



# Prince George's County Council

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

## Meeting Minutes - Final Sitting as the Committee of the Whole

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Thursday, October 8, 2020

10:00 AM

(VIRTUAL MEETING)

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### 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

*The meeting was called to order by Council Chair Turner at 10:01 a.m. with 9 members present. Council Member Hawkins arrived at 10:03 a.m. and Council Member Harrison arrived at 10:48 a.m.*

**Present**      11 - Todd Turner  
                     Monique Anderson-Walker  
                     Derrick Davis  
                     Thomas Dernoga  
                     Mel Franklin  
                     Dannielle Glaros  
                     Sydney Harrison  
                     Calvin S. Hawkins  
                     Jolene Ivey  
                     Rodney Streeter  
                     Deni Taveras

*Also present:*

*Robert J. Williams, Jr., Council Administrator  
William M. Hunt, Deputy Council Administrator  
Donna J. Brown, Clerk of the Council*

*Theresa D. Myers, Legislative Assistant*  
*Leonard D. Moses, Zoning Assistant*  
*Terry L. Bell, Council Liaison*  
*Sakinda Skinner, Associate County Attorney*  
*Amanda Denison, Associate County Attorney*  
*Jacqueline Brown, PHED Committee Director*  
*Karen Zvakos, Legislative & Zoning Counsel*  
*Dinora Hernandez, Legislative Officer*  
*Nathaniel Tutt, III, HHSPS Committee Director*  
*Donna Whitman, Legislative Officer*  
*J. Kenneth Battle, TIEE Committee Director*  
*Kathy Canning, Legislative Officer*  
*Howard Stone, GOFP Committee Director*  
*Colette Gresham, Legislative Officer*  
*Monica Best-James, Legislative Officer*  
*Joseph Hamlin, Policy Analyst*  
*Arian Albear, Policy Analyst*  
*Isabel Williams, Policy Analyst*

## **BRIEFING**

**BR 10082020**

### **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

**Attachment(s):** WSSC SAG Recommendation FY 2022

#### *Panel Guests:*

*Carla Reid, CEO/General Manager*  
*Joe Beach, Deputy General Manager for Administration*  
*Jay Price, Deputy General Manager for Operations*  
*Monica Johnson, Deputy General Manager for Strategy Partnerships*  
*Patricia Colihan, Chief Financial Officer*  
*Letitia Carolina-Powell, Budget Division Manager*  
*Mark Brackett, Capital Budget Section Manager*  
*Julie Pohutsky, Budget Section Manager*

*Karyn Riley, Intergovernmental Relations Director  
Guy Andes, Government Affairs Manager*

*Opening remarks were provided by Carla Reid, CEO and General Manager, Washington Suburban Sanitary Commission. J. Kenneth Battle, Director, Transportation, Infrastructure, Energy and Environment Committee, provided an overview of the annual process of the WSSC Spending Affordability Limits. Canjor Reed, Senior Auditor, Office of Audits and Investigations provided the details of the reports that are needed to review relevant data necessary for the Council to discuss and support recommendations on the FY 2022 spending control limits for WSSC Water. The panelists responded to questions posed by Council Members regarding Covid-19 impact by customer class, delinquencies, both residential and commercial, loss of revenue, justification for increase, payment plans, effective date of increase for customers and collections rate. The briefing concluded at 11:06 a.m.*

**This Briefing was held.**

## 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](#)  
[CB-054-2020 Report](#)

*Jackie Brown, Director, Planning, Housing and Economic Development Committee provided an overview of CB-054-2020. Karen T. Zavakos, Legislative and Zoning Counsel spoke to the amendments proffered by Council Member Streeter as proposer of the bill. The Office of the County Executive, Office of Law, Maryland-National Capital Park and Planning Commission and Zoning Hearing Examiner had no additional comments.*

**A motion was made by Council Member Streeter, seconded by Council Member Davis, that this Council Bill be Favorably recommended with amendments. The motion carried by the following vote:**

**Aye:** 6 - Davis, Dernoga, Franklin, Harrison, Hawkins and Streeter

**Abstain:** 5 - Turner, Anderson-Walker, Glaros, Ivey and Taveras

[CB-063-2020](#)

Draft 1

**AN ORDINANCE CONCERNING TRASH MAINTENANCE 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, "Trash Maintenance 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](#)  
[CB-063-2020 Report](#)

