

AGENDA MINUTES

Tuesday, June 20, 2006

Legislative Day No. 19

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

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

COMMITTEE OF THE WHOLE – (ROOM 2027) - - *HELD*

CALL TO ORDER: - - *Chairman Dernoga called to order at 11:03 a.m. with the following Council Members present:*

*Marilynn M. Bland
Will Campos
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
Tony Knotts
David C. Harrington
Thomas R. Hendershot
Douglas J. J. Peters*

Others Present:

*Craig S. Price, Council Administrator
Robert Williams Jr., Deputy Council Administrator
Ralph Grutzmacher, Legislative Officer
Adrian J. Howell, County Council Liaison, Office of the County Executive
Margaret Addis, Associate County Attorney
Kathy Canning, Associate County Attorney
Frank Porter, Committee Director (PSFM)
Hawi Sanu, Acting Committee Director (THE)
Sandra Eubanks, Committee Director (HEHS)
Jackie Brown, Committee Director (PZED)*

INVOCATION: - - *The Invocation was led by Edwin H. Brown, Jr., County Employee. Council Member Harrington requested special prayers for the Walton Family in the loss of their Grandmother Donna Marie Walton. Council Member Exum for the Mathis Family in the loss of their Mother.*

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

Council Member Exum moved to accept additional items to the Agenda; seconded by Council Member Dean. The motion carried by voice vote.

CONSENT AGENDA -- CB-62- & 63-2006 AND CR-58 & 59-2006 ADDED (SEE PAGE 16); 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-46-2006 (SUBDIVISION BILL) – AN ACT CONCERNING ELEEMOSYNARY OR PHILANTHROPIC INSTITUTIONS IN THE O-S ZONE for the purpose of exempting existing Eleemosynary or Philanthropic Institutions in the O-S Zone from the requirement of filing a subdivision plat under certain circumstances. - **PRESENTED**

Council Bill 46 was presented by Council Member Bland and referred to Planning, Zoning and Economic Development (PZED) Committee.

CB-47-2006 - AN ACT CONCERNING PURCHASE OF DEVELOPMENT RIGHTS for the purpose of establishing a Purchase of Development Rights Program in Prince George's County to permit the acquisition of conservation easements. - **PRESENTED**

Council Bill 47 was presented by Council Members Dernoga, Bland, Dean, Harrington, Peters and Exum. Council Bill 47 was referred to the Committee of the Whole.

CB-48-2006 – AN ORDINANCE CONCERNING DEVELOPMENT DISTRICT OVERLAY ZONE STANDARDS for the purpose of imposing specific Development District Standards on Development District Overlay Zone property with industrial uses adjacent to property with residential or residential-mixed uses, and on DDOZ property in the I-1 Zone, where potential truck routes run by residential or residential-mixed properties. - **PRESENTED**

Council Bill 48 was presented by Council Member Peters and referred to Planning, Zoning and Economic Development (PZED) Committee.

CB-54-2006 - AN ACT CONCERNING THE 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, 2007. - **PRESENTED**

Council Bill 54 was presented by the Chairman at the request of the County Executive and referred to the Committee of the Whole.

Introduction of Resolutions

CR-52-2006 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, SHERIFF OFFICIALS, SALARY SCHEDULE S-O for the purpose of amending the Salary Plan of the County to reflect wage and benefit modifications of Sheriff Officials.

- **INTRODUCED**

Council Resolution 52 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Resolution 52 amends the Salary Plan for Sheriff Officials, Salary Schedule S-O to reflect wage and benefit modifications effective July 1, 2005 through June 30, 2007. Council Resolution 52 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington Campos and Bland.

