

ACTION MINUTES

Tuesday, November 5, 2013

Legislative Day No. 35

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

CALL TO ORDER – (COUNCIL HEARING ROOM)- *Council Chair Harrison called to order at 10:30 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
Lisa Jackson, County Executive's Office
LaKeecia Allen, Office of Law
Leroy Maddox, Legislative Officer
Sandra Eubanks, Director, HEHS Committee
Frank Porter, Director, PSFM Committee*

INVOCATION- *The Invocation was provided by Howard Stone, County Employee. Council Member Olson requested prayer for the families of Mickey Lucas, Ballard Troy and Steve Murphy in their passings. Council Member Harrison requested prayer for the residents of Prince George's County.*

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

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 May 14, May 21 and May 28, 2013 **APPROVED**

** *A motion was made by Council Member Davis, seconded by Vice Chair Patterson, that the Consent Agenda be adopted and all actions approved. The motion carried 9-0.*

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

There were no items considered.

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

There were no items considered.

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

Appointment of the following individual to the Fire Commission for Prince George's County: CONFIRMED

Mr. Antonio Deans

Appointment: Community Member
Term Expiration: 7/1/2016

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. Pursuant to proper the notice, the public hearing convened at 10:35 a.m. Lisa Jackson introduced the nominee to Council on behalf of the County Executive. All persons wishing to speak having done, so the public hearing was declared held. A motion was made by Council Member Toles, seconded by Vice Chair Patterson, that this Appointment be confirmed. The motion carried 9-0.

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

CB-84-2013 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - PRINCE GEORGE'S CORRECTIONAL OFFICERS' ASSOCIATION, INC. (PGCOA) (CIVILIAN UNIT) for the purpose of approving the labor agreement by and between Prince George's County, Maryland and the Prince George's Correctional Officers' Association, Inc. (PGCOA) (Civilian Unit) to provide for wages and certain other terms and conditions of employment for employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper the notice, the public hearing convened at 10:39 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 Turner, that this Council Bill be enacted. The motion carried 9-0.

CB-85-2013 AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - PRINCE GEORGE'S CORRECTIONAL OFFICERS' ASSOCIATION, INC. (CORRECTIONAL OFFICERS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Prince George's Correctional Officers' Association, Inc. (Correctional Officers) 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**

Pursuant to proper the notice, the public hearing convened at 10:41 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 Olson, that this Council Bill be enacted. The motion carried 9-0.

CB-82-2013 - AN ACT CONCERNING THE REPEAL OF PROHIBITION OF THE SALE, OFFER OR DISTRIBUTION OF CERTAIN CIGAR PRODUCTS for the purpose of repealing the provisions of the County Code prohibiting the sale, offer or distribution of cigar and cigar products in quantities fewer than packages of five. **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper the notice, the public hearing convened at 10:42 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 Franklin, that this Council Bill be enacted. The motion carried 9-0.

CB-91-2013 (DR-2) – AN ACT CONCERNING THE ELECTRONIC CIGARETTE SMOKING BAN for the purpose of restricting smoking of electronic cigarettes inside of public housing, senior citizen housing, and eating and drinking establishments. **DEFERRED**

Action on Council Bill 91 was deferred to a later date.

6. **RESOLUTIONS ELIGIBLE FOR FINAL READING**

CR-46-2013 (DR-2) - A RESOLUTION CONCERNING SUITLAND-NAYLOR ROAD DEVELOPMENT DISTRICT for the purpose of designating a contiguous area within Prince George's County, Maryland (the "County") as a "development district" as that term is used in Sections 12-201 through 12-213, inclusive, of the Economic Development Article of the Annotated Code of Maryland, as amended (the "Tax Increment Financing Act"), such development district to be located in a contiguous unincorporated area of the County surrounding the Suitland, Maryland Metro Station Area which is connected to the area surrounding the Naylor Road Metro Station Area by the open space area along Suitland parkway, to be known as the "Suitland-Naylor Road Development District"; providing for, and determining, various matters in connection with the establishment of a development district, creating a tax increment fund with respect to the development district, and allocating certain property taxes with respect to the development district to be paid over to the tax increment fund as provided in the Tax Increment Financing Act; making certain findings and determinations with respect to the tax increment fund and the uses of such fund; providing that special obligation bonds may be issued from time to time pursuant to an ordinance or ordinances enacted in accordance with the Tax Increment Financing Act and secured by the tax increment fund; and generally relating to the Suitland –Naylor Road Development District.
DR-2 SUBSTITUTED; ADOPTED

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 a new draft of this Resolution be substituted. The motion carried 9-0. A motion was made by Council Member Toles, seconded by Vice Chair Patterson, that Draft 2 of this Resolution be adopted. The motion carried 9-0.