*Jackie Brown, Director, Planning, Housing and Economic Development Committee provided an overview of CB-063-2020. Karen T. Zavakos, Legislative and Zoning Counsel spoke to the amendments proffered by Council Member Davis as proposer of the bill. The Office of the County Executive, Office of Law had no additional comments. Maryland-National Capital Park and Planning Commission and Zoning Hearing Examiner expressed further concerns. Christopher Pilzer, Waste Management and Christopher Hatcher, Esquire signed up to speak.*

**A motion was made by Council Member Davis, seconded by Council Member Streeter, that this Council Bill be Favorably recommended with amendments. The motion carried by the following vote:**

**Aye:** 10 - Turner, Anderson-Walker, Davis, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

**Abstain:** 1 - Dernoga

[CB-069-2020](#)

Draft 1

**AN ORDINANCE CONCERNING R-55 ZONE** for the purpose of permitting multifamily 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](#)  
[CB-069-2020 Report](#)

*Jackie Brown, Director, Planning, Housing and Economic Development Committee provided an overview of CB-069-2020. Dinora Hernandez, Legislative Officer, spoke to the amendments proffered by Council Member Taveras as proposer of the bill. The Office of the County Executive, Office*

*of Law, Maryland-National Capital Park and Planning Commission and Zoning Hearing Examiner had no additional comments. Daniel Lynch, Esquire, signed up to speak.*

**A motion was made by Council Member Taveras, seconded by Council Member Harrison, that this Council Bill be Favorably recommended with amendments. The motion carried by the following vote:**

**Aye:** 10 - Turner, Anderson-Walker, Davis, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

**Absent:** Dernoga

[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, Streeter and Davis

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

*Jackie Brown, Director, Planning, Housing and Economic Development Committee provided an overview of CB-054-2020. Karen T. Zavakos, Legislative and Zoning Counsel provided further clarification of the bill. The Office of the County Executive, Office of Law, Maryland-National Capital Park and Planning Commission had no additional comments. The Zoning Hearing Examiner offered comments on the noise levels.*

**A motion was made by Council Member Harrison, seconded by Council Member Streeter, that this Council Bill be Favorably recommended. The motion carried by the following vote:**

**Aye:** 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

[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](#)  
[CB-083-2020 Report](#)

*Jackie Brown, Director, Planning, Housing and Economic Development Committee provided an overview of CB-083-2020. Dinora Hernandez,*

*Legislative Officer, spoke to the amendments included in the Proposed Draft 2 proffered by Council Member Franklin as proposer of the bill. The County Executive supports the bill and the Office of Law, Maryland-National Capital Park and Planning Commission and Zoning Hearing Examiner had no additional comments. Janet Gingold, Sierra Club, signed up to speak.*

**A motion was made by Council Member Franklin, seconded by Council Member Harrison, that this Council Bill be Favorably recommended with amendments. The motion carried by the following vote:**

**Aye:** 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

**REC1-21**

RECESS

*THE MEETING WAS RECESSED AT 12:44 P.M.*

*Council Chair Turner announced that CB-008-2020 is deferred to October 13, 2020.*

**A motion was made by Council Member Dernoga, seconded by Council Member Streeter, that the meeting be recessed until 1:30 p.m.. The motion carried by an unanimous vote.**

**RECONVENE**

*THE MEETING RECONVENED AT 1:30 P.M.*

[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 Report](#)

*Panel Guests:*

*Angie Rodgers DCAO for Economic Development*

*David Iannucci President & CEO, EDC*

*Denise Robinson, Assistant DCAO for Economic Development*

*Howard W. Stone, Director of the Government Operations and Fiscal Policy Committee provided an overview of CB-055-2020. David Iannucci, President and CEO, Economic Development Corporation outlined the details of the amendments in the Proposed Draft 2. The Office of the County Executive and the Office of Law had no additional comments. A Fiscal and Policy Note was provided by the Office of Audits and Investigations. Mr. Iannucci responded to questions by Council Members.*

**A motion was made by Council Member Dernoga, seconded by Council Member Davis, that this Council Bill be Favorably recommended with amendments. The motion carried by the following vote:**

**Aye:** 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

[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) . . .

