

# ***AGENDA MINUTES***

**Tuesday, September 10, 2013**

**Business Meeting**

**(Legislative Day No. 26 to be declared)**

## **COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

### **AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD**

**CALL TO ORDER**- *Council Chair Harrison called to order at 10:15 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 Williams, Jr., Council Administrator  
William Hunt, Deputy Council Administrator  
Redis Floyd, Clerk of the Council  
Donna Brown, Deputy Clerk of the Council  
Kerry Watson, County Executive's Liaison to the Council  
Todd Turner, Legislative Officer  
Karen Zavakos, Legislative Officer  
Bridgett Greer, Office of Law*

**INVOCATION**-*The Invocation was provided by Pastor Dwayne Hooper, Executive Pastor, Largo Community Church, Mitchellville, Maryland*

**SPECIAL INTENTIONS:**

*Council Member Toles requested prayer for the family of Dwayne Mingo in the passing of his cousin.*

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

**POINT OF PERSONAL PRIVILEGE**- *Council Chair Harrison commemorated 9/11 and the bravery and sacrifices of our armed forces here and abroad. Prostate Awareness Day and encouraged early testing. Council Chair Harrison also recognized and acknowledged Kerry Watson for his work as the County Executive's Liaison to the Council and wished him well in his new position.*

**DESIGNATION OF SEPTEMBER 10, 2013 AS LEGISLATIVE DAY NO. 26 DESIGNATED**

*Council Chair Harrison announced September 10, 2013 as Legislative Day number Twenty-six.*

1. **CONSENT AGENDA – CR-89, 90 AND 91 ADDED (pg 5) – 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 April 2, 2013 **APPROVED**
- (b) **First Reading of Bills (Presentation)**

**CB-64-2013 – AN ORDINANCE CONCERNING REPEAL OF SECTION 27-113 OF THE ZONING ORDINANCE OF PRINCE GEORGE'S COUNTY, MARYLAND, PROPERTY CONVEYED BY THE UNITED STATES OF AMERICA OR BY THE STATE OF MARYLAND** for the purpose of repealing Section 27-113 of the Zoning Ordinance of Prince George's County, Maryland and making clarifying amendments to the Zoning Ordinance. **PRESENTED**

*Council Bill 64 was presented by Council Member Franklin and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

**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. **PRESENTED**

*Council Bill 65 was presented by Council Members Franklin and Turner and referred to the Planning, Zoning and Economic Development (PZED) Committee.*

**CB-66-2013 - AN ACT CONCERNING HOMESTEAD PROPERTY TAX CREDIT** for the purpose of establishing the homestead property tax credit for the County property tax for the taxable year beginning July 1, 2014. **PRESENTED**

*Council Bill 66 was presented by the Chair by request of the County Executive and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

(c) **Introduction of Resolutions**

**CR-87-2013 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY LEGACY PROGRAM** for the purpose of approving the application and receipt of financing by Prince George's County, Maryland, to the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Program **INTRODUCED**

*Council Resolution 87, as proposed by the Chair by request of the County Executive, approves the application and receipt of financing by Prince George's County, Maryland, to the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Program.*

*Council Resolution 87 was introduced by Council Members Toles, Harrison, Patterson, Davis, Franklin, and Lehman and referred to the Transportation, Housing and the Environment (THE) Committee.*

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

*There were none.*

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

*There were none.*

4. *\*\*Council Member Franklin moved to accept the additions package; seconded by Council Member Davis. The motion carried by voice vote.*

**SECOND READING OF BILLS (INTRODUCTION)**

**CB-18-2013 – AN ACT CONCERNING DEPARTMENT OF PERMITTING, INSPECTIONS, AND ENFORCEMENT** for the purpose of amending several provisions of the County Code to transfer certain responsibilities and functions to the Department of Permitting, Inspections, and Enforcement. **INTRODUCED**

*Council Member Davis as Chair of the Transportation, Housing and the Environment (THE) Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 18 which amends several provisions of the County Code to transfer certain responsibilities and functions to the Department of Permitting, Inspections, and Enforcement was introduced by Council Members Franklin, Turner, Lehman and Davis.*

**CB-67-2013 - AN ORDINANCE CONCERNING R-55 ZONE** for the purpose of amending the minimum net lot area in the R-55 Zone under certain circumstances. **INTRODUCED; EXPEDITED**

*Council Bill 67 which amends the minimum net lot area in the R-55 Zone under certain circumstances was introduced by Council Member Turner, Franklin, Lehman, Davis, Harrison and Patterson and referred to the Planning, Zoning and Economic Development (PZED) Committee. The Clerk was directed to expedite scheduling of Council Bill 67.*

5. **PUBLIC HEARING/BILL ELIGIBLE FOR THIRD READING (ENACTMENT)**

**CB-58-2013 (DR-2) – AN ORDINANCE CONCERNING PRIVATE SCHOOLS** for the purpose of allowing private schools in the C-O Zone under certain circumstances. **PUBLIC HEARING HELD; ENACTED**

*Pursuant to proper notice, the public hearing convened on Council Bill 58. There were two speakers in support of the legislation. All persons wishing to speak, having done so. The hearing was declared held. Council Member Davis moved to enact Council Bill 58; seconded by Council Member Patterson. The motion carried 9-0.*

