

ACTION AGENDA

Tuesday, October 9, 2012

Business Meeting

(Legislative Day No. 27 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

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

9:45 A.M. PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)

Presented Joint Proclamation **presented to Donna Crocker, Executive Director, Human Services Coalition, recognizing the week of October 8-12, 2012 as “Prince George’s County Nonprofit Awareness Week” in Prince George’s County.** (Council Member Derrick Leon Davis, Council Chair Andrea C. Harrison, County Executive Rushern L. Baker, III representative Kerry Watson and Council Members Ingrid M. Turner, Mel Franklin, Eric C. Olson, Mary A. Lehman, Karen R. Toles, Obie Patterson and Will A. Campos)

Presented Proclamation **presented to Augustus “Gus” Banks for being inducted into the “D.C. Sunday Softball League Hall of Fame”.** (Council Member Karen R. Toles, Council Chair Andrea C. Harrison and Council Members Will A. Campos, Derrick L. Davis, Mel Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson and Ingrid M. Turner)

Presented Proclamation **presented to Dr. Regina Hampton, MD, FACS recognizing the month of October 2012 as “Breast Cancer Awareness Month” in Prince George’s County.** (Council Member Ingrid M. Turner, and Council Chair Andrea C. Harrison and Council Members Will A. Campos, Derrick L. Davis, Mel Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson and Karen R. Toles)

Presented Proclamation **presented to Mr. Lorenzo Wooten, recognizing the “Betty T. Wooten Foundation for Breast Cancer” in Prince George’s County.** (Council Member Ingrid M. Turner, and Council Chair Andrea C. Harrison and Council Members Will A. Campos, Derrick L. Davis, Mel Franklin, Mary A. Lehman, Eric C. Olson, Obie Patterson and Karen R. Toles)

10:45 A.M. CALL TO ORDER

INVOCATION: Reverend Samuel E. Hayward III, Senior Pastor, Hemingway A.M.E. Church, District Heights, Maryland

PLEDGE OF ALLEGIANCE

Designated

DESIGNATION OF OCTOBER 9, 2012 AS LEGISLATIVE DAY NO. 27

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) **Introduction of Resolutions**

Introduced

CR-72-2012 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY LEGACY PROGRAM for the purpose of approving the application by Housing Initiative Partnership, Inc. (“HIP”), a Maryland nonprofit, to the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Fund.

The Chair (by request – County Executive); referral to THE

Introduced by Council Members Harrison, Campos, Davis, Franklin, Olson, Patterson and Turner

Introduced

CR-73-2012 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM for the purpose of approving the project submitted by CASA de Maryland, Inc., to the Maryland Department of Housing and Community Development for participation in the Department’s Investment Tax Credit Program.

The Chair (by request – County Executive); referral to THE

Introduced by Council Members Campos, Davis, Franklin, Lehman, Olson and Patterson

CONSENT AGENDA – (CONTINUED)

Introduced

CR-74-2012 – A RESOLUTION CONCERNING LOANS TO NASH FINCH COMPANY (“NASH FINCH”) FROM THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE AUTHORITY AND FUND (“MEDAAF”) AND PRINCE GEORGE’S COUNTY, MARYLAND (THE “COUNTY”) for the purpose of endorsing a loan not to exceed \$200,000 to Nash Finch from the Maryland Department of business and Economic Development and MEDAAF and authorizing a conditional loan by the County to Nash Finch not to exceed \$200,000 for eligible project costs associated with leasing a facility in the County and capital expenditures.

The Chair (by request – County Executive); referral to PSM

Introduced by Council Members Harrison, Davis and Franklin

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-4 introduced*

CB-3-2012 (DR-3) - AN ORDINANCE CONCERNING INTERIM LAND USE CONTROLS FOR MILITARY INSTALLATION CONFORMANCE for the purpose of developing new development standards and procedures, including the establishment and imposition of temporary zoning requirements for development of properties in the vicinity of Joint Base Andrews for an established limited period of time. This Ordinance creates requirements for granting permits for development, provides for definitions, and establishes a limited validity period for building permits, creating interim requirements for development in all zones.

