

# **AGENDA MINUTES**

**Tuesday, October 23, 2007**

**Business Meeting**

**(Legislative Day No. 30 to be declared)**

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

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

**CALL TO ORDER:** - Chair Exum called to order at 10:21 A.M. with the following Council Members present:

*Marilynn M. Bland  
Will Campos  
Samuel H. Dean  
Thomas E. Dernoga  
Camille A. Exum  
David C. Harrington  
Tony Knotts  
Eric C. Olson  
Ingrid M. Turner*

*Others Present:*

*Craig Price, Council Administrator  
Robert J. Williams, Jr., Deputy Council Administrator  
Ralph Grutzmacher, Legislative Officer  
Jackie Brown, PZED Committee Director  
Frank Porter, PSFM Committee Director  
Hawi Sanu, THE Committee Director  
Russell King, Associate County Attorney  
Marcus Jackson, County Council Liaison, Office of the County Executive*

**INVOCATION:** - The Invocation was led by Reverend Vernon Lattimore, New Bible Baptist Church, Washington, D.C. Council Member Harrington requested special prayers for the residents of Southern California due to the wild fires. Council Member Dean for Ciara Marshall, granddaughter, of Iretha Tate of his staff.

**PLEDGE OF ALLEGIANCE:** - The pledge of allegiance was led by Council Member Turner.

**POINT OF PERSONAL PRIVILEGE:** *Council Member Harrington spoke to the tenure of Herman Dawson, Jr., of his staff and applauded his services to the County. JR's last day with the County will be October 23, 2007. He will be missed. Council Member Dean welcomed Jason and Stacey Steel (his great nephew and niece) visiting from Oceanside, California.*

**DESIGNATION OF OCTOBER 23, 2007 AS LEGISLATIVE DAY NO. 30**

*Chair Exum designated October 23, 2007 as Legislative Day number 30*

1. **PUBLIC HEARINGS:** - **PUBLIC HEARINGS HELD- CONFIRMED**

*Council Member Dean, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Mr. Michael Herman, Representative for the County Executive, introduced the nominees to the Council. Mr. Alfred T. Dasi; Ms. Janelle J. Jordan; Ms. Ivy R. Thompson; Mr. George S. Nicol; Mr. Elisha B. Pulivarti and Ms. Rosa M. Wingate were present and spoke on their own behalf. Mr. Sylvester Vaughns spoke on behalf of his son (Sandy J. Vaughns). Mr. Edie F. Nkwelle; Ms. Joyce A. Beck and Ms. Brenda L. Beitzel were unable to attend. All persons wishing to speak having done so, the public hearing was declared held. Council Member Dean moved confirmations of all nominees; seconded by Council Member Harrington. The motion carried 9-0.*

**Appointment of the following individuals to the Prince George's County Park and Recreation Advisory Board:**

Mr. Alfred T. Dasi	Appointment/Southern Area Representative Replacing: Earnest Canty Term Expiring: 6/30/2009
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Ms. Janelle J. Jordan	Appointment/Central Area Representative Replacing: Leslie Telford Term Expiring: 6/30/2011
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Mr. Edie F. Nkwelle (unable to attend)	Appointment/Northern Area Representative Replacing: Marvin Clarke Term Expiring: 6/30/2010
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Ms. Ivy R. Thompson	Appointment/Northern Area Representative Replacing: Andres Ramirez, Jr. Term Expiring: 6/30/2010
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Mr. Sandy J. Vaughns	Appointment/At-Large Representative Replacing: Jeffrey W. Smith Term Expiring: 6/30/2010
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Ms. Joyce A. Beck (unable to attend)	Reappointment/Southern Area Representative Term Expiring: 6/30/2011
Ms. Brenda L. Beitzel (unable to attend)	Reappointment/At-Large Representative Term Expiring: 6/30/2010
Mr. George S. Nicol	Reappointment/Northern Area Representative Term Expiring: 6/30/2011
Mr. Elisha B. Pulivarti	Reappointment/Northern Area Representative Term Expiring: 6/30/2009
Ms. Rosa M. Wingate	Reappointment/Central Area Representative Term Expiring: 6/30/2009

2. **SECOND READING OF BILLS – (INTRODUCTION) -- CB-28-2007 (DR-2); CB-36-2007 (DR-2); CB-39-2007 (DR-2) & CB-49-2007 ADDED; (SEE PAGE )**

