ACTION AGENDA

Tuesday, November 19, 2013

Legislative Day No. 37

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

9:30 A.M. <u>AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD</u>

10:45 A.M. <u>CALL TO ORDER</u>

INVOCATION: Pastor Henry P. Davis III, First Baptist Church of Highland Park, Landover, Maryland

PLEDGE OF ALLEGIANCE

1. <u>CONSENT AGENDA -- ADOPTED AND ALL ACTIONS APPROVED</u>

All items listed under the consent agenda have been distributed to each member of the Council for review, are considered to be routine and will be acted upon by motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

Approved (a) Approval of County Council Minutes June 11, 2013.

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

None

3.	PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S
	REPORT

Chair(a)Proposed joint signature letter to Dr. David Lever, R.A., D.A., Executive Director,authorized toThe Interagency Committee on State School Construction, endorsing the PrincesignGeorge's County Board of Education's proposed FY-2015 capital budget request and
to identify the projects considered most critical.

(Favorably reported out of HEHS on 11/14/2013)

Deferred to(b)Proposed Correspondence to Dr. Lillian M. Lowery, Ed.D., Maryland State2014Superintendent of Schools, concerning Pre Kindergarten Pupil Funding Formula.

4. PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD

• Appointment of the following individual to the Board of Ethics for Prince George's County:

Confirmed

Covette Rooney, Esquire Appoin Replac

Appointment Replacing: Vacant Position Term Expiration: 12/1/2015

• Appointment of the following individual to the Washington Suburban Sanitary Commission for Prince George's County:

Confirmed

Appointment Replacing: Antonio Jones Term Expiration: 6/1/2017

(Favorably reported out of THE on 11/7/2013)

Mr. Omar M. Boulware

PUBLIC HEARINGS – (CONTINUED)

• Appointment of the following individuals to the Citizen Complaint Oversight Panel for Prince George's County:

Confirmed	Ms. Mary Godfrey	Appointment Replacing: Eileen Thomas Current Term Expiration: 1/8/2014 Full Term Expiration: 1/8/2018
Confirmed	Mr. Blanco High	Appointment Replacing: Oralyn Weston Term Expiration: 1/8/2015
Confirmed	Mr. James Morrow	Appointment Replacing: Irma Spruill Current Term Expiration: 1/8/2014 Full Term Expiration: 1/8/2018

(Favorably reported out of HEHS on 10/24/2013)

5. <u>PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING</u> (ENACTMENT)

Public hearing
held; rulesCB-97-2013 (DR-3) - AN ORDINANCE CONCERNING ELEEMOSYNARY
OR PHILANTHROPIC INSTITUTIONS
for the purpose of allowing
eleemosynary or philanthropic institutions in the O-S Zone under certain
circumstances; modifying certain requirements for eleemosynary or philanthropic
institutions in the R-80 Zone.

(Introduced by Council Members Franklin, Lehman, Toles, Patterson, Davis and Turner on 10/22/2013; favorably reported out of PZED on 10/16/2013 with amendments)

MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR AN EFFECTIVE DATE ON THE DATE OF ADOPTION. (6 VOTES REQUIRED)