CR-53-2006 - A RESOLUTION CONCERNING THE SCHOOL FACILITIES SURCHARGE for the purpose of adjusting the school facilities surcharge for inflation for Fiscal Year 2007, beginning July 1, 2006, as required by State law. - **INTRODUCED**

Council Resolution 53 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Resolution 53 adjusts the school facilities surcharge for inflation for Fiscal Year 2007, beginning July 1, 2006, as required by State Law. Council Resolution 53 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CR-54-2006 - A RESOLUTION CONCERNING THE PUBLIC SAFETY SURCHARGE for the purpose of adjusting the public safety surcharge for inflation for Fiscal Year 2007, beginning July 1, 2006, as required by State law. - **INTRODUCED**

Council Resolution 54 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Resolution 54 adjusts the public safety surcharge for inflation for Fiscal Year 2007, beginning July 1, 2006, as required by State Law. Council Resolution 54 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CR-55-2006 – A RESOLUTION CONCERNING THE 2005 PROPOSED WATER AND SEWER PLAN for the purpose of adopting the 2005 Water and Sewer Plan and the 2005 Water and Sewer Category Maps, and approving the fee schedule for administering Water and Sewer Plan amendments, and the purchase of maps and related materials. - **INTRODUCED**

Council Resolution 55 was introduced at the request of the County Executive and referred to the Transportation, Housing and the Environment (THE) Committee. Council Resolution 55 adopts the 2005 Water and Sewer Plan and the 2005 Water and Sewer Category Maps, and approving the fee schedule for administering Water and Sewer Plan amendments, and the purchase of maps and related materials. Council Resolution 55 was introduced by Council Member Dernoga.

This Resolution requires a Public Hearing

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

Proposed letter to Samuel J. Parker, Jr., Chairman, Prince George's County Planning Board, acknowledging that there are no public facility inconsistencies in the draft Preliminary Sector Plan for Westphalia. - **CHAIRMAN AUTHORIZED TO SIGN**

Jackie Brown, Committee Director, of Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. A letter was proposed to be sent to Mr. Samuel J. Parker, Jr., Chairman, Prince George's County Planning Board, acknowledging that there are no public facility inconsistencies in the draft Preliminary Sector Plan for Westphalia. Council Member Dean moved to authorize the Chairman's signature; seconded by Council Member Harrington. The motion carried 9-0.

Proposed letter to Samuel J. Parker, Jr., Chairman, Prince George's County Planning Board, granting request for a six-month extension of the timeframe for preparing the Preliminary Bladensburg Town Center Sector Plan and Proposed Sectional Map Amendment.

- **CHAIRMAN AUTHORIZED TO SIGN**

A letter was proposed to be sent to Mr. Samuel J. Parker, Jr., Chairman, Prince George's County Planning Board, granting a request for a six-month extension of the timeframe for preparing the Preliminary Bladensburg Town Center Sector Plan and Proposed Sectional Map Amendment. Council Member Harrington moved to authorize the Chairman's signature; seconded by Council Member Dean. The motion carried 9-0.

SECOND READING OF BILLS – (INTRODUCTION) -- (CB-64-2006 ADDED) (SEE PAGE 17)

CB-47-2006 - AN ACT CONCERNING PURCHASE OF DEVELOPMENT RIGHTS for the purpose of establishing a Purchase of Development Rights Program in Prince George's County to permit the acquisition of conservation easements. - **CONVENED AS C.O.W;**
FAVORABLE WITH AMENDMENTS RECOMMENDATION; DR-2 INTRODUCED

Council Member Dean moved to convene as the Committee of the Whole; seconded by Council Member Harrington. The motion carried by voice vote. Margaret Addis, Office of Law, provided orientation on the contents of Council Bill 47. Council Member Dean moved favorable recommendations with amendments; seconded by Council Member Harrington. The motion carried 7-0. (Absent: Council Members Exum and Knotts.) Council Bill 47(DR-2) was introduced by Council Members Dernoga, Bland, Dean, Harrington, Exum and Peters.

