



Prince George's County Council

Meeting Agenda - Revised*

Sitting as the Committee of the Whole

County Administration
Building
14741 Governor Oden
Bowie Drive
Upper Marlboro,
Maryland
20772-3050

Thursday, October 8, 2020

10:00 AM

(VIRTUAL MEETING)

ORDER OF PROCEEDINGS:

- a) *Presentation by Committee Staff
(Including comments received by the Committee)*
- b) *Comments from Sponsor*
- c) *Questions from Committee Members*
- d) *Comments from Agencies*
- e) *General Discussion*
- f) *Motion and Vote*

10:00 A.M. - CALL TO ORDER

BRIEFING

BR 10082020

Draft: 1

WSSC SPENDING AFFORDABILITY LIMITS

Canjor Reed, Senior Auditor
Office of Audits and Investigation

J. Kenneth Battle, Director
Transportation, Infrastructure, Energy and Environment Committee

Patti Colihan, Chief Financial Officer
Washington Suburban Sanitary Commission

LEGISLATION

[CB-054-2020](#)

Draft: 1

AN ORDINANCE CONCERNING I-1 ZONE for the purpose of permitting concrete recycling facility uses in the I-1 (Light-Industrial) Zones of Prince George's County, under certain circumstances.

Sponsor(s): Streeter

Attachment(s): [B2020054](#)
[CB-054-2020 AIS](#)

Legislative History:

7/21/20	County Council	presented and referred to the Sitting as the Committee of the Whole
9/17/20	Sitting as the Committee of the Whole	Held in Committee
10/1/20	Sitting as the Committee of the Whole	Favorably recommended with amendments to the County Council
10/1/20	Sitting as the Committee of the Whole	Held in Committee

[CB-063-2020](#)

Draft: 1

AN ORDINANCE CONCERNING WASTE SERVICES WITH PRIVATE FUELING STATION - I-1 AND I-2 ZONES for the purpose of amending the Zoning Ordinance to provide a definition for a new use, "Waste Services and Private Fueling Station," and permitting the use in the I-1 (Light Industrial) and I-2 (Heavy Industrial) Zones of Prince George's County, under certain circumstances.

Sponsor(s): Davis

Attachment(s): [B2020063](#)
[CB-063-2020 AIS](#)

Legislative History:

9/15/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/1/20	Sitting as the Committee of the Whole	Held in Committee

[CB-069-2020](#)

Draft: 1

AN ORDINANCE CONCERNING R-55 ZONE for the purpose of permitting multi-family dwellings in the R-55 (One-Family Detached Residential) Zone of Prince George's County, under certain specified circumstances.

Sponsor(s): Taveras

Attachment(s): [B2020069](#)
[CB-069-2020 AIS](#)

Legislative History:

9/15/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/1/20	Sitting as the Committee of the Whole	Held in Committee

[CB-072-2020](#)

Draft: 1

AN ORDINANCE CONCERNING CLASS 3 FILL RECLAMATION for the purpose of amending the requirements for limited Class 3 fill uses as a method of reclaiming former sand and gravel mining properties for public use in the R-A (Residential-Agricultural) Zone, which are permitted without a special exception.

Sponsor(s): Harrison

Attachment(s): [B2020072](#)
[CB-072-2020 AIS](#)

Legislative History:

9/22/20	County Council	presented and referred to the Sitting as the Committee of the Whole
10/1/20	Sitting as the Committee of the Whole	Held in Committee

[CB-083-2020](#)

Draft: 1

AN ORDINANCE CONCERNING FLY ASH LANDFILLS for the purpose of prohibiting fly ash landfills in Prince George's County.

Sponsor(s): Franklin

Attachment(s): [B2020083](#)
[CB-083-2020 AIS](#)

Legislative History:

9/29/20	County Council	presented and referred to the Sitting as the Committee of the Whole
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[CB-055-2020](#)

Draft: 1

AN ACT CONCERNING QUALIFIED DATA CENTERS - PERSONAL PROPERTY TAX EXEMPTION

for the purpose of establishing a personal property tax exemption on the personal property of a Qualified Data Center; defining certain terms; providing for certain amounts of personal property tax exemptions under certain conditions; requiring a certain notice; and generally relating to personal property tax exemptions on qualified data centers.

