

AGENDA MINUTES

Tuesday, June 11, 2013

(Legislative Day No. 19 to be declared)

Business Meeting

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

CALL TO ORDER- *Council Chair Harrison called to order at 10:29 a.m. with the following Council Members present:*

*Andrea Harrison
Will Campos (Out on County Business)
Derrick Davis
Mel Franklin
Mary Lehman
Eric Olson
Obie Patterson
Karen Toles
Ingrid Turner*

Others present:

*Robert Williams, Jr., Council Administrator
William Hunt, Deputy Council Administrator
Redis Floyd, Clerk of the Council
Donna Brown, Deputy Clerk of the Council
Leroy Maddox, Legislative Officer
Todd Turner, Legislative Officer
Karen Zavakos, Legislative Officer
LaKeecia Allen, Office of Law
Courtney Glass, County Executive's Office
Sandra Eubanks, Director of the Health, Education and Human Services Committee (HEHS)
Hawi Sanu, Director of the Transportation, Housing and the Environment Committee (THE)
Frank Porter, Director of the Public Safety and Fiscal Management Committee (PSFM)*

INVOCATION-*The Invocation was provided by Pastor Daryl K. Kearney, Campbell African Methodist Episcopal Church, Washington, D.C.*

SPECIAL INTENTIONS:

Council Member Harrison requested prayer for Corniss Cooper.

PLEDGE OF ALLEGIANCE-*The Invocation was provided by Council Member Patterson.*

DESIGNATION OF JUNE 11, 2013 AS LEGISLATIVE DAY NO. 19-
DESIGNATED- *Council Chair Harrison designated June 11, 2013 as Legislative Day Nineteen.*

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) Approval of County Council Minutes dated February 5, 2013 **APPROVED**

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

CB-47-2013 – AN ORDINANCE CONCERNING INTERIM LAND USE CONTROLS FOR MILITARY INSTALLATION CONFORMANCE for the purpose of extending the time for abrogation of certain provisions of Chapter No. 78, 2012 Laws of Prince George’s County, Maryland. **PRESENTED**

Council Bill 47 was presented by Council Members Harrison and Davis and referred to the Planning, Zoning and Economic Development Committee (PZED).

(c) **Introduction of Resolutions**

CR-33-2013 - 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. **INTRODUCED**

Council Resolution 33, as proposed by the Chair by request of the County Executive, declares certain parcels of County-owned real property as surplus, and approves the County Executive’s plan for disposal of such parcels. Council Resolution 33 was introduced by Council Members Harrison and Davis and referred to the Public Safety and Fiscal Management Committee (PSFM).

CR-49-2013 – A RESOLUTION CONCERNING STATEWIDE SPECIAL TRANSPORTATION ASSISTANCE PROGRAM for the purpose of approving the submission of an application with the Maryland Transit Administration of the Maryland Department of Transportation for an FY 2014 grant through the Statewide Special Transportation Assistance Program (“SSTAP”), pursuant to Section 5311 of the Federal Transit Act. **INTRODUCED**

Council Resolution 49, as proposed by the Chair by request of the County Executive, approves the submission of an application with the Maryland Transit Administration of the Maryland Department of Transportation for an FY 2014 grant through the Statewide Special Transportation Assistance Program (“SSTAP”), pursuant to Section 5311 of the Federal Transit Act. Council Resolution 49 was introduced by Council Members Davis and Lehman and referred to the Transportation, Housing and the Environment Committee (THE).

CR-50-2013 – A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (APRIL 2013 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 50, as proposed by the Chair by request of the County Executive, changes the water and sewer category designations of properties within the 2008 Water and Sewer Plan. Council Resolution 50 was introduced by Council Member Davis and referred to the Transportation, Housing and the Environment Committee (THE).