CB-21-2006 (DR-2) - AN ORDINANCE CONCERNING INDUSTRIAL ZONES for the purpose of defining a MARC Planned Community and permitting this use in the I-1, I-2 and I-3 Zones, in accordance with certain requirements. - **INTRODUCED; EXPEDITED**

Jackie Brown, Committee Director, of Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 21(DR-2) was introduced by Council Member Dernoga and was favorably reported out of PZED on 06/08/2006 with amendments. The Clerk was directed to expedite scheduling of Council Bill 21(DR-2).

CB-23-2006 - AN ORDINANCE CONCERNING CONVEYANCES OF LAND BY THE STATE OF MARYLAND for the purpose of restating and clarifying the process for reclassifying property conveyed by the State for the University of Maryland as previously enacted by CB-31-2005 and CB-50-2005. - **INTRODUCED; EXPEDITED**

Jackie Brown, Committee Director, of Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 23 was introduced by Council Members Knotts, Dernoga and Hendershot and was favorably reported out of PZED on 06/08/2006. The Clerk was directed to expedite scheduling of Council Bill 23.

CB-36-2006 (DR-2) – AN ORDINANCE CONCERNING DETAILED SITE PLANS AND PROPERTY ADJACENT TO A HISTORIC DISTRICT for the purpose of requiring approval of a Detailed Site Plan for development of property adjacent to a Historic District and making stylistic changes concerning Detailed Site Plans. - **INTRODUCED; EXPEDITED**

Jackie Brown, Committee Director, of Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 36(DR-2) was introduced by Council Members Knotts, Dean and Dernoga. Council Bill 36(DR-2) was favorably reported out of PZED on 06/15/2006 with amendments. The Clerk was directed to expedite scheduling of Council Bill 36(DR-2).

CB-37-2006 (DR-2) – AN ORDINANCE CONCERNING R-T ZONE for the purpose of allowing rezoning to R-T Zone, under certain circumstances, and to make changes to the R-T Zone regulations. - **INTRODUCED; EXPEDITED**

Jackie Brown, Committee Director, of Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 37(DR-2) was introduced by Council Members Knotts, Peters and Dean. Council Bill 37(DR-2) was reported out of PZED on 06/15/2006 with no recommendations with amendments. The Clerk was directed to expedite scheduling of Council Bill 37(DR-2).

CB-14-2006 (DR-2) – AN ACT CONCERNING THE AUTHORIZATION, ISSUANCE AND DELIVERY OF SPECIAL OBLIGATION BONDS for the purpose of providing that special obligation bonds may be issued under the provisions of this Act, in an amount equal to the aggregate principal amount of Fifty Million Dollars (\$50,000,000) for the County to finance or reimburse additional costs of the convention center; making certain findings and determinations, among others, concerning the public benefit and purpose of such special obligation bonds; providing that such special obligation bonds authorized to be issued hereby shall be payable, on a subordinate basis with respect to the special obligations bonds previously issued by the County as more specifically provided for in this Act, from the amounts levied and deposited in the Tax Increment Fund including the Hotel Tax and from the Special Hotel Rental Tax and that the special obligation bonds shall not constitute a general obligation debt of the County or a pledge of the County's full faith and credit for taxing power other than the County's pledge, on a subordinate basis, of the taxes representing the levy on the Tax Increment, the Hotel Tax and the Special Hotel Rental Tax; authorizing the County Executive to take certain actions, to execute documents and make certain commitments on behalf of the County in connection with the issuance and delivery of such special obligation bonds; authorizing the execution and delivery of such special obligation bonds and such other documents as may be necessary and desirable to effectuate the financing or reimbursement of a portion of the costs of the convention center and the issuance and delivery of such special obligation bonds; and generally providing for, and determining various matters in connection with, the issuance, delivery and payment of such special obligation bonds. - **DR-3 SUBSTITUTED; INTRODUCED**

Council Members Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Robert Williams, Jr., Deputy Council Administrator, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Council Bill 14(DR-2) was favorably reported out of PSFM on 6/14/2006 with amendments and considered in Committee of the Whole earlier today. Council Member Dean moved to substitute Draft 3 in lieu of Draft 2; seconded by Council Member Exum. The motion carried by voice vote. Council Bill 14(DR-3) was introduced by Council Members Peters, Knotts and Dean.