Public hearing held; enacted	 <u>CB-60-2013 (DR-2) – AN ACT CONCERNING SUPPLEMENTARY</u> <u>APPROPRIATIONS IN APPROVED FISCAL YEAR 2013 CAPITAL BUDGET</u> for the purpose of providing supplementary appropriations to the County Building Renovations II and the Emergency Command Center capital projects; decreasing appropriations in Contingency Appropriation Fund; and amending the Approved Fiscal Year 2013-2018 Capital Improvement Program with regard to expenditures and financing beyond the budget year. (Introduced by Council Member Harrison on 10/22/2013; favorably reported out of
	PSFM on 10/17/2013 with amendments)
Public hearing held; enacted	<u>CB-77-2013 (DR-2) – AN ACT CONCERNING NEIGHBORHOOD NUISANCE</u> for the purpose of amending the County public nuisance provisions to define a neighborhood nuisance, add additional grounds constituting a public nuisance, allowing enforcement by citation and generally relating to public nuisances in Prince George's County.
	(Introduced by Council Members Olson, Franklin, Lehman, Toles and Patterson on 10/22/2013; favorably reported out of PSFM on 10/17/2013 with amendments)
Public hearing held; enacted	<u>CB-78-2013 (DR-2) - AN ACT CONCERNING LOCAL</u> <u>ENTREPRENEURSHIP AND ECONOMIC DEVELOPMENT</u> for the purpose of authorizing the Economic Development Incentive Fund to be used to encourage the development and sustainability of locally owned and operated businesses and specifying the purpose, uses, and requirements of such assistance.
	(Introduced by Council Members Franklin, Campos, Davis, Harrison, Turner, Lehman, Toles and Patterson on 10/22/2013; favorably reported out of PSFM on 10/17/2013 with amendments)
Public hearing held; enacted	 <u>CB-83-2013 (DR-3) – AN ACT CONCERNING CLEAN RENEWABLE</u> <u>ENERGY TECHNOLOGY IN PUBLIC BUILDINGS</u> for the purpose of requiring clean renewable energy technology in the construction or major renovation of public buildings; defining clean renewable energy technology; providing for a clean renewable energy technology project feasibility assessment by the Purchasing Agent; establishing a Clean Renewable Energy Program; specifying the purposes and uses of the Program; and generally relating to clean renewable energy technology. (Introduced by Council Members Lehman, Franklin, Toles, Olson and Davis on 10/22/2013; reported out of PSFM on 10/17/2013 with no recommendation with amendments)

Public hearing held; enacted	<u>CB-93-2013 - AN ACT CONCERNING PERSONNEL</u> for the purpose of allowing County employees up to twenty hours of administrative leave per year to volunteer in schools.
	(Introduced by Council Members Turner, Franklin, Lehman, Toles, Olson, Harrison, Patterson and Davis on 10/22/2013; favorably reported out of PSFM on 10/17/2013)
Public hearing held; enacted	<u>CB-95-2013 - AN ACT CONCERNING COLLECTIVE BARGAINING</u> <u>AGREEMENT – FRATERNAL ORDER OF POLICE PRINCE GEORGE'S</u> <u>COUNTY LODGE 89, INC.</u> for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the Fraternal Order of Police, Prince George's County Lodge 89, Inc., 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 by Council Members Harrison, Franklin, Lehman, Olson, Patterson, Toles, Davis and Turner on 10/22/2013; favorably reported out of PSFM on 10/17/2013)
Public hearing held; enacted	<u>CB-96-2013 – AN ACT CONCERNING COLLECTIVE BARGAINING</u> <u>AGREEMENT – PRINCE GEORGE'S COUNTY POLICE CIVILIAN</u> <u>EMPLOYEES ASSOCIATION</u> for the purpose of approving the labor agreement by and between Prince George's County, Maryland and the Prince George's County Police Civilian Employees Association to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employees Relations Board.
	(Introduced by Council Members Harrison, Franklin, Lehman, Toles, Olson, Patterson, Davis and Turner on 10/22/2013; favorably reported out of PSFM on 10/17/2013)
Public hearing held; enacted	<u>CB-98-2013 – AN ACT CONCERNING COLLECTIVE BARGAINING</u> <u>AGREEMENT – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS,</u> <u>LOCAL 1619, AFL-CIO (CIVILIANS)</u> for the purpose of approving 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 wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. (Introduced by Council Members Harrison, Franklin, Lehman, Olson, Patterson,
	Davis, Toles and Turner on 10/22/2013; favorably reported out of PSFM on 10/17/2013)