(Favorably reported out of PZED on 10/3/2012 with amendments)

Introduced by Council Members Harrison, Davis and Franklin

PUBLIC HEARING SCHEDULED TUESDAY, NOVEMBER 20, 2012 AT 10:00 A.M.

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)

*Amended;
DR-4 introduced*

CB-4-2012 (DR-3) (SUBDIVISION BILL) - AN ACT CONCERNING INTERIM LAND USE CONTROLS FOR MILITARY INSTALLATION

CONFORMANCE for the purpose of developing new development standards and procedures, including the establishment and imposition of temporary subdivision requirements for development of properties in the vicinity of Joint Base Andrews for an established limited period of time. This Ordinance amends the Subdivision Regulations to permit the Planning Board to attach conditions to preliminary plans and final plats filed in the ILUC Area and establishes restrictions on preliminary plans in portions of the ILUC Area.

(Favorably reported out of PZED on 10/3/2012 with amendments)

Introduced by Council Members Harrison, Davis, Franklin and Patterson

PUBLIC HEARING SCHEDULED TUESDAY, NOVEMBER 20, 2012 at 10:00 A.M.

Introduced

CB-39-2012 (DR-2) – AN ACT CONCERNING TOWING REGULATIONS for the purpose of amending provisions of the County Code relating to towing regulations and procedures for providing notice of vehicle impoundment from private property.

(Favorably reported out of THE on 9/27/2012 with amendments)

Introduced by Council Members Harrison, Davis, Franklin, Lehman and Patterson

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 30, 2012 AT 1:30 P.M.

Deferred

CB-99-2012 - AN ORDINANCE CONCERNING FOOD OR BEVERAGE STORE for the purpose of amending the regulations for certain food or beverage stores in the C-M Zone.

To be introduced by Council Member Patterson; referral to PZED

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)*Introduced*

CB-100-2012 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2013 CAPITAL BUDGET Supplementary Appropriations in the Approved Fiscal Year 2013 Capital Budget for the purpose of providing supplementary appropriations to the Fire Station Roof Renovations, Curb and Road Rehabilitation 2, Traffic Congestion Improvements 2, and Street Tree Removal and Replacement capital projects; decreasing appropriations to the Contingency Appropriation Fund and the Oxon Hill Fire/EMS Station #821; and amending the Approved Fiscal Year 2013-2018 Capital Improvement Program with regard to expenditures and financing beyond the budget year.

The Chair (by request – County Executive); referral to PSFM

Introduced by Council Member Davis and Patterson

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 30, 2012 AT 1:30 P.M.

Introduced

CB-101-2012 - 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 One Hundred Ninety-One Million Eight Hundred Sixteen Thousand (\$191,816,000) 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, 2013, 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; authorizing the County 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 One Hundred Ninety-One Million Eight Hundred Sixteen Thousand (\$191,816,000) . . .

The Chair (by request – County Executive); referral to PSFM

Introduced by Council Member Harrison

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 30, 2012 AT 1:30 P.M.

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)*Introduced*

CB-102-2012 - 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 Fifty-Seven Million Two Hundred Ninety-Nine Thousand Dollars (\$57,299,000) in aggregate principal amount of general obligation 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 purchase of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2013, 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; prescribing or providing for the procedures for the issuance and sale of such bonds, including at private (negotiated) sale or public sale; authorizing the County 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; directing the application of the proceeds of such bonds; 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 Fifty-Seven Million Two Hundred Ninety-Nine Thousand Dollars (\$57,299,000) . . .

The Chair (by request – County Executive); referral to PSFM

Introduced by Council Member Harrison

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 30, 2012 AT 1:30 P.M.

Introduced

CB-103-2012 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2013 Budget.

The Chair (by request – County Executive); referral to PSFM

Introduced by Council Member Harrison

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 30, 2012 AT 1:30 P.M.

5. **BILLS ELIGIBLE FOR FINAL READING**

Approved

CB-69-2012 – (EXECUTIVE ORDER NO. 20-2012) REORGANIZATIONAL PROPOSAL relating to the Department of Permitting, Inspections, and Enforcement.