Attachment(s): [B2020055](#)

[CB-055-2020 Attachment 1](#)

[CB-055-2020 Attachment 2](#)

[CB-055-2020 AIS](#)

[CB-055-2020 OOL Comment](#)

Legislative History:

9/9/20 County Council presented and referred to the Sitting as the Committee of the Whole

9/24/20 Sitting as the Committee of the Whole Held in Committee

[CB-062-2020](#)

Draft: 1

AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION AND STORMWATER MANAGEMENT BONDS

for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Four Hundred Seventy-Three million, Nine Hundred Eighty-Four thousand dollars (\$473,984,000) in aggregate principal amount of general obligation and stormwater management bonds for the purpose of providing funds for financing in whole or in part costs of the planning, acquisition, construction, reconstruction, establishment, extension, enlargement, demolition, or improvement of certain capital projects and capital projects constituting facilities (including without limitation any land, interest in land or equipment) for the control and disposition of storm and surface waters, including floodproofing, flood control or navigation programs and other stormwater programs and systems, environmental restoration and/or wetlands construction, and the protection, conservation, creation and acquisition of certain property described in the Maryland Annotated Code Environment Article consistent with federal and Maryland laws and regulations on the subject of nontidal and private wetlands, as applicable, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs thereof; or purchase of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2021, or usable portions thereof, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs and the probable useful lives thereof; prescribing or providing for the procedures for the issuance and sale of such bonds at private (negotiated) sale or public sale; declaring the

County's official intent to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; showing compliance with the power of the County to incur indebtedness; directing the application of the proceeds of such bonds and the proceeds of bonds previously issued by an act of the County; pledging the full faith and credit and taxing power of the County to the payment of such bonds and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; authorizing the pledge of Clean Water Act Fees to the payment of the principal of and interest on such bonds related to clean water projects when due; authorizing and empowering the County to issue and sell an amount not to exceed Four Hundred Seventy-Three million, Nine Hundred Eighty-Four thousand dollars (\$473,984,000) . . .

Attachment(s): [B2020062](#)
[CB-062-2020 AIS](#)
[CB-062-2020 OOL Comment](#)
[CB-062-2020 Attachment 1](#)

Legislative History:

9/15/20 County Council presented and referred to the Sitting
as the Committee of the Whole

[CB-075-2020](#)

Draft: 1

AN ACT CONCERNING GROCERY STORE REAL PROPERTY TAX CREDIT FOCUS AREA for the purpose of modifying the definition of a Grocery Store Focus Area and making Healthy Food Priority Areas eligible for the Grocery Store Real Property Tax Credit.

Sponsor(s): Franklin, Glaros, Harrison, Davis, Taveras, Ivey, Dernoga, Streeter, Hawkins, Turner and Anderson-Walker

Attachment(s): [B2020075](#)
[CB-075-2020 AIS](#)
[CB-075-2020 OOL Comments](#)

Legislative History:

9/22/20 County Council presented and referred to the Sitting
as the Committee of the Whole

[CB-076-2020](#)