CB-24-2006 (DR-2) – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of appropriating to the General Fund revenue in excess of budget estimates to provide funds for costs that were not anticipated in the Approved Fiscal Year 2005-2006 Budget. (\$78,769,400) - **AMENDED; DR-3 INTRODUCED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 24 (DR-2) was favorably reported out of PSFM on 6/14/2006 with amendments. Council Member Exum moved to introduce Council Bill 24 (DR-2) as amended; seconded by Council Member Dean. The motion carried by voice vote. Council Bill 24(DR-3) was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-26-2006 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATION IN THE APPROVED FISCAL YEAR 2006 CAPITAL BUDGET for the purpose of providing a supplementary appropriation to the County Revitalization and Restoration capital project in the amount of \$750,000 and a supplementary appropriation to the African-American Museum capital project in the amount of \$1,000,000. - **INTRODUCED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 26 was favorably reported out of PSFM on 6/14/2006. Council Bill 26 was introduced by Council Members Peters, Knotts, Dean, Exum, Harrington Campos and Bland.

CB-32-2006 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of appropriating to the General Fund revenue in excess of budget estimates to provide funds for costs that were not anticipated in the Approved Fiscal Year 2005-2006 Budget. (\$30,125,000) - **INTRODUCED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 32 was favorably reported out of PSFM on 6/14/2006. Council Bill 32 was introduced by Council Members Peters, Dean, Exum, Harrington and Bland.

CB-33-2006 – AN ACT CONCERNING AN INTER PROJECT TRANSFER OF APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2006 CAPITAL BUDGET for the purpose of transferring appropriations between capital projects in the amount of \$2,220,000 from the Contingency Fund to the following capital projects: Brown Station Road Landfill for \$1,820,000 and County Buildings Major Renovations for \$400,000. - **INTRODUCED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 33 was favorably reported out of PSFM on 6/14/2006. Council Bill 33 was introduced by Council Members Peters, Knotts and Dean.

CB-38-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE'S COUNTY for the purpose of adding certain classes of work to the International Association of Fire Fighters, Local 1619, AFL-CIO (Civilians) Salary Schedule "H" in accordance with Public Employee Relations Board (PERB) Representation Petition/Amendment #16 39 00280 90S. - **INTRODUCED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 38 was favorably reported out of PSFM on 6/14/2006. Council Bill 38 was introduced by Council Members Knotts, Dean, Exum, Harrington, Bland and Peters.

CB-39-2006 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1619, AFL-CIO (CIVILIANS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the International Association of Fire Fighters, Local 1619, AFL-CIO (Civilians) to provide for wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. - **INTRODUCED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 39 was favorably reported out of PSFM on 6/14/2006. Council Bill 39 was introduced by Council Members Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-43-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of adding certain classes of work to the Deputy Sheriff’s Association of Prince George’s County, Inc. (DSA) (Civilian Units) Salary Schedule “Z”.

- **INTRODUCED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 43 was favorably reported out of PSFM on 6/14/2006. Council Bill 43 was introduced by Council Members, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-44-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of eliminating and adding certain classes of work and establishing a new Y Salary Schedule to the bargaining unit represented by the International Association of Fire Fighters, AFL-CIO, Local 1619. - **INTRODUCED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 44 was favorably reported out of PSFM on 6/14/2006. Council Bill 44 was introduced by Council Members, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-45-2006 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO, LOCAL 1619 (FIRE FIGHTERS, PARAMEDICS, AND EMERGENCY RESPONSE TECHNICIANS) for the purpose of amending the labor agreement by and between Prince George’s County, Maryland and the International Association of Fire Fighters, AFL-CIO, Local 1619 (Fire Fighters, Paramedics, and Emergency Response Technicians) to provide for wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George’s County Public Employee Relations Board. - **INTRODUCED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 45 was favorably reported out of PSFM on 6/14/2006. Council Bill 45 was introduced by Council Members Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-49-2006 – 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 Sixty-two Million Three Hundred Seventy-seven Thousand Dollars (\$62,327,000) 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 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**