**CB-33-2007 (DR-2) – AN ORDINANCE CONCERNING MONOPOLES** for the purpose of increasing the minimum area required for monopoles on residential property without the need for a special exception. - **INTRODUCED; EXPEDITED**

*Council Member Dean, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 33(DR-2) increases the minimum area required for monopoles on residential property without the need for a special exception. Council Bill 33 (DR-2) was introduced by Council Members Dean, Exum, Dernoga, Bland, Turner and Harrington and was favorably reported out of Planning, Zoning and Economic Development on 10/17/2007 with amendments. The Clerk was directed to expedite scheduling of Council Bill 33 (DR-2).*

**CB-38-2007 (DR-2) – AN ORDINANCE CONCERNING APARTMENT HOUSING FOR THE ELDERLY** for the purpose of permitting Apartment Housing for the Elderly in the R-18 Zone, subject to Detailed Site Plan but not Special Exception review. - **INTRODUCED; EXPEDITED**

*Council Member Dean, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 38 (DR-2) permits Apartment Housing for the Elderly in the R-18 Zone, subject to Detailed Site Plan but not Special Exception review under certain circumstances. Council Bill 38 (DR-2) was introduced by Council Members Turner and*

*Dean. Council Bill 38 (DR-2) was favorably reported out of the Planning, Zoning and Economic Development (PZED) Committee on 10/17/2007. The Clerk was directed to expedite scheduling of Council Bill 38 (DR-2).*

**CB-40-2007 (DR-2) – AN ORDINANCE CONCERNING NONCONFORMING BUILDINGS, STRUCTURES, AND USES** for the purpose of allowing certain alteration, enlargement or extension to certified nonconforming buildings, structures, and uses under certain circumstances without the requirement for a special exception.

- **INTRODUCED; EXPEDITED**

*Council Member Dean, Chair of the Planning, Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 40 (DR-2) allows certain alteration, enlargement or extension to certified nonconforming buildings, structures, and uses under certain circumstances without a special exception. Council Bill 40 (DR-2) was introduced by Council Member Campos and was favorably report out of the Planning, Zoning and Economic Development (PZED) Committee on 10/172007 with amendments. The Clerk was directed to expedite scheduling of Council Bill 40 (DR-2).*

**CB-34-2007 (DR-2) – AN ACT CONCERNING TELECOMMUNICATIONS FACILITY COMMITTEE – FACILITY INVENTORY** for the purpose of amending procedures pertaining to the Prince George’s County Telecommunications Transmission Facility Committee. - **INTRODUCED**

*Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 34 amends the procedures pertaining to the Prince George's County Telecommunications Transmission Facility Committee. Council Bill 34(DR-2) was introduced by Council Members Dean, Bland, Turner and Exum and was favorably reported out of the Public Safety and Fiscal Management (PSFM) Committee on 10/15/2007 with amendments.*

**CB-41-2007 (DR-2) – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY** for the purpose of abolishing existing classes of work from the collective bargaining agreement between the County, the State’s Attorney’s Office, and Service Employees International Union Local 400PG, Salary Schedule V.

- **INTRODUCED**

*Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 41 amends the Classification Plan by abolishing classes from Service Employees International Union (“SEIU”) Local 400PG, Salary Schedule V. Council Bill 41(DR-2) was introduced by Council Member Dean and was favorably reported out of the Public Safety and Fiscal Management (PSFM) Committee on 10/15/2007 with amendments.*

**CB-15-2007 (DR-2) – AN ACT CONCERNING COMMON OWNERSHIP**

**COMMUNITIES PROGRAM** for the purpose of establishing a Common Ownership Communities Program to assist governing bodies, owners, and residents of homeowners' associations, residential condominiums, and cooperative housing corporations with education, training, and alternative dispute resolution services in matters relating to these communities. - **INTRODUCED**

*Council Member Dernoga, Chair of the Transportation, Housing and the Environment (THE) Committee provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 15 establishes a Common Ownership Communities Program to assist governing bodies, owners, and residents of homeowners' associations, residential condominiums, and cooperative housing corporations with education, training, and alternative dispute resolution services in matters relating to these communities. Council Bill 15 (DR-2) was introduced by Council Members Dean, Harrington, Turner, Knotts, Exum and Bland. Council Bill 15 (DR-2) was favorably reported out of the Transportation, Housing and the Environment (THE) Committee on 10/11/2007 with amendments.*

**CB-35-2007 (DR-2) – AN ACT CONCERNING TOWING REGULATIONS** for the purpose of amending the towing regulations to reduce the time a tow company has to provide notice of a vehicle tow from private property. - **INTRODUCED**

