

ACTION MINUTES

Tuesday, November 19, 2013

Legislative Day No. 37

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

CALL TO ORDER - *The meeting was called to order at 10:45 a.m. with the following Council Members present:*

*Andrea Harrison
Will Campos
Derrick Davis
Mel Franklin
Mary Lehman
Eric Olson
Obie Patterson
Karen Toles
Ingrid Turner*

Others present:

*Robert J. Williams, Jr. Council Administrator
William M. Hunt, Jr., Deputy Council Administrator
Redis C. Floyd, Clerk of the Council
Donna J. Brown, Deputy Clerk of the Council
Calvin Hawkins, County Executive's Office
LaKeecia Allen, Office of Law
Kathleen Canning, Legislative Officer
Colette Gresham, Legislative Officer
Leroy Maddox, Legislative Officer
Todd Turner, Legislative Officer
Karen Zavakos, Legislative Officer
Jacqueline Brown, Director, PZED Committee
Sandra Eubanks, Director HEHS Committee
Frank Porter, Director, PSFM Committee
Hawi Sanu, Director, THE Committee*

INVOCATION: *The Invocation was provided by Pastor Henry P. Davis III, First Baptist Church of Highland Park in Landover, Maryland. Council Member Lehman requested prayer for the family of Robert Duncan in his passing. Council Member Harrison requested prayer for each Council Member and for those who are less fortunate.*

PLEDGE OF ALLEGIANCE - *The Pledge of Allegiance was led by Council Member Lehman.*

POINT OF PERSONAL PRIVILEGE - *Chair Harrison spoke to the many contributions of Mr. Robert Owen Duncan, Jr. who served the County in many capacities prior to his recent death.*

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 June 11, 2013. - **APPROVED**

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

There were no items considered.

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

- (a) Proposed joint signature letter to Dr. David Lever, R.A., D.A., Executive Director, The Interagency Committee on State School Construction, endorsing the Prince George's County Board of Education's proposed FY-2015 capital budget request and to identify the projects considered most critical. - **CHAIR AUTHORIZED TO SIGN**

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

A joint signature letter was proposed to be sent to Dr. Lever endorsing the Prince George's County Board of Education's proposed FY-2015 capital budget request and identifying the projects considered most critical. Council Member Patterson, as Chair of the Health, Education and Human Services Committee, provided a verbal report of the actions and recommendations of the Committee. A motion was made by Council Member Davis, seconded by Vice Chair Patterson, to authorize the Chair's signature. The motion carried 8-0 (Absent: Council Member Toles).

**PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT –
(CONTINUED)**

- (b) Proposed Correspondence to Dr. Lillian M. Lowery, Ed.D., Maryland State Superintendent of Schools, concerning Pre Kindergarten Pupil Funding Formula. - **DEFERRED TO 2014**

This letter was deferred.

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

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

Pursuant to proper the notice, the public hearing convened at 10:54 a.m. County Executive Rushern L. Baker, III introduced the nominee to the Council and spoke to her credentials and qualifications. Ms. Rooney was present and spoke on her own behalf. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Franklin, seconded by Council Member Olson, that this Appointment be confirmed. The motion carried 9-0.

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

Mr. Omar M. Boulware

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

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

Council Member Davis, as Chair of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the Committee. Pursuant to proper the notice, the public hearing convened at 11:00 a.m. County Executive Rushern L. Baker, III introduced the nominee to the Council and spoke to his credentials and qualifications. Mr. Boulware was present and spoke on his own behalf. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Turner, seconded by Council Member Olson, that this Appointment be confirmed. The motion carried 9-0.

PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD – (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

Mr. Blanco High

Appointment
Replacing: Oralyn Weston
Term Expiration: 1/8/2015

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)

Council Member Patterson, as Chair of the Health, Education and Human Services Committee, provided a verbal report of the actions and recommendations of the Committee. Pursuant to proper the notice, the public hearing convened at 11:06 a.m. Barry Stanton, Deputy Chief Administrative Officer for Public Safety, introduced the nominees to the Council on behalf of the County Executive and spoke to their credentials and qualifications. Each was present and spoke on their own behalf. The Honorable Dorothy Bailey spoke in support of Ms. Godfrey's nomination. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Chair Harrison, seconded by Vice Chair Patterson, that these Appointments be confirmed. The motion carried 9-0.