CR-51-2013 - A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$6,085,778 to the Department of Social Services, Office of Homeland Security, Office of the Sheriff, Circuit Court, Office of the State's Attorney, Department of Family Services, Health Department, Police Department, Department of Housing and Community Development, Fire/EMS Department and the Office of Community Relations. **INTRODUCED**

Council Resolution 51, as proposed by the Chair by request of the County Executive, appropriates funding from grants in the amount of \$6,085,778 to the Department of Social Services, Office of Homeland Security, Office of the Sheriff, Circuit Court, Office of the State's Attorney, Department of Family Services, Health Department, Police Department, Department of Housing and Community Development, Fire/EMS Department and the Office of Community Relations. Council Resolution 51 was introduced by Council Members Davis, Franklin, Harrison, Lehman, Patterson, Toles and Turner and referred to the Public Safety and Fiscal Management Committee (PSFM).

***Council Member Davis moved to adopt the Consent Agenda; seconded by Council Member Patterson. The motion carried by voice vote (Absent: Council Member Campos).*

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

There were none.

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

There were none.

4. **PUBLIC HEARING – (COUNCIL HEARING ROOM) -- PUBLIC HEARING HELD**

Appointment of the following individual to the Art in Public Places Panel for Prince George's County: CONFIRMED

Marva Jo Camp, Esquire

Appointment: County Council Representative

Replacing: Vacant

Term Expiration: 12/1/2014

Pursuant to proper notice, the public hearing convened on the appointment of Marva Jo Camp to the Art in Public Places Panel. Council Member Patterson as Chair of the Health, Education and Human Services (HEHS), provided a verbal report of the actions and recommendations of the Committee. Ms. Camp spoke on her own behalf. All persons wishing to speak having done so. The hearing was declared held. Council Member Patterson moved confirmation of the nominee; seconded by Council Member Davis. The motion carried 8-0 (Absent: Council Member Campos).

RECESSED- *The meeting recessed at 10:40 a.m.*

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

CB-31-2013 - AN ACT CONCERNING PRINCE GEORGE'S COUNTY PUBLIC EMPLOYEE RELATIONS BOARD-EXEMPTION TO RESIDENCY REQUIREMENT for the purpose of exempting the Prince George's County Public Employee Relations Board from the residency requirement. **FAVORABLE RECOMMENDATION**

The C.O.W. convened at 10:41 a.m. Council Chair Harrison provided a brief statement as to the content of the legislation. Council Member Davis moved favorable recommendation; seconded by Council Member Patterson. The motion carried 8-0 (Absent: Council Member Campos).

6. **SECOND READING OF BILLS (INTRODUCTION)**

CB-31-2013 - AN ACT CONCERNING PRINCE GEORGE'S COUNTY PUBLIC EMPLOYEE RELATIONS BOARD-EXEMPTION TO RESIDENCY REQUIREMENT for the purpose of exempting the Prince George's County Public Employee Relations Board from the residency requirement. **INTRODUCED**

Robert Williams Jr., Council Administrator, provided a verbal report of the actions and recommendations of the Committee of the Whole. Council Bill 31, which exempts the Prince George's County Public Employee Relations Board from the residency requirement was introduced by Council Member Harrison and Turner.

CB-34-2013 (DR-2) - AN ACT CONCERNING FISCAL YEAR 2013 CURRENT EXPENSE BUDGET for the purpose of revising certain revenue estimates and certain appropriations in the Annual Budget and Appropriation Ordinance for Fiscal Year 2013. (Supplemental Appropriation for the Board of Education for FY 2013) **INTRODUCED**

Council Member Toles, Chair of the Public Safety and Fiscal Management Committee (PSFM), provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 34 DR-2, which revises certain revenue, estimates and certain appropriations in the Annual Budget and Appropriation Ordinance for Fiscal Year 2013 was introduced by Council Member Harrison.

CB-43-2013 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AND ITS AFFILIATED LOCAL 241 (SCHOOL CROSSING GUARDS) 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 Local 241 to provide for wages 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 Toles, as Chair of the Public Safety and Fiscal Management Committee (PSFM), provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 43, which amends 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 Local 241 to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board was introduced by Council Members Harrison, Davis, Franklin, Lehman, Olson, Patterson, Toles and Turner

CB-44-2013 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AND ITS AFFILIATED LOCALS 2462, 2735, 3389 AND 1170 for the purpose of approving 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 2462, 2735, 3389 and 1170 to provide for wages 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 Toles, Chair of the Public Safety and Fiscal Management Committee (PSFM) provided a verbal report of the action and recommendations of the Committee to the Council. Council Bill 44, which approves 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 2462, 2735, 3389 and 1170 to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board was introduced by Council Members Harrison, Davis, Franklin, Lehman, Olson, Patterson, Toles and Turner.