6. **PUBLIC HEARING/RESOLUTION**

**CR-61-2013 – A RESOLUTION CONCERNING FY 2012-2022  
COMPREHENSIVE TEN YEAR SOLID WASTE MANAGEMENT PLAN** for the purpose of adopting the Prince George's County FY 2012-2022 Ten Year Solid Waste Management Plan as recommended by the County Executive. **PUBLIC HEARING HELD**

*Pursuant to proper notice, the public hearing convened on Council Resolution 61. There were five speakers. All persons wishing to speak, having done so. The hearing was declared held. Council Chair Harrison announced that the written comment period would be extended until September 17, 2013.*

7. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

**CR-88-2013 – A RESOLUTION CONCERNING THE PUBLIC FACILITIES  
ELEMENT OF THE PRELIMINARY LARGO TOWN CENTER SECTOR  
PLAN AND PROPOSED SECTIONAL MAP AMENDMENT** for the purpose of identifying inconsistencies between the Preliminary Largo Town Center Sector Plan and existing or proposed State or County facilities and approving the inclusion of any new transportation proposals prior to the adoption of the sector plan by the Prince George's County Planning Board. **INTRODUCED; AMENDED; RULES  
SUSPENDED; DR-2 ADOPTED**

*Council Resolution 88, as proposed by the Chair by request of the Planning Board identifies inconsistencies between the Preliminary Largo Town Center Sector Plan and existing or proposed State or County facilities and approves the inclusion of any new transportation proposals prior to the adoption of the sector plan by the Prince George's County Planning Board. Council Resolution 88 was introduced by Council Members Franklin, Toles and Harrison. Council Member Davis moved include Amendment #1; seconded by Council Member Turner. The motion carried 9-0. Council Member Davis moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 88; seconded by Council Member Turner. The motion carried 9-0. Council Member Davis moved to adopt Council Resolution 88; seconded by Council Member Turner. The motion carried 9-0.*

**ADDITIONS TO THE AGENDA****1. CONSENT AGENDA – (page 2)**

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.

**(c) Introduction of Resolutions****CR-89-2013 – A RESOLUTION CONCERNING CONTRACT APPROVALS**

for the purpose of approving a multi-year Financing Agreement for the refunding of Dimensions Healthcare System, Inc. bonds. **INTRODUCED**

*Council Resolution 89, as proposed by the Chair by request of the County Executive, approves a multi-year Financing Agreement for the refunding of Dimensions Healthcare System, Inc. bonds. Council Resolution 89 was introduced by Council Members Harrison, Campos, Davis, Franklin, Patterson, Toles and Turner and referred to the Committee of the Whole (C.O.W.)*

**CR-90-2013 – A RESOLUTION CONCERNING HOUSING AND**

**COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2013** for the purpose of amending the Annual Action Plan for Housing and Community Development: FY 2013 and approving the reprogramming of \$1,079,233 in HOME Investment Partnership (“HOME”) funds from the FY 2007, FY 2008, FY 2009, FY 2010, FY 2011, and FY 2012 Annual Action Plans to the “My HOME” program, an existing FY 2013 Annual Action Plan Homebuyer activity. **INTRODUCED**

*Council Resolution 90, as proposed by the Chair by request of the County Executive, amends the Annual Action Plan for Housing and Community Development: FY 2013 and approves the reprogramming of \$1,079,233 in HOME Investment Partnership (“HOME”) funds from the FY 2007, FY 2008, FY 2009, FY 2010, FY 2011, and FY 2012 Annual Action Plans to the “My HOME” program, an existing FY 2013 Annual Action Plan Homebuyer activity. Council Resolution 90 was introduced by Council Members Turner, Harrison and Davis and referred to the Committee of the Whole.*

**CR-91-2013 - A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM** for the purpose of approving the project submitted by Legal Aid Bureau, Inc. to the Maryland Department of Housing and Community Development for participation in the Department's Community Investment Tax Credit Program. **INTRODUCED**

*Council Resolution 91 as proposed by the Chair by request of the County Executive approves the project submitted by Legal Aid Bureau, Inc. to the Maryland Department of Housing and Community Development for participation in the Department's Community Investment Tax Credit Program. Council Resolution 91 was introduced by Council Members Harrison, Davis, Franklin, Patterson, Toles and Turner and referred to the Transportation, Housing and the Environment (THE) Committee.*

*\*\*Motion to convene in Executive Session Made by Council Member Patterson; seconded by Council Member Davis. Motion carried 9-0.*

**REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL**

*There were none.*

**ADJOURNED**- *The meeting adjourned at 12:01 p.m.*

**EXECUTIVE SESSION – (1<sup>ST</sup> FLOOR EXECUTIVE CONFERENCE ROOM)**  
**-- EXECUTIVE SESSION HELD**

- (a) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, to consult with counsel to seek legal advice, and to discuss pending or potential litigation in accordance with Section 10-508(a)(4, 7, 8), State Government, Annotated Code of Maryland.

**Topics Discussed:**

- (1) Dimension Bond Debt Refinancing;
- (2) District Council litigation status update (5 cases)
- (3) Adult Entertainment zoning bill Federal litigation update.

Prepared by:

Sherry Bias, Administrative Aide

Submitted by:

Redis C. Floyd, Clerk of the Council