Council Bill 49 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Bill 49 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-50-2006 – 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 Eleven Million Two Hundred Eighty-eight Million Dollars (\$11,288,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Library Facilities including the acquisition of sites 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**

Council Bill 50 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Bill 50 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-51-2006 - 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 Nine Million Two Hundred Fifty-nine Thousand Dollars (\$9,259,000) to finance the design, construction, reconstruction, 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**

Council Bill 51 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Bill 51 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-52-2006 - 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 Fifteen Million Six Hundred Thousand Dollars (\$15,600,000) 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**

Council Bill 52 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Bill 52 was introduced by Council Members Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-53-2006 - 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 Fifteen Million Four Hundred Ninety-nine Thousand Dollars (\$15,499,000) 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**

Council Bill 53 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Bill 53 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-55-2006 – AN ACT CONCERNING BORROWING TO FINANCE SCHOOL PROJECTS

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 One Hundred Thirty-one Million Six Hundred Two Thousand Dollars (\$131,602,000), to finance the construction, including the design, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, repair or modernization, of school buildings in the County, prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; and providing generally for the issuance of such bonds. - **INTRODUCED**

Council Bill 55 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Bill 55 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-56-2006 - 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 Two Hundred Thirty-nine Million Forty-three Thousand Dollars (\$239,043,000) 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, 2007, 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 Two Hundred Thirty-nine Million Forty-three Thousand Dollars (\$239,043,000) in general obligation bond anticipation notes in anticipation of the issuance and sale of the bonds authorized hereby; . . .

- INTRODUCED

Council Bill 56 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Bill 56 was introduced by Council Members Dernoga, Peters, Dean, Knotts, Harrington, Campos and Bland.

CB-57-2006 - 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 Nine Million Seven Hundred One Thousand Dollars (\$9,701,000) 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, 2007, 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; 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; 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 Nine Million Seven Hundred One Thousand Dollars (\$9,701,000) in general obligation stormwater management bond anticipation notes in anticipation of the issuance and sale of the bonds authorized hereby; . . .

- **INTRODUCED**

Council Bill 57 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Bill 57 was introduced by Council Members Peters, Knotts, Dean, Harrington, Campos and Bland.

CB-58-2006 (CHARTER AMENDMENT) – AN ACT CONCERNING SECTIONS 402, 607, 804, AND 806, CHARTER OF PRINCE GEORGE’S COUNTY for the purpose of proposing a new Section 607 and amendments to Sections 402, 804 and 806 of the Charter of Prince George’s County to provide a statement of the County’s policy to encourage and support local and minority business in the County; to amend the time for Council consideration of the proposed County budget; to provide that the annual budget document contain forecasts of goods and services that would necessitate competitive bidding; and to provide that reports of certain positions in the exempt service be submitted semi-annually. - **INTRODUCED**

Council Bill 58 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-59-2006 (CHARTER AMENDMENT) – AN ACT CONCERNING SECTIONS 317 AND 411, CHARTER OF PRINCE GEORGE’S COUNTY for the purpose of proposing amendments to Sections 317 and 411 of the Charter of Prince George’s County to amend the prescribed scheduling and notice periods for legislation by the Clerk of the Council; to amend the time for presentation of enacted bills to the County Executive; and to authorize amendments to the County legislative process during an emergency declared by the Governor for matters relating to and responsive to the emergency. - **INTRODUCED**

Council Bill 59 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-60-2006 (CHARTER AMENDMENT) – AN ACT CONCERNING SECTION 313, CHARTER OF PRINCE GEORGE’S COUNTY for the purpose of proposing amendments to Section 313 of the Charter of Prince George’s County to increase the powers of the County Auditor to perform investigations; and to provide protection to County employees for providing information to the County Auditor during an investigation. - **INTRODUCED**

Council Bill 60 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum, Harrington, Campos and Bland.