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

CB-14-2013 – AN ORDINANCE CONCERNING RESIDENTIAL ZONES – COMMERCIAL USES – EATING AND DRINKING for the purpose of amending the prescriptions of the Residential Zones to permit eating or drinking establishments in the R-80 Zone under certain circumstances. **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 14. There were no speakers. All persons wishing to speak having done so, the hearing was declared held. Council Member Patterson moved enactment of Council Bill 14; seconded by Council Member Davis. The motion carried 7-1 (Opposed: Council Member Olson; Absent: Council Member Campos).

8. **PUBLIC HEARINGS/RESOLUTIONS – (COUNCIL HEARING ROOM)**

CR-29-2013 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT NEIGHBORHOOD STABILIZATION PROGRAM ROUND 3

for the purpose of amending the Prince George's County Neighborhood Stabilization Program Round 3 ("NSP3"): Substantial Amendment to the Annual Action Plan FY 2011 to restructure, reprogram, and approve NSP3 activities to assist the County with the acquisition, rehabilitation, resale, rental and demolition of abandoned foreclosed homes and residential properties. **PUBLIC HEARING HELD**

Pursuant to proper notice, the public hearing convened on Council Resolution 29. There were no speakers. All persons wishing to speak having done so, the hearing was declared held. Council Chair Harrison announced that the resolution would be considered during the Transportation, Housing and the Environment Committee Meeting scheduled Thursday, June 20, 2013 at 10:00 a.m.

CR-30-2013 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLANS: FY 2010, FY 2011, AND FY 2012

for the purpose of amending the Prince George's County FY 2010, FY 2011, and FY 2012 Annual Action Plans for Housing and Community Development to restructure certain Community Development Block Grant ("CDBG") activities. **PUBLIC HEARING HELD**

Pursuant to proper notice, the public hearing convened on Council Resolution 30. There were no speakers. All persons wishing to speak having done so, the hearing was declared held. Council Chair Harrison announced that the resolution would be considered during the Transportation, Housing and the Environment Committee Meeting scheduled Thursday, June 20, 2013 at 10:00 a.m.

9. **RESOLUTIONS ELIGIBLE FOR FINAL READING**

CR-44-2013 – A RESOLUTION CONCERNING PERSONNEL BOARD for the purpose of approving a revised reimbursement schedule for full or partial legal fees and court costs for Personnel Board matters. **ADOPTED**

Robert William Jr., Council Administrator, provided a verbal report of the actions and recommendations of the Committee to the Whole. Council Member Davis moved adoption of Council Resolution 44; seconded by Council Member Olson. The motion carried 8-0 (Absent: Council Member Campos).

10. **BRIEFING – (COUNCIL HEARING ROOM) -- BRIEFING HELD**

PURPLE LINE TRANSIT-ORIENTED DEVELOPMENT (TOD) STUDY

William Washburn, Planner Coordinator, M-NCPPC
Hyojung Garland, Senior Planner, M-NCPPC

Mr. Washburn facilitated a Power-point presentation accompanied by Hyojung Garland, Senior Planner, M-NCPPC. (See Administrative Day File for Detailed Clerk's notes).

11. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-52-2013 – A RESOLUTION CONCERNING PURPLE LINE TRANSIT-ORIENTED DEVELOPMENT (TOD) STUDY REPORT for the purpose of expressing the support of the County governing body for the implementation of recommendations in the Purple Line Transit-Oriented Development Study Report according to the priorities established by the study. **INTRODUCED;**
RULES SUSPENDED; ADOPTED

Council Resolution 52, as proposed by the Chair by request of the County Executive expresses the support of the County governing body for the implementation of recommendations in the Purple Line Transit-Oriented Development Study Report according to the priorities established by the study. Council Resolution 52 was introduced by Council Members Harrison, Olson, Franklin and Turner. Council Member Olson moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 52; seconded by Council Member Turner. The motion carried 8-0 (Absent: Council Member Campos). Council Member Olson moved adoption of Council Resolution 52; seconded by Council Member Franklin. The motion carried 8-0. (Absent: Council Member Campos).