*Council Member Dernoga, 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 35 amends the towing regulations to reduce the time a tow company has to provide notice of a vehicle tow from private property. Council Bill 35 (DR-2) was introduced by Council Members Harrington, Dernoga and Bland. Council Bill 35 (DR-2) was favorably reported out of the Transportation, Housing and the Environment (THE) Committee on 10/11/2007 with amendments.*

*Council Member Dean moved to accept additional items to the Agenda; seconded by Council Member Harrington. The motion carried by voice vote.*

3. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)**

**CR-64-2007 – A RESOLUTION CONCERNING REVITALIZATION TAX CREDIT – POST PARK** for the purpose of establishing that a mid-rise multifamily housing development known as Post Park, located in census tract number 805901 which qualifies for a revitalization or redevelopment tax credit pursuant to Section 10-235.02 of the Prince George's County Code. - **ADOPTED**

*Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendation of the Committee to the Council. Council Resolution 64 establishes that the Post Park multifamily housing development, located in census tract number 805901, qualifies for a*

*revitalization/redevelopment tax credit, pursuant to Section 10-235.02 of the Prince George's County Code. Council Resolution 64 was introduced by Council Member Campos. Council Member Campos moved adoption of Council Resolution 64; seconded by Council Member Bland. The motion carried 9-0.*

4. **INTRODUCTION OF RESOLUTIONS -- CR-76-2007 & CR-77-2007 ADDED (SEE PAGE 6)**

**CR-74-2007 - A RESOLUTION CONCERNING THE NEW CARROLLTON TRANSIT DISTRICT OVERLAY ZONE** for the purpose of reviewing the New Carrollton Transit District Overlay Zone and recommending the re-establishment of the Overlay Zone. - **INTRODUCED ONLY**

*Council Resolution 74 concerns the New Carrollton Transit District Overlay Zone for the purpose of reviewing the New Carrollton Transit District Overlay Zone and recommending the re-establishment of the Overlay Zone. Council Resolution 74 was introduced by Council Members Olson, Dean, Harrington, Campos and Knotts.*

**ADDITIONS TO THE AGENDA**

2. **SECOND READING OF BILLS – (INTRODUCTION) – (page 3)**

**CB-36-2007 (DR-2) – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY** for the purpose of adding and removing certain job classifications under Salary Schedule A of the collective bargaining agreement by and between the County and Council 67, American Federation of State, County and Municipal Employees (“ASFCME”), AFL-CIO, and its affiliated locals 2462, 2735, 3389 and 1170. - **INTRODUCED**

*Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 36 amends the Classification Plan by adding and removing certain job classifications to Salary Schedule A for Council 67, American Federation of State, County and Municipal Employees (“AFSCME”), AFL-CIO, and its affiliated locals. Council Bill 36 was introduced by Council Members Dean, Turner, Knotts, Harrington, Dernoga and Campos. Council Bill 36(DR-2) was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 10/22/2007 with amendments.*

**CB-39-2007 (DR-2) – AN ACT CONCERNING NOTICE TO PURCHASERS OF REAL ESTATE IN SPECIAL TAXING DISTRICTS** for the purpose of amending the Consumer Protection Laws of the County to require disclosure in residential real estate contracts that the subject property is subject to additional taxes and fees in a Special Taxing District and to provide provisions for the failure to provide the required notice. - **INTRODUCED**

*Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee provided a verbal a report of the actions and recommendations of the Committee*

to the Council. Council Bill 39 concerns Notice to Purchasers of Real Estate in Special Taxing Districts for the purpose of amending the Consumer Protection laws of the County to require disclosure in residential real estate contracts that the subject property is subject to additional taxes and fees in a Special Taxing District and to provide provisions for the failure to provide the required notice. Council Bill 39 (DR-2) was introduced by Council Members Harrington, Bland, Campos, Dernoga, Exum, Dean, Turner and Knotts. Council Bill 39(DR-2) was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 10/22/2007 with amendments.

**CB-28-2007 (DR-2) – AN ACT CONCERNING DISADVANTAGED BUSINESS**

**ENTERPRISES** for the purpose of establishing a Disadvantaged Business Enterprise (DBE) program to assist disadvantaged entrepreneurs in performing work for the County under certain circumstances and amending certain competitive sealed bidding provisions within the Purchasing Subtitle. - **INTRODUCED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 28 