CB-61-2006 - AN ACT CONCERNING ADULT ENTERTAINMENT CLUBS for the purpose of regulating the adult entertainment premises, entertainers, and managers by establishing license requirements and penalties for violators and amending the provisions of the Code to clarify the use of the terms “public place” and “place open to the public.” - **INTRODUCED**

Council Bill 61 was introduced by Council Members Hendershot, Exum, Bland, Peters, Dean, Knotts and Dernoga. Council Bill 61 was referred to the Committee of the Whole.

INTRODUCTION AND ADOPTION OF RESOLUTIONS

CR-56-2006 - A RESOLUTION CONCERNING THE TAX RATES FOR FY 2006-2007 for the purpose of imposing and levying the tax rates and causing to be raised the amount of taxes required by the adopted budget so as to balance the budget as to proposed income and expenditures for the fiscal year beginning July 1, 2006; and to set forth the State tax levy and the Stormwater Management District tax levy. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 56 concerns the Tax Rates for FY 2006-2007 for the purpose of imposing and levying the Tax Rates for the Fiscal Year beginning July 1, 2006. Council Resolution 56 was introduced by Council Members Dernoga, Peters and Exum. Council Member Exum moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 56; seconded by Council Member Campos. The motion carried by voice vote. Council Member Exum moved adoption of Council Resolution 56; seconded by Council Member Harrington. The motion carried 9-0.

CR-57-2006 – A RESOLUTION CONCERNING THE TRANSIT DISTRICT OVERLAY ZONE AND TRANSIT DISTRICT DEVELOPMENT PLAN FOR THE WEST HYATTSVILLE AREA AND SECTIONAL MAP AMENDMENT for the purpose of approving an SMA Revisory Petition for the Transit District Overlay Zone and Transit District Development Plan for the West Hyattsville Area - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 57 concerns the Transit District Overlay Zone and Transit District Development Plan for the West Hyattsville Area and Sectional Map Amendment for the purpose of approving an SMA Revisory Petition for the Transit District Overlay Zone and Transit District Development Plan for the West Hyattsville area. Council Resolution 57 was introduced by Council Members Campos, Peters and Bland. Council Member Harrington moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 57; seconded by Council Member Campos. The motion carried by voice vote. Council Member Campos moved adoption of Council Resolution 57; seconded by Council Member Bland. The motion carried 9-0.

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

CB-19-2006 (DR-2) – AN ACT CONCERNING YOUTH COMMISSION for the purpose of establishing a Youth Commission and setting forth its duties and responsibilities.

- **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 19. Ten persons spoke on Council Bill 19 (DR-2). All persons wishing to speak having done so, the public hearing was declared held. Council Member Bland moved enactment of Council Bill 19; seconded by Council Member Dean. The motion carried 9-0.

PUBLIC HEARINGS/RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

CR-43-2006 - A RESOLUTION CONCERNING THE FORMATION OF AN AGRICULTURAL DISTRICT PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approve the petition of Hedy Pirner to establish an agricultural district. - **PUBLIC HEARING HELD; ADOPTED**

Pursuant to proper notice, the public hearing convened on Council Resolution 43. Mr. David Bourden, District Manager, Prince George's Soil Conservation, spoke on Council Resolution 43. All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrington moved adoption of Council Resolution 43; seconded by Council Member Peters. The motion carried 9-0.

CR-44-2006 - A RESOLUTION CONCERNING THE FORMATION OF AN AGRICULTURAL DISTRICT PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approve the petition of Hedy Pirner to establish an agricultural district. - **PUBLIC HEARING HELD; ADOPTED**

Pursuant to proper notice, the public hearing convened on Council Resolution 44. Mr. David Bourden, District Manager, Prince George's Soil Conservation, spoke on Council Resolution 44. All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrington moved adoption of Council Resolution 44; seconded by Council Member Hendershot. The motion carried 9-0.