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Public hearing held; enacted	<u>CB-100-2013 - AN ACT CONCERNING SUPPLEMENTARY</u> <u>APPROPRIATIONS</u> 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 2014 Budget. (Introduced by Council Member Davis on 10/22/2013; favorably reported out of
	C.O.W. on 10/29/2013)
Public hearing held; enacted	<u>CB-35-2013 (DR-2) - AN ACT CONCERNING REDEVELOPMENT</u> <u>AUTHORITY</u> for the purpose of establishing a public input and notification process for disposition of Redevelopment Authority property and projects, and generally relating to the Redevelopment Authority in Prince George's County.
	(Introduced by Council Members Toles, Franklin, Patterson, Davis, Lehman, Turner on 10/22/2013; discharged from THE Committee on 10/22/2013)
Public hearing held; enacted	<u>CB-59-2013 (DR-2) - AN ACT CONCERNING RESIDENTIAL NUISANCE</u> <u>ABATEMENT</u> for the purpose of amending the County public nuisance provisions to include certain residential properties, adding additional grounds constituting a public nuisance and generally relating to public nuisances in Prince George's County.
	(Introduced by Council Members Patterson, Franklin, Harrison, Davis and Turner on 10/22/2013; favorably reported out of THE on 10/21/2013 with amendments)
Public hearing held; enacted	<u>CB-79-2013 – AN ACT CONCERNING STORMWATER MANAGEMENT</u> <u>INCENTIVES</u> for the purpose of establishing redevelopment incentives for certain stormwater management practices, setting the criteria and eligibility, and generally relating to stormwater management related revitalization in Prince George's County.
	(Introduced by Council Members Olson, Franklin, Lehman, Patterson, Davis and Turner on 10/22/2013; favorably reported out of THE on 10/21/2013)
Public hearing held; enacted	<u>CB-65-2013 – AN ORDINANCE CONCERNING DETAILED SITE PLAN AND</u> <u>SPECIFIC DESIGN PLAN APPLICATIONS</u> for the purpose of clarifying the requirements for the Planning Board to refer Detailed Site Plan and Specific Design Plan applications to the Prince George's County Police Department and the Prince George's County Health Department.
	(Introduced by Council Members Franklin, Turner, Lehman, Olson, Toles, Patterson and Davis on 11/15/2013; favorably reported out of PZED on 10/2/2013)

Public hearing held; rules suspended; enacted	CB-70-2013 (DR-2) - (SUBDIVISION BILL) AN ACT CONCERNING VALIDITY PERIODS FOR PRELIMINARY PLANS OF SUBDIVISION for the purpose of temporarily extending the validity periods of all approved applications for Preliminary Plans of Subdivision that were in a valid status as of January 1, 2013.
	(Introduced by Council Members Davis, Harrison, Patterson, Turner and Franklin on 10/8/2013; favorably reported out of PZED on 10/2/2013 with amendments)
	MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR AN EFFECTIVE DATE ON THE DATE OF ADOPTION. (6 VOTES REQUIRED)
Public hearing held; rules suspended; enacted	 <u>CB-71-2013 (DR-2) – AN ORDINANCE CONCERNING VALIDITY PERIODS</u> <u>FOR DETAILED SITE PLANS AND SPECIFIC DESIGN PLANS</u> for the purpose of temporarily extending the validity periods of all approved applications for Detailed Site Plans and Specific Design Plans that were in a valid status as of January 1, 2013. (Introduced by Council Members Davis, Turner and Franklin on 10/15/2013; favorably reported out of PZED on 10/2/2013 with amendments) MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR AN EFFECTIVE DATE ON THE DATE IT BECOMES LAW. (6 VOTES REQUIRED)
Public hearing held; rules suspended; enacted	 <u>CB-75-2013 - AN ORDINANCE CONCERNING VALIDITY PERIODS –</u> <u>DETAILED SITE PLANS</u> for the purpose of temporarily extending the validity periods of certain approved Detailed Site Plan applications, subject to certain permitting criteria. (Introduced by Council Members Olson and Lehman on 10/15/2013; favorably reported out of PZED on 10/2/2013) MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR AN EFFECTIVE DATE ON THE DATE OF ADDPTION (6 VOTES PEOURED).
Public hearing held; enacted	 ON THE DATE OF ADOPTION. (6 VOTES REQUIRED) <u>CB-76-2013 (DR-2) – AN ORDINANCE CONCERNING URBAN FARMS</u> for the purpose of defining Urban Farm, permitting the use in the R-18 Zone under certain circumstances, and providing modifications to procedural requirements relating to Urban Farms. (Introduced by Council Members Harrison, Franklin, Lehman, Toles, Patterson, Davis, Turner and Olson on 10/22/2013; favorably reported out of PZED on 10/2/2013 with amendments)