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

CB-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. - **PUBLIC HEARING HELD; RULES SUSPENDED; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:19 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Franklin, seconded by Council Member Toles, to suspend the Council Rules of Procedure to allow for an effective date on the date of adoption. The motion carried 7-0 (Absent: Council Members Davis and Patterson). A motion was made by Council Member Franklin, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried 9-0.

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

CB-60-2013 (DR-2) – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS IN APPROVED FISCAL YEAR 2013 CAPITAL BUDGET 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. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Member Harrison on 10/22/2013; favorably reported out of PSFM on 10/17/2013 with amendments)

Pursuant to proper the notice, the public hearing was convened. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Vice Chair Patterson, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried 9-0.

CB-77-2013 (DR-2) – AN ACT CONCERNING NEIGHBORHOOD NUISANCE 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. - **PUBLIC HEARING HELD; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:22 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried 9-0.

POINT OF PERSONAL PRIVILEGE: Chair Harrison acknowledged students from the Administration of Justice Collegiate Center of the Prince George's Community College.

CB-78-2013 (DR-2) - AN ACT CONCERNING LOCAL ENTREPRENEURSHIP AND ECONOMIC DEVELOPMENT 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. - **PUBLIC HEARING HELD; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:24 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Franklin, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried 9-0.

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

**CB-83-2013 (DR-3) – AN ACT CONCERNING CLEAN RENEWABLE ENERGY
TECHNOLOGY IN PUBLIC BUILDINGS**

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. - **PUBLIC HEARING HELD; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:24 a.m. Martha Ainsworth spoke in support of the measure. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Lehman, seconded by Council Member Davis, that this Council Bill be enacted. Under discussion, Council Member Lehman expressed her excitement for the legislation and urged her colleagues support. The motion carried 9-0.

CB-93-2013 - AN ACT CONCERNING PERSONNEL for the purpose of allowing County employees up to twenty hours of administrative leave per year to volunteer in schools. - **PUBLIC HEARING HELD; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:30 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Turner, seconded by Council Member Davis, that this Council Bill be enacted. The motion carried 9-0.

**CB-95-2013 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT –
FRATERNAL ORDER OF POLICE PRINCE GEORGE’S COUNTY LODGE 89, INC.** 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. - **PUBLIC HEARING HELD; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:31 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried 9-0.

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

**CB-96-2013 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT –
PRINCE GEORGE’S COUNTY POLICE CIVILIAN EMPLOYEES ASSOCIATION**

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. - **PUBLIC HEARING HELD; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:34 a.m. Linda Oliver spoke in support of the measure. All persons wishing to speak having done, so the public hearing was declared held. A motion was made by Council Member Toles, seconded by Council Member Franklin, that this Council Bill be enacted. The motion carried 9-0.

**CB-98-2013 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT –
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1619, AFL-CIO**

(CIVILIANS) 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. - **PUBLIC HEARING HELD; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:35 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Turner, seconded by Council Member Franklin, that this Council Bill be enacted. The motion carried 9-0.

CB-100-2013 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2014 Budget. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Member Davis on 10/22/2013; favorably reported out of C.O.W. on 10/29/2013)

Frank Porter, Director of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee of the Whole. Pursuant to proper the notice, the public hearing convened at 11:37 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried 8-0 (Absent: Council Member Harrison).

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

CB-35-2013 (DR-2) - AN ACT CONCERNING REDEVELOPMENT AUTHORITY 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. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Toles, Franklin, Patterson, Davis, Lehman, Turner on 10/22/2013; discharged from THE Committee on 10/22/2013)

Pursuant to proper the notice, the public hearing convened at 11:39 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Turner, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried 8-0 (Absent: Council Member Harrison).

CB-59-2013 (DR-2) - AN ACT CONCERNING RESIDENTIAL NUISANCE ABATEMENT 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. - **PUBLIC HEARING HELD; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:39 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Toles, that this Council Bill be enacted. The motion carried 8-0 (Absent: Council Member Harrison).

CB-79-2013 – AN ACT CONCERNING STORMWATER MANAGEMENT INCENTIVES 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. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Olson, Franklin, Lehman, Patterson, Davis and Turner on 10/22/2013; favorably reported out of THE on 10/21/2013)

Pursuant to proper the notice, the public hearing convened at 11:41 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried 8-0 (Absent: Council Member Harrison).

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

CB-65-2013 – AN ORDINANCE CONCERNING DETAILED SITE PLAN AND SPECIFIC DESIGN PLAN APPLICATIONS 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. - **PUBLIC HEARING HELD; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:41 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Franklin, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried 8-0 (Absent: Council Member Harrison).