CR-45-2006 - A RESOLUTION CONCERNING THE FORMATION OF AN AGRICULTURAL DISTRICT PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approve the petition of Cheltenham Property LLC and Charles Hayden to establish an agricultural district.
- **PUBLIC HEARING HELD; ADOPTED**

Pursuant to proper notice, the public hearing convened on Council Resolution 45. Mr. David Bourden, District Manager, Prince George's Soil Conservation, spoke on Council Resolution 45. All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrington moved adoption of Council Resolution 45; seconded by Council Member Dean. The motion carried 9-0.

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

CR-31-2006 (DR-2) - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2007 for the purpose of approving and adopting the Prince George's "Annual Action Plan: FY 2007" consisting of federal programs, including their federal funding applications which, along with other resources, serve to implement housing and community development strategies set forth in the County's FY 2006-2010 Consolidated Plan, adopted by CR-41-2005, which Plan was required by the U.S. Department of Housing and Urban Development (HUD) as a prerequisite to consideration of the funding applications. - **DR-2 AMENDED; DR-3 ADOPTED**

Council Member Harrington, Chair, Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Member Harrington moved amendment number and substituted Draft 3 in lieu of Draft 2; seconded by Council Member Exum. The motion carried 9-0. Council Member Hendershot moved adoption as amended to Council Resolution 31 (DR-3); seconded by Council Member Peters. The motion carried 9-0.

CR-33-2006 (DR-2) – A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS for the purpose of funding from grants in the amount of \$8,992,242 to the Office of Community Relations, Circuit Court, Office of the State's Attorney, Office of the Sheriff, Department of Corrections, Fire/EMS Department, Police Department, Office of Homeland Security, Department of Social Services, Department of Housing and Community Development, Health Department, and the Department of Public Works and Transportation. - **DR-2 SUBSTITUTED; ADOPTED**

Council Members Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Member Peters moved to substitute Draft 2 in lieu of draft 1; seconded by Council Member Campos. The motion carried by voice vote. Council Member Peters moved adoption of Council Resolution 33(DR-2); seconded by Council Member Bland. The motion carried 9-0.

CR-49-2006 – 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. - **ADOPTED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Member Peters moved adoption of Council Resolution 49; seconded by Council Member Hendershot. The motion carried 9-0.

CR-50-2006 – A RESOLUTION CONCERNING ECONOMIC DEVELOPMENT REVENUE BONDS for the purpose of issuing, pursuant to and in accordance with the Maryland Economic Development Revenue Bond Act, of economic development revenue bonds in an aggregate principal amount not to exceed Sixty-five Million Dollars (\$65,000,000), and to loan the proceeds from the sale of such bonds to Collington Episcopal Life Care Community, Inc., a not-for-profit corporation organized under the laws of the State of Maryland, to be used for the purpose of financing or refinancing the costs of certain facilities, within the meaning of such Act, located in Prince George's County, Maryland to be used by such corporation for its tax-exempt purposes of providing a continuing care retirement community for senior citizens, authorizing the County Executive to specify, prescribe, determine, provide for, approve, execute and deliver any and all matters, details, forms, documents or procedures necessary or appropriate to effectuate the authorization, sale security, issuance, delivery and payment of and for such bonds and lending the proceeds thereof; reserving certain rights in the County; providing for the effective date of this Resolution; providing for the termination of this Resolution; and generally providing for and determining various matters in connection with such bonds and the lending of the proceeds thereof. - **ADOPTED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Member Harrington moved adoption of Council Resolution 50; seconded by Council Member Peters. The motion carried 9-0.

ADDITIONS TO THE AGENDA

CONSENT AGENDA – (page 3)

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-62-2006 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT COUNCIL 67 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) AFL-CIO, AND AND ITS AFFILIATED LOCALS 2462, 2735, 3389 AND 1170 for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Council 67 American Federation of State, County and Municipal Employees (AFSCME) AFL-CIO, and its Affiliated Locals 24, 62, 2735, 3389 and 1170, to provide for wage increases and certain other terms and conditions of employment for personnel

classifications certified by the Prince George's County Public Employee Relations Board.