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

**Attachment(s):** [B2020062](#)  
[CB-062-2020 Attachment 1](#)  
[CB-062-2020 AIS](#)  
[CB-062-2020 Report](#)

*Panel Guest:*

*Rushand Jones, Capital Budget Officer, Office of Management and Budget*

*Howard W. Stone, Director of the Government Operations and Fiscal Policy Committee provided an overview of CB-062-2020. The Office of the County Executive and the Office of Law had no additional comments. Rushane Jones, Capital Budget Officer, Office of Management and Budget responded to questions by Council Members.*

**A motion was made by Council Member Glaros, seconded by Council Member Harrison, that this Council Bill be Favorably recommended.**

**The motion carried by the following vote:**

**Aye:** 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

[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 Report](#)

*Panel Guest:*

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*Linda Allen Deputy Director- Office of Finance*

*Howard W. Stone, Director of the Government Operations and Fiscal Policy Committee provided an overview of CB-075-2020. The Office of the County Executive is in support of the legislation. The Office of Law finds CB-075-2020 to be in proper legislative form with no impediments to its adoption. A Policy and Fiscal Note was provided by the Office of Audits and Investigations. Linda Allen, Deputy Director, Office of Finance was available for questions.*

**A motion was made by Council Member Franklin, seconded by Council Member Streeter, that this Council Bill be Favorably recommended. The motion carried by the following vote:**

**Aye:** 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

[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.

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

**Attachment(s):** [B2020076](#)  
[CB-076-2020 AIS](#)  
[CB-076-2020 Report](#)

*Panel Guests:*

*Rushane Jones, Capital Budget Officer, Office of Management and Budget*  
*Ron Halper, Debt Manager, Office of Finance*

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*Howard W. Stone, Director of the Government Operations and Fiscal Policy Committee provided an overview of CB-076-2020. The Office of the County Executive and the Office of Law had no additional comments. Fiscal and Policy Note was provided by the Office of Audits and Investigations. Rushane Jones, Capital Budget Officer, Office of Management and Budget and Ron Halper, Debt Manager, Office of Finance, were available for comment and responded to questions by Council Members.*

**A motion was made by Council Member Glaros, seconded by Vice Chair Hawkins, that this Council Bill be Favorably recommended. The motion carried by the following vote:**

**Aye:** 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

[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](#)  
[CB-034-2020 Report](#)

*Panel Guests:*

*Renee Battle-Brooks, Director, HRC*

*Henry Jimenez, Administrative Assistant, HRC*

*V'Hesppa Glenn, Investigator, HRC*

*Jose Villegas, Investigator, HRC*

*Stanley Earley, Director, OMB*

*Maria Calloway, OMB*

*Leroy Maddox, Legislative Officer provided an overview of the legislation. The County Executive is in support of this legislation, however, has financial concerns. The Office of Law had no additional comments. Renee Battle-Brooks, Director, Human Relations Commission, was available for comment and questions. There were 4 speakers David Steib, Ayude; Mo Kantner, New American Economy; Catalina Sol, Executive Director, LA Clinica Del Pueblo and Maria Gomez, Mary's Center signed up to speak.*

**A motion was made by Council Member Taveras, seconded by Vice Chair Hawkins, that this Council Bill be Held in Committee. The motion carried by the following vote:**

**Aye:** 9 - Turner, Davis, Dernoga, Franklin, Harrison, Hawkins,  
Ivey, Streeter and Taveras  
**Absent:** Anderson-Walker and Glaros

[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](#)

*Council Chair Turner announced that there would be no discussion or action on CB-008-2020; deferred to October 13, 2020.*

**This Council Bill was held in Committee.**

**ADJOURN**

*THE MEETING ADJOURNED AT 3:28 P.M.*

**A motion was made by Council Member Streeter, seconded by Council Member Ivey, that the meeting be adjourned. The motion carried unanimously.**

*Additional Participants:*

*ZHE*

*Maureen McNeil*

*M-NCPPC*

*Rana Hightower, Intergovernmental Affairs Coordinator*

*Chad Williams, Project Manager*

*Brooke Larman, Supervisor, Permit Review Section*

*Michelle Hughes, Supervisor, Permit Review Section*

*DPIE*

*Mary Giles, Associate Director, Site/Road Plan Review Division*

*Behdad Kashanian, Associate Director, Inspections Division*