CR-53-2013 – A RESOLUTION CONCERNING THE PUBLIC FACILITIES ELEMENT OF THE PRELIMINARY SUBREGION 5 MASTER PLAN AND PROPOSED SECTIONAL MAP AMENDMENT for the purpose of identifying inconsistencies between the Preliminary Subregion 5 Master Plan and Proposed Sectional Map Amendment and existing or proposed State or County facilities, and approving the inclusion of any new transportation proposals prior to adoption of the master plan by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission. **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 53, as proposed by the Chair by request of the County Executive, identifies inconsistencies between the Preliminary Subregion 5 Master Plan and Proposed Sectional Map Amendment and existing or proposed State or County facilities, and approves the inclusion of any new transportation proposals prior to adoption of the master plan by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission. Council Resolution 53 was introduced by Council Member Franklin. Council Member Franklin moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 53; seconded by Council Member Olson. The motion carried 6-0 (Absent: Council Members Campos, Davis and Harrison). Council Member Franklin moved adoption of Council Resolution 53; seconded by Council Member Olson. The motion carried 6-0 (Absent: Council Members Campos, Davis and Harrison).

CR-54-2013 – A RESOLUTION CONCERNING THE PUBLIC FACILITIES ELEMENT OF THE PRELIMINARY SUBREGION 6 MASTER PLAN AND PROPOSED SECTIONAL MAP AMENDMENT for the purpose of identifying inconsistencies between the Preliminary Subregion 6 Master Plan and Proposed Sectional Map Amendment and existing or proposed State or County facilities and approving the inclusion of any new transportation proposals prior to the adopting of the master plan by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission. **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 54 as proposed by the Chair by request of the County Executive, identifies inconsistencies between the Preliminary Subregion 6 Master Plan and Proposed Sectional Map Amendment and existing or proposed State or County facilities and approves the inclusion of any new transportation proposals prior to the adopting of the master plan by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission. Council Resolution 54 was introduced by Council Member Franklin. Council Member Franklin moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 54; seconded by Council Member Olson. The motion carried 6-0 (Absent: Council Member Campos, Davis and Harrison). Council Member Franklin moved to adoption of Council Resolution 54; seconded by Council Member Olson. The motion carried 6-0 (Absent: Council Member Campos, Davis and Harrison).

***Council Member Franklin moved to accept the additions package; seconded by Council Member Olson. The motion carried by voice vote (Absent: Council Member Campos).*

ADDITION TO THE AGENDA

11. **INTRODUCTION AND ADOPTION OF RESOLUTIONS – (page 7)**

CR-55-2013 A RESOLUTION CONCERNING JUNETEENTH NATIONAL HOLIDAY CAMPAIGN AND OBSERVANCE for the purpose of expressing support for the Juneteenth National Holiday Campaign and Observance.
INTRODUCED; RULES SUSPENDED; ADOPTED

Council Resolution 55, which expresses support for the Juneteenth National Holiday Campaign and Observance, was introduced by Council Members Davis, Franklin, Harrison, Lehman, Olson, Patterson, Toles and Turner. Council Member Olson moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 55; seconded by Council Member Turner. The motion carried 8-0 (Absent: Council Member Campos). Council Member Franklin moved adoption of Council Resolution 55; seconded by Council Member Olson. Under discussion, Council Member Davis thanked his colleagues for their support and encouraged all to attend the Juneteenth celebration on Saturday, June 15, 2013. Council Member Patterson acknowledged supporters. The motion carried 8-0 (Absent: Council Member Campos).

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were none.

ADJOURNED- *The meeting adjourned at 11:35 a.m.*

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

- (a) Discussion of personnel issues in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (1) (i) (ii). **EXECUTIVE SESSION NOT NEEDED**

Prepared by:

Submitted by:

Sherry Bias, Administrative Aide

Redis C. Floyd, Clerk of the Council