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. - **PUBLIC HEARING HELD; RULES SUSPENDED; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:42 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Turner, to suspend the Council Rules of Procedure to allow for an effective date on the date of adoption. The motion carried 8-0 (Absent: Council Member Harrison). A motion was made by Council Member Davis, seconded by Council Member Toles, that this Council Bill be enacted. The motion carried 7-1 (Opposed: Council Member Olson; Absent: Council Member Harrison).

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

**CB-71-2013 (DR-2) – AN ORDINANCE CONCERNING VALIDITY PERIODS FOR
DETAILED SITE PLANS AND SPECIFIC DESIGN PLANS** 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. - **PUBLIC HEARING HELD;
RULES SUSPENDED; ENACTED**

(Introduced by Council Members Davis, Turner and Franklin on 10/15/2013; favorably reported out of PZED on 10/2/2013 with amendments)

Pursuant to proper the notice, the public hearing convened at 11:44 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Franklin to suspend the Council Rules of Procedure to allow for an effective date on the date it becomes law. The motion carried 8-0 (Absent: Council Member Harrison). A motion was made by Council Member Davis, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried 6-2 (Opposed: Council Members Olson and Lehman; Absent: Council Member Harrison).

**CB-75-2013 - AN ORDINANCE CONCERNING VALIDITY PERIODS – DETAILED
SITE PLANS** for the purpose of temporarily extending the validity periods of certain approved Detailed Site Plan applications, subject to certain permitting criteria. - **PUBLIC HEARING
HELD; RULES SUSPENDED; ENACTED**

(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 ADOPTION. (6 VOTES REQUIRED)**

Pursuant to proper the notice, the public hearing convened at 11:46 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Olson, seconded by Council Member Franklin, to suspend the Council Rules of Procedure to allow for an effective date on the date of adoption. The motion carried 8-0 (Absent: Council Member Harrison). A motion was made by Council Member Olson, seconded by Council Member Franklin, that this Council Bill be enacted. The motion carried 7-1 (Opposed: Council Member Lehman; Absent: Council Member Harrison).

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

CB-76-2013 (DR-2) – AN ORDINANCE CONCERNING URBAN FARMS 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. - **PUBLIC HEARING HELD; ENACTED**

(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)

Pursuant to proper the notice, the public hearing convened at 11:47 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Toles, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried 8-0 Absent: Council Member Harrison).

CB-80-2013 - AN ORDINANCE CONCERNING C-O ZONE for the purpose of permitting townhouses in the C-O zone under certain circumstances. - **PUBLIC HEARING HELD; RULES SUSPENDED; 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)

Pursuant to proper the notice, the public hearing convened at 11:48 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Olson, seconded by Council Member Toles, to suspend the Council Rules of Procedure to allow for an effective date on the date of adoption. The motion carried 8-0 (Absent: Council Member Harrison). A motion was made by Council Member Olson, seconded by Council Member Franklin, that this Council Bill be enacted. The motion carried 8-0 (Absent: Council Member Harrison).

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

CB-86-2013 – (SUBDIVISION BILL) AN ACT CONCERNING CLUSTER

SUBDIVISIONS for the purpose of amending the requirements for cluster subdivisions to allow the development of a church under certain circumstances. - **PUBLIC HEARING HELD; AMENDED; RULES SUSPENDED; DR-2 ENACTED**

(Introduced by Council Members Lehman, Harrison, Davis and Franklin on 10/8/2013; favorably reported out of PZED on 10/2/2013)

Pursuant to proper the notice, the public hearing convened at 11:50 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Toles, seconded by Council Member Davis, that this Council Bill be amended. Todd Turner, Legislative Officer spoke to the intent of the amendment. The motion carried 8-0 (Absent: Council Member Harrison). A motion was made by Council Member Toles, seconded by Council Member Olson, to suspend the Council Rules of Procedure to allow for an effective date on the date of adoption.. The motion carried 8-0 (Absent: Council Member Harrison). A motion was made by Council Member Toles, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried 8-0 (Absent: Council Member Harrison).

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. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Member Harrison on 10/22/2013; favorably reported out of PZED on 10/16/2013 with amendments)

Pursuant to proper the notice, the public hearing convened at 11:56 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Olson, that this Council Bill be enacted. The motion carried 8-0 (Absent: Council Member Harrison).

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. - **PUBLIC HEARING HELD; ENACTED**

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

Pursuant to proper the notice, the public hearing convened at 11:57 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Franklin, that this Council Bill be enacted. The motion carried 7-0 (Absent: Council Members Harrison and Toles).