(Favorably reported out of C.O.W. on 10/2/2012)

On August 14, 2012, the County Executive transmitted Executive Order No. 20-2012 relating to the Department of Permitting, Inspections, and Enforcement. Pursuant to Charter 503, this proposal will become effective on October 13, 2012 unless disapproved by a majority vote of the full Council prior to that date.

6. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

Introduced; rules suspended; adopted

CR-75-2012 – A RESOLUTION CONCERNING ECONOMIC DEVELOPMENT WEEK for the purpose of expressing Prince George’s County’s support for declaring the week of October 15-19, 2012 as Economic Development Week in Prince George’s County.

The Chair (by request – County Executive)

Introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Olson, Patterson, Toles and Turner

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

11:15 A.M.

BRIEFING – (COUNCIL HEARING ROOM) -- BRIEFING HELD

Gary McGuigan, Representative
Maryland Stadium Authority

11:21 A.M.

BRIEFING – (COUNCIL HEARING ROOM) -- BRIEFING HELD

SUSTAINABLE GROWTH ACT - MAP AND SUBDIVISION BILL

Derick Berlage, Chief of Countywide Planning Division

Motion was made to amend the subdivision bill document prepared by M-NCPPC Staff by Council Member Turner; seconded by Council Member Olson; motion carried 9-0.

7. **SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)**

Introduced

CB-104-2012 (SUBDIVISION BILL) – AN ACT CONCERNING SUSTAINABLE GROWTH TIER for the purpose of incorporating Section 9-206 of the Environment Article of the Annotated Code of Maryland and making changes to the subdivision regulations.

The Chair (by request – Planning Board); referral to PZED

Introduced by Council Member Franklin

PUBLIC HEARING SCHEDULED TUESDAY, NOVEMBER 20, 2012 AT 10:00 A.M.

ADDITION TO THE AGENDA – (PAGE 3)

*Amended;
DR-2 introduced*

CB-76-2012 - AN ORDINANCE CONCERNING INDUSTRIAL ZONES – TRANSFER STATIONS for the purpose of providing for a transfer station as a permitted use in the I-2 Zone under certain circumstances.

(Favorably reported out of PZED on 10/3/2012)

Introduced by Council Members Harrison, Davis, Franklin, Toles and Turner

PUBLIC HEARING SCHEDULED TUESDAY, NOVEMBER 20, 2012 AT 10:00 A.M.

*A motion was made by Council Member Davis; seconded by Council Member Olson to convene into Executive in accordance with Sections 10-508(a)(1)(i)(ii) and Sections 10-508(A) (7, 8) State Government, Annotated Code of Maryland.
Motion carried 9-0.*

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Ms. Mary L. Duncan – Baber Village and Central Garden Apartments

Ms. Duncan addressed the Council regarding the actions of the Maryland Department of Housing and Urban Development (HUD) related to family owned property. A Package of documents was provided.

12:39 P.M.

ADJOURN

1:30 P.M.

TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE MEETING – (ROOM 2027) -- COMMITTEE MEETING HELD

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

- (a) Discussion of personnel matters in accordance with Section 10-508(a)(1)(i)(ii), to consult with counsel to obtain legal advice and to consult with staff, consultants, or other individuals about pending or potential litigation in accordance with Section 10-508(a)(7, 8), State Government, Annotated Code of Maryland.

Topic Discussed

- 1. Appointment to Art in Public Places Panel
- 2. Redevelopment Authority appointments
- 3. Accokeek, Mattawoman, Piscataway Creeks Communities Council v. District Council, CAL 09-31402, CAL09-32017

REMINDERS

Wed., Oct. 10, 2012	1:30 p.m.	PZED Committee Meeting (Room 2027)
Thurs., Oct. 11, 2012	10:00 a.m.	THE Committee Meeting (Room 2027)
Mon., Oct 15, 2012	9:30 a.m.	District Council Agenda Briefing (Room 2027)
	10:00 a.m.	Call to Order (Council Hearing Room)
Tues., Oct. 16, 2012	1:00 p.m.	County Council Agenda Briefing (Room 2027)
	1:30 p.m.	Call to Order (Council Hearing Room)
		LAST DAY FOR INTRODUCTION OF NON-EXPEDITED ZONING BILLS