- **PRESENTED**

Council Bill 62 was presented by the Chairman at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee.

CB-63-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE'S COUNTY for the purpose of adding new classes to the collective bargaining agreement between the County and AFSCME Council 67, Salary Schedule A and abolishing existing classes of work in Salary Schedules C-Local 3279, J-Local 3389; and U-Local 1170.

- **PRESENTED**

Council Bill 63 was presented by the Chairman at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee.

Introduction of Resolutions

CR-58-2006 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – COUNCIL 67 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AND ITS AFFILIATED LOCALS 1170 (HEALTH DEPARTMENT), 2462 (DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION AND DEPARTMENT OF ENVIRONMENTAL RESOURCES), 2735 (DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND OFFICE OF CENTRAL SERVICES) AND 3389 (DEPARTMENT OF FAMILY SERVICES AND HEALTH DEPARTMENT) – SALARY SCHEDULE A for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME) Locals 1170, 2462, 2735 and 3389. - **INTRODUCED**

Council Resolution 58 was introduced at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee. Council Resolution 58 amends the salary plan by and between Prince George's County, Maryland and the AFSCME Council 67 and its Affiliated Locals 2462, 2735, 3389 and 1170, to provide the wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. Council Resolution 58 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Exum and Harrington.

CR-59-2006 - A RESOLUTION CONCERNING THE TRANSIT DISTRICT OVERLAY ZONE AND TRANSIT DISTRICT DEVELOPMENT PLAN FOR THE WEST HYATTSVILLE AREA AND SECTIONAL MAP AMENDMENT for the purpose of approving amendments to the Transit District Overlay Zone and Transit District Development Plan for the West Hyattsville Area and SMA, as proposed in the SMA Revisory Petition adopted in CR-57-2006. - **INTRODUCED**

Council Resolution 59 concerns The Transit District Overlay Zone and Transit District Development Plan for the West Hyattsville Area and Sectional Map Amendment For the purpose of approving amendments to the Transit District Overlay Zone and Transit District Development Plan for the West Hyattsville Area and SMA, as proposed in the SMA Revisory Petition adopted in CR-57-2006. Council Resolution 59 was introduced by Council Members Campos, Peters and Bland. Council Resolution 59 was referred to the Committee of the Whole.

SECOND READING OF BILLS – (INTRODUCTION) (page 4)

CB-64-2006 – AN ORDINANCE CONCERNING CHESAPEAKE BAY CRITICAL AREA for the purpose of amending the restriction on growth allocation approved in the Resource Conservation Overlay Zone, to conform the County Chesapeake Bay Critical Area Program to requirements of the Chesapeake Bay Critical Area Commission. - **INTRODUCED**

Council Bill 64 was introduced by Council Member Knotts and referred to Planning, Zoning and Economic Development (PZED) Committee.

RECONSIDERATION OF RESOLUTION

CR-32-2006 (DR-3) – A RESOLUTION CONCERNING COUNTY REAL PROPERTY for the purpose of declaring certain parcels of County-Owned Real Property as surplus, and approving the County Executive's plan for disposal of such parcels.

- **RECONSIDERED; AMENDED; DR-4 SCHEDULED FOR 07/18/2006**

Council Member Knotts moved reconsideration of Council Resolution 32(DR-3); seconded by Council Member Exum. The motion carried 9-0. Council Member Knotts moved to restore maps 8B and 8C to Council Resolution 32(DR-4); seconded by Council Member Dean. The motion carried 9-0.

DISTRICT COUNCIL ITEMS

SEE SEPARATE ACTION AGENDA

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council

ADJOURN: - - *Chairman Dernoga adjourned the meeting at 1:05 p.m.*

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE MEETING – (ROOM 2027) - COMMITTEE MEETING HELD

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council