CR-105-2013 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – PRINCE GEORGE'S CORRECTION OFFICERS' ASSOCIATION, INC. (PGCOA) (CIVILIAN UNIT) SALARY SCHEDULE Q 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 Correctional Officers' Association, Inc. (PGCOA) (Civilian Unit). **ADOPTED**

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 9-0.

RESOLUTIONS ELIGIBLE FOR FINAL READING – (CONTINUED)**CR-106-2013 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, PRINCE GEORGE'S CORRECTIONAL OFFICERS' ASSOCIATION, INC. (CORRECTIONAL OFFICERS) SALARY SCHEDULE D, 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 Correctional Officers' Association, Inc. (Correctional Officers). **ADOPTED**

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 Davis, that this Resolution be adopted. The motion carried 9-0.

CR-107-2013 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, CORRECTIONS OFFICIALS – SALARY SCHEDULE "C-O" SCHEDULE OF PAY GRADES

for the purpose of amending the Salary Plan of the County to reflect wage and benefit modifications of the Department of Corrections Officials. **ADOPTED**

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 Davis, that this Resolution be adopted. The motion carried 9-0.

7. INTRODUCTION AND ADOPTION OF RESOLUTIONS**CR-135-2013 - A RESOLUTION CONCERNING AUTHORIZATION OF THE ISSUANCE OF A BUILDING PERMIT**

for the purpose of determining the adequacy of the private right-of-way or easement serving the lot and single-family dwelling on property owned by Pyles Corporation, and authorizing the issuance of a building permit subject to stated conditions. **DEFERRED**

Action on Council Resolution 135 was deferred to a later date.

CR-136-2013 – A RESOLUTION CONCERNING WORK GROUP ON CRIME, CHILDREN AND SAFER COMMUNITIES

for the purpose of extending the reporting date for the Work Group on Crime, Children and Safer Communities to make recommendations to the Council. **RULES SUSPENDED; ADOPTED**

Council Resolution 136, which extends the reporting date for the Work Group on Crime, Children and Safer Communities to March 31, 2014, was introduced by Council Members Toles, Franklin, Harrison, Patterson, Davis, Turner and Campos. A motion was made by Council Member Davis, seconded by Council Member Toles, that the Council Rules of Procedure be suspended to allow for immediate adoption of this Resolution. The motion carried 9-0. A motion was made by Council Member Davis, seconded by Vice Chair Patterson, that this Resolution be adopted. The motion carried 9-0.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

BRIEFINGS – (COUNCIL HEARING ROOM) -- BRIEFINGS HELD

- **TELECOMMUNICATIONS TRANSMISSION FACILITY COORDINATING COMMITTEE**

Robert Hunnicutt, Principal Analyst Columbia Telecommunications Corporation

The briefing convened at 11:14 a.m. Michelle Lyons provided introductory remarks. Robert Hunnicutt provided an overview of the recommendations of the Coordinating Committee and responded to questions posed by the Council. The briefing concluded at 11:39 a.m. (See Administrative Day File for detailed Clerk's notes).

- **BRIEFING ON THE PRELIMINARY COUNTYWIDE GENERAL PLAN PROCESS**

Project Management Team

- Kip Reynolds, Project Facilitator
- Kierre McCune, Planner Coordinator, Project Manager
- Kate Fritz, LEED Green Associate, Senior Planner, Associate Project Manager

The briefing convened at 11:40 a.m. Kierre McCune, Project Coordinator, provided an overview of the Maryland-National Park and Planning Commission's public outreach efforts to garner citizen input on the plan recommendations and announced that the public hearing is scheduled to occur on Tuesday, November 12, 2013 at 7:00 p.m. The briefing concluded at 11:45 a.m.

ADJOURNED- *The meeting was adjourned at 11:47 a.m.*

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

CR-132-2013 - A RESOLUTION CONCERNING PILOT AGREEMENT FOR SAFEWAY AT UNIVERSITY TOWN CENTER for the purpose of approving the terms and conditions of a Negotiated Payment in Lieu of Taxes (PILOT) Agreement by and between Prince George's County, Maryland (the "County") and ECHO-UTC, LLC (the "Contract Purchaser"). **FAVORABLE RECOMMENDATION**

The Committee of the Whole convened at 11:58 a.m. Thomas Himler, Deputy Chief Administrative Officer for Budget, Finance and Administration, provided an overview of the Resolution and responded to questions posed by the Council (See Administrative Day File for detailed Clerk's notes). A motion was made by Council Member Davis, seconded by Council Member Franklin that this Resolution be favorably recommended to the County Council. The motion carried 9-0.

Prepared By:

Donna J. Brown, Deputy Clerk of the Council

Submitted By:

Redis C. Floyd, Clerk of the Council