Public hearing held; rules suspended;	<u>CB-80-2013 - AN ORDINANCE CONCERNING C-O ZONE</u> for the purpose of permitting townhouses in the C-O zone under certain circumstances.
enacted	(Introduced by Council Member Olson on $10/15/2013$; favorably reported out of PZED on $10/2/2013$)
	MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR AN EFFECTIVE DATE ON THE DATE OF ADOPTION. (6 VOTES REQUIRED)
Public hearing held; amended; rules suspended; DR-2 enacted	<u>CB-86-2013 – (SUBDIVISION BILL) AN ACT CONCERNING CLUSTER</u> <u>SUBDIVISIONS</u> for the purpose of amending the requirements for cluster subdivisions to allow the development of a church under certain circumstances.
	(Introduced by Council Members Lehman, Harrison, Davis and Franklin on 10/8/2013; favorably reported out of PZED on 10/2/2013)
	AMENDMENT #1 TO CB-86-2013
	MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR AN EFFECTIVE DATE ON THE DATE OF ADOPTION. (6 VOTES REQUIRED)
Public hearing held; enacted	CB-87-2013 (DR-2) - AN ACT CONCERNING WOODLAND AND WILDLIFE HABITAT CONSERVATION ORDINANCE for the purpose of making clarifying amendments to Tree Conservation Plan expiration dates and exemptions to submittal requirements in order to ensure internal consistency and conformance with State law.
	(Introduced by Council Member Harrison on 10/22/2013; favorably reported out of PZED on 10/16/2013 with amendments)
Public hearing held; enacted	CB-88-2013 (DR-2) - (SUBDIVISION BILL) AN ACT CONCERNING VACATION OF PLATS for the purpose of amending the regulations on vacation petitions of plats.
	(Introduced by Council Member Herrison on 10/8/2012; favorably reported out of

(Introduced by Council Member Harrison on 10/8/2013; favorably reported out of PZED on 10/2/2013 with amendments)

Public hearing held; rules suspended; enacted	<u>CB-99-2013 - AN ORDINANCE CONCERNING THE M-X-T ZONE</u> for the purpose of amending the Mixed Use Zone Table of Uses to provide for a hospital as a permitted use in the Mixed Use – Transportation Oriented (M-X-T) Zone.
enaciea	(Introduced by Council Members Davis, Franklin, Lehman, Toles, Olson, Harrison, Patterson and Turner on 10/22/2013)
	AS PERMITTED BY THE RULES, AND BECAUSE THIS BILL HAS ALREADY BEEN THROUGH COMMITTEE AS CB-90-2013, NO COMMITTEE REFERRAL WAS MADE.
	MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR AN EFFECTIVE DATE ON THE DATE OF ADOPTION. (6 VOTES REQUIRED)
Public hearing held; rules suspended; enacted	 <u>CB-101-2013 - AN ORDINANCE CONCERNING OVERLAY ZONES – USES</u> for the purpose of allowing the designation of additional uses in a Development District Overlay (D-D-O) Zone or Transit District Overlay (T-D-O) Zone. (Introduced by Council Members Franklin, Toles, Davis and Turner on 10/22/2013) AS PERMITTED BY THE RULES, AND BECAUSE THIS BILL HAS ALREADY BEEN THROUGH COMMITTEE AS CB-89-2013, NO COMMITTEE REFERRAL WAS MADE. MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR AN EFFECTIVE DATE ON THE DATE OF ADOPTION. (6 VOTES REQUIRED)
Public Hearing held; Deferred	<u>CB-94-2013 (DR-2) - AN ACT CONCERNING LABOR – MINIMUM WAGE</u> for the purpose of specifying the amount of the County minimum wage rate that is in effect for certain time periods and generally relating to the payment of wages.
	(Introduced by Council Members Turner, Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson and Toles on 10/22/2013; favorably reported out of PSFM on 10/17/2013 with amendments)

6. **RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION)**

Adopted

<u>CR-125-2013 – A RESOLUTION CONCERNING COMPENSATION AND</u> <u>BENEFITS, FRATERNAL ORDER OF POLICE, PRINCE GEORGE'S</u> <u>COUNTY LODGE 89, INC., SALARY SCHEDULE L</u> 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 the Fraternal Order of Police,

(Introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Olson, Patterson, Toles and Turner on 10/8/2013; favorably reported out of PSFM on 10/17/2013)

Adopted

<u>CR-126-2013 – A RESOLUTION CONCERNING COMPENSATION AND</u> <u>BENEFITS, PRINCE GEORGE'S COUNTY POLICE CIVILIAN</u> <u>EMPLOYEES ASSOCIATION (PGCEA) SALARY SCHEDULE P,</u>

<u>SCHEDULE OF PAY GRADES</u> 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 the Prince George's County Police Civilian Employees Association.

(Introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Olson, Patterson, Toles and Turner on 10/8/2013; favorably reported out of PSFM on 10/17/2013)

Adopted

<u>CR-127-2013 – A RESOLUTION CONCERNING COMPENSATION AND</u> <u>BENEFITS, POLICE OFFICIALS – SALARY SCHEDULE P-O SCHEDULE</u> <u>OF PAY GRADES</u> for the purpose of amending the Salary Plan of the County to

reflect certain wage and benefit modifications of Police Officials. (Introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Olson, Patterson, Toles and Turner on 10/8/2013; favorably reported out of PSFM on

Adopted <u>CR-128-2013 - RE</u>

10/17/2013)

CR-128-2013 - RESOLUTION CONCERNING COMPENSATION AND BENEFITS, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1619, AFL-CIO (CIVILIANS) SALARY SCHEDULE "H" 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 and the International Association of Fire Fighters, Local 1619, AFL-CIO (Civilians).

(Introduced by Council Members Davis, Franklin, Lehman, Olson, Patterson, Toles and Turner on 10/15/2013; favorably reported out of PSFM on 10/17/2013)

Prince George's County Lodge 89, Inc.

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

Amended; DR-2 adopted	<u>CR-130-2013 – A RESOLUTION CONCERNING ADEQUATE PUBLIC</u> <u>FACILITIES SURCHARGE</u> for the purpose of approving a partial waiver of the adequate public safety facilities surcharge for all residential units within the Patriots Landing Redevelopment Project.		
	(Introduced by Council Member Patterson on $10/15/2013$; reported out of PSFM on $11/14/2013$ with no recommendation)		
12:19 P.M.	RECESS		

1:55 P.M. <u>RECONVENED</u>

7 <u>INTRODUCTION AND ADOPTION OF RESOLUTIONS -- CR-143-2013</u> <u>ADDED (SEE PAGE 12)</u>

Introduced; rules suspended adopted

<u>CR-139-2013 - A RESOLUTION CONCERNING THE SOUTHERN GREEN</u> LINE STATION AREA SECTOR PLAN AND SECTIONAL MAP

<u>AMENDMENT</u> for the purpose of proposing amendments to the Adopted Southern Green Line Station Area Sector Plan and Endorsed Sectional Map Amendment and directing that a joint public hearing be held to receive testimony on the proposed amendments.

The Chair (by request – Planning Board)

Introduced by Council Members Franklin, Toles and Patterson

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

Introduced; rules suspended; adopted <u>CR-141-2013 – A RESOLUTION CONCERNING SUPPORT FOR FOOD AND</u> <u>DRUG ADMINISTRATION ELECTRONIC CIGARETTE RESEARCH</u> for the purpose of expressing the County Council's support for research by the University of Maryland on the safety of electronic cigarettes.

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

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

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

Introduced;	CR-142-2013 – A RESOLUTION CONCERNING VOTING RIGHTS for the			
rules suspended;	purpose of supporting an affirmative right to vote; restoring Section 4 of the Voting			
adopted	Rights Act of 1965; supporting the full representation and voting rights of District of			
	Columbia residents in the House of Representatives and in the United States Senate;			
	improving election practices; increasing voter participation; and generally relating to			
	voting.			

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

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

ADDITIONS TO THE AGENDA

7. INTRODUCTION AND ADOPTION OF RESOLUTIONS

Introduced; amended; rules suspended; DR-2 adopted

<u>CR-143-2013 - A RESOLUTION CONCERNING THE SUITLAND MIXED</u> <u>USE TOWN CENTER (M-U-TC) ZONE DEVELOPMENT PLAN</u> for the

purpose of initiating a secondary amendment to the 2006 Approved Suitland Mixed-Use Town Center Development Plan to make clarifying amendments concerning design standard applicability to exterior renovations, and to require certain use and occupancy permits be subject to the Design Review Process within the Mixed-Use Town Center Zone.

Introduced by Council Members Toles and Patterson

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

3:57 P.M. <u>RECESSED</u>

4:02 P.M. <u>DISTRICT COUNCIL ITEM</u>

(SEE SEPARATE ACTION AGENDA)

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Rich Patenaude and Rick Powell addressed the Council.

4:04 P.M. <u>ADJOURNED</u>

REMINDERS

Tues., Dec. 3, 2013	11:00 a.m.	Exchange of Gavel (Council Hearing Room)
Mon., Jan. 13, 2014		Anticipated 1 st District Council Session of 2014
Tues., Jan. 14, 2014		Anticipated 1 st County Council Session of 2014