George's County 2002 – 2011 Ten Year Solid Waste Management Plan by adding the Recycle One Center located at 4700 Lawrence Street, Hyattsville, Maryland. - **INTRODUCED**

Council Resolution 89 concerns FY 2002 – 2011 Ten Year Solid Waste Management Plan for the purpose of amending the Prince George's County FY 2002 – 2011 Solid Waste Management Plan by adding the Recycle One located at 4700 Lawrence Street, Hyattsville. Council Resolution 89 was introduced by Council Members Harrison and Exum. Council Resolution 89 was referred to the Transportation, Housing and the Environment (THE) Committee.

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 26, 2010 @ 10:00 A.M.

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

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

ADJOURN: - *Chair Dernoga adjourned the meeting at 11:34 A.M.*

**COMMITTEE OF THE WHOLE – (ROOM 2027) – COMMITTEE MEETING HELD
@ 11:58 A.M.**
- REFERRED FOR PREPARATION OF RESOLUTION APPROVING THE PLAN

**ADOPTED CENTRAL ANNAPOLIS ROAD SECTOR PLAN AND
ENDORSED SECTIONAL MAP AMENDMENT**

DIGEST OF TESTIMONY

Bill Washburn, Project Manager, M-NCPPC Community Planning North Division

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council