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

CB-99-2013 - AN ORDINANCE CONCERNING THE M-X-T ZONE 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. - **PUBLIC HEARING HELD; RULES SUSPENDED; ENACTED**

(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.

Pursuant to proper the notice, the public hearing convened at 11:58 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Davis, seconded by Council Member Franklin, to suspend the Council Rules of Procedure to allow for an effective date on the date of adoption. The motion carried 7-0 (Absent: Council Members Harrison and Toles). A motion was made by Council Member Franklin, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried 8-0 (Absent: Council Member Harrison).

CB-101-2013 - AN ORDINANCE CONCERNING OVERLAY ZONES – USES 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. - **PUBLIC HEARING HELD; RULES SUSPENDED; ENACTED**

(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.

Pursuant to proper the notice, the public hearing convened at 11:59 a.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held. A motion was made by Council Member Franklin, seconded by Council Member Toles, to suspend the Council Rules of Procedure to allow for an effective date on the date of adoption. The motion carried 7-0 (Absent: Council Members Harrison and Toles). A motion was made by Council Member Toles, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried 7-0 (Absent: Council Members Harrison and Toles).

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

CB-94-2013 (DR-2) - AN ACT CONCERNING LABOR – MINIMUM WAGE 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. - **PUBLIC HEARING HELD; DEFERRED**

(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)

Pursuant to proper the notice, the public hearing convened at 2:05 p.m. Melvin Thompson, Fred Rosenthal, Karen Murray, Jim Cox, Geoff Trout, Paul Patel, Ashish Parikh, David Reel, Tommy Tsitouris, Saeed Essa, Deepak Shrestha, Sanjay Patel, Sherry Giovannoni, Andre Rogers, Billye Pounds, Craig Muckle, Jeff Zellmer, Alpesh Mistry, Paul Traverse for Bill Trout, Lynn Tu and Edward Gibbs spoke in opposition. Pascal Nji and Sarah Martinez spoke in support. Council Members provided comment on the issue. All persons wishing to speak having done so, the public hearing was declared held. This Bill was deferred to a later date.

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

CR-125-2013 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, FRATERNAL ORDER OF POLICE, PRINCE GEORGE’S COUNTY LODGE 89, INC., SALARY SCHEDULE L 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, Prince George’s County Lodge 89, Inc. - **ADOPTED**

(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)

Council Member Toles, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee. A motion was made by Council Member Toles, seconded by Council Member Franklin, that this Resolution be adopted. The motion carried 7-0 (Absent: Council Members Harrison and Toles).

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

CR-126-2013 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, PRINCE GEORGE’S COUNTY POLICE CIVILIAN EMPLOYEES ASSOCIATION (PGCEA) SALARY SCHEDULE P, SCHEDULE OF PAY GRADES 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. - **ADOPTED**

(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)

Council Member Toles, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee. A motion was made by Council Member Toles, seconded by Council Member Olson, that this Resolution be adopted. The motion carried 7-0 (Absent: Council Members Harrison and Toles).

CR-127-2013 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, POLICE OFFICIALS – SALARY SCHEDULE P-O SCHEDULE OF PAY GRADES for the purpose of amending the Salary Plan of the County to reflect certain wage and benefit modifications of Police Officials. - **ADOPTED**

(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)

Council Member Toles, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee. A motion was made by Council Member Toles, seconded by Council Member Franklin, that this Resolution be adopted. The motion carried 8-0 (Absent: Council Member Harrison).

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). - **ADOPTED**

(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)

Council Member Toles, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee. A motion was made by Council Member Toles, seconded by Council Member Franklin, that this Resolution be adopted. The motion carried 8-0 (Absent: Council Member Harrison).

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

CR-130-2013 – A RESOLUTION CONCERNING ADEQUATE PUBLIC FACILITIES SURCHARGE 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. - **AMENDED; DR-2 ADOPTED**

(Introduced by Council Member Patterson on 10/15/2013; reported out of PSFM on 11/14/2013 with no recommendation)

Council Member Toles, as Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee. A motion was made by Council Member Turner, seconded by Vice Chair Patterson, that this Resolution be amended. Vice-Chair Patterson spoke to the intent of the proposed amendment. Colette Gresham, Legislative Officer, provided further clarifying remarks. The motion carried 9-0. A motion was made by Council Member Turner, seconded by Council Member Davis, that this Resolution be adopted. The motion 9-0.