Draft: 1

AN ACT CONCERNING STORMWATER MANAGEMENT - WASTEWATER PROTECTION AND RESTORATION PROGRAM REVENUE OBLIGATIONS - MARYLAND WATER QUALITY FINANCING ADMINISTRATION LOANS for the purpose of authorizing and empowering Prince George’s County, Maryland (the “County”) to borrow money and incur indebtedness in an aggregate principal amount not exceeding One Hundred Million Dollars (\$100,000,000) (the “Loan”) under one or more loan agreements (each, a “Loan Agreement”) to be executed and delivered by the County and the Maryland Water Quality Financing Administration (“MWQFA”) to be evidenced and secured by one or more revenue notes or other obligations (each, a “Note”) in an aggregate principal amount equal to the amount of the Loan under the Loan Agreements and to borrow money and incur indebtedness in order to refund or refinance the Loan and the Notes and any other indebtedness authorized hereby in a maximum principal amount not to exceed one hundred fifty percent (150%) of the aggregate principal amount of the indebtedness refunded or refinanced (collectively, the “Obligations”), pursuant to the Maryland Water Quality Financing Administration Act, Sections 9-1601 to 9-1622, inclusive, of the Environment Article of the Annotated Code of Maryland, as amended, replaced or recodified from time to time (the “Water Quality Act”) and Section 10-203(b) of the Local Government Article of the Annotated Code of Maryland, as amended, replaced or recodified from time to time (collectively, the “Enabling Acts”), for the purpose of financing and refinancing in whole or in part costs of the design, planning, construction, equipping, installation, reconstruction, establishment, expansion, extension, enlargement, demolition, improvement and acquisition of certain capital improvement projects of the County’s Stormwater Management - Watershed Protection and Restoration Program set forth in the capital program and the capital budget of the County adopted by the County pursuant to Council Bill CB-32-2016, passed by the County Council on May 26, 2016, and approved by the County Executive of the County (the “County Executive”) on May 31, 2016, including describing the capital projects to be financed, refinanced and reimbursed in whole or in part from the proceeds of the Loan hereby authorized and the estimated costs thereof; approving the form and authorizing and providing for the execution of the Loan Agreements and the Notes; prescribing or providing for the form and tenor of the Notes and the terms and conditions for the issuance and sale thereof at private sale to MWQFA created pursuant to the Water Quality Act; directing the application of the proceeds of the Loan; providing that the Obligations and the interest and any premium on them shall be limited obligations of the County payable from and secured by certain amounts from time to time on deposit in the Local Watershed Protection and Restoration Fund established pursuant to Section 10-301 of the Prince George’s County Code, as amended, replaced or recodified from time to time, and shall never constitute an indebtedness or charge against the full faith and credit or taxing powers of the County within the meaning of any constitutional or charter provision or statutory limitation; authorizing the private

(negotiated) or public sale of the Obligations as determined by the County Executive to be in the best interest of the County and other details with respect to the sale of such Obligations; providing for the preparation and distribution of a preliminary official statement and a final official statement to be used in connection with the sale of the Obligations; covenanting or providing for the making of certain covenants on matters relating to the tax-exempt status of interest on the Obligations; providing for compliance with Securities and Exchange Commission Rule 15c2-12; providing for the authorization of and entry into interest rate exchange agreements or contracts in connection with or incidental to any of the obligations authorized by this Act; authorizing the County Executive to delegate to appropriate officials the power to make certain determinations and sign certain documents, certificates or agreements authorized to be made or signed by the County Executive herein; and otherwise generally determining or providing for the determination of certain matters in connection with the authorization, issuance, sale, delivery and payment of the Obligations and the consummation of the transactions contemplated by this Act.

Attachment(s): [B2020076](#)
[CB-076-2020 AIS](#)
[CB-076-2020 OOL Comment](#)

Legislative History:

9/22/20 County Council presented and referred to the Sitting as the Committee of the Whole

[CB-034-2020](#)

Draft: 1

AN ACT CONCERNING LANGUAGE ACCESS FOR PUBLIC SERVICES for the purpose of amending Language Access division of the County Code to define the Language Access Contact, adjust the language threshold, define enforcement and penalties, and expanding the agencies affected.

Sponsor(s): Taveras

Attachment(s): [B2020034](#)
[CB-034-2020 AIS](#)

Legislative History:

6/9/20 County Council presented and referred to the Sitting as the Committee of the Whole

6/18/20 Sitting as the Committee of the Whole Held in Committee

[CB-008-2020](#)

Draft: 1

AN ACT CONCERNING PESTICIDES for the purpose of providing legislative intent and findings; providing definitions; providing for a certain posting and placement of signs; providing for certain signs by vendors; providing requirements for the notice and retail purchase of pesticides; providing for a certain posting of signs after the application of pesticides by a custom applicator; providing for a certain posting of signs after the application of pesticides by a property owner or tenant; providing for a certain written statement; providing for a certain notice about pesticides to a customer; providing for storage and handling of pesticides; providing for certain prohibited applications; providing for a certain prohibition on County-owned property; providing for integrated pest management on County property; providing for application in the County parks; providing for certain exceptions; providing for an outreach and education campaign; providing for regulations; providing for certain penalties; and generally relating to pesticides.

Sponsor(s): Dernoga and Ivey

Attachment(s): [B2020008](#)
[CB-008-2020 AIS](#)

Legislative History:

2/25/20	County Council	presented and referred to the Transportation, Infrastructure, Energy and Environment Committee
5/18/20	County Council	discharged from Committee
7/14/20	Sitting as the Committee of the Whole	Held in Committee

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