RECESS – *The meeting went into recess at 12:19 p.m.*

RECONVENED – *The meeting was reconvened at 1:55 p.m.*

7. **INTRODUCTION AND ADOPTION OF RESOLUTIONS -- CR-143-2013 ADDED**

CR-139-2013 - A RESOLUTION CONCERNING THE SOUTHERN GREEN LINE STATION AREA SECTOR PLAN AND SECTIONAL MAP AMENDMENT 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. - **INTRODUCED; RULES SUSPENDED ADOPTED**

Council Resolution 139, as proposed by the Chair by request of the Planning Board, proposes amendments to the Adopted Southern Green Line Station Area Sector Plan and Endorsed Sectional Map Amendment and directs that a joint public hearing be held to receive testimony on the proposed amendments. Council Resolution 139 was introduced by Council Members Franklin, Toles and Patterson. A motion was made by Council Member Toles, seconded by Council Member Franklin, to suspend the Council Rules of Procedure to allow for the immediate adoption of this Resolution. The motion carried 9-0. A motion was made by Council Member Toles, seconded by Council Member Franklin, that this Resolution be adopted. The motion carried 9-0.

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

CR-141-2013 – A RESOLUTION CONCERNING SUPPORT FOR FOOD AND DRUG ADMINISTRATION ELECTRONIC CIGARETTE RESEARCH for the purpose of expressing the County Council's support for research by the University of Maryland on the safety of electronic cigarettes. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 141, which expresses the County Council's support for research by the University of Maryland on the safety of electronic cigarettes, was introduced by Council Members Turner, Franklin, Lehman, Toles, Olson, Harrison, Patterson, Davis and Campos. A motion was made by Council Member Turner, seconded by Council Member Olson, to suspend the Council Rules of Procedure to allow for the immediate adoption of this Resolution. The motion carried 9-0. A motion was made by Council Member Turner, seconded by Council Member Toles, that this Resolution be adopted. The motion carried 9-0.

CR-142-2013 – A RESOLUTION CONCERNING VOTING RIGHTS for the purpose of supporting an affirmative right to vote; restoring Section 4 of the Voting 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; RULES SUSPENDED; ADOPTED**

Council Resolution 142 calls on Congress to: provide an affirmative right to vote; restore Section 4 of the Voting Rights Act of 1965; support the full representation and voting rights of District of Columbia residents in the House of Representatives and in the United States Senate; improve election practices; and increase voter participation. Council Resolution 142 was introduced by Council Members Olson, Franklin, Lehman, Harrison, Patterson and Davis. A motion was made by Council Member Olson, seconded by Chairman Franklin, to suspend the Council Rules of Procedure to allow for the immediate adoption of this Resolution. The motion carried 9-0. A motion was made by Council Member Olson, seconded by Council Member Davis, that this Resolution be adopted. The motion carried 9-0.

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

ADDITIONS TO THE AGENDA

****** *A motion was made by Vice Chair Patterson, seconded by Council Member Toles, that to accept the County Council and District Council additions packages. The motion carried 9-0.*

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

CR-143-2013 - A RESOLUTION CONCERNING THE SUITLAND MIXED-USE TOWN CENTER (M-U-TC) ZONE DEVELOPMENT PLAN 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; AMENDED; RULES SUSPENDED; DR-2 ADOPTED**

Council Resolution 143 initiates 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. A motion was made by Council Member Toles, seconded by Chair Harrison, that this Resolution be amended. The motion carried 9-0. Council Resolution 143, Draft 2 was introduced by Council Members Toles and Patterson. A motion was made by Council Member Toles, seconded by Council Member Davis, to suspend the Council Rules of Procedure to allow for the immediate adoption of this Resolution. The motion carried 9-0. A motion was made by Vice Chair Patterson, seconded by Council Member Toles, that this Resolution be adopted. The motion carried 9-0.

RECESSED – *The meeting went into recess at 3:57 p.m.*

DISTRICT COUNCIL ITEM**(SEE SEPARATE ACTION AGENDA)**

District Council items were considered (See separate Minutes for details).

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Rich Patenaude addressed the Council about opportunities for youth in the County. Rick Powell addressed the Council regarding the Chairmanship and thanked Chair Harrison for her leadership over the last two years.

ADJOURNED – *The meeting was adjourned at 4:04 p.m.*

Prepared By:

Donna J. Brown, Deputy Clerk of the Council

Submitted By:

Redis C. Floyd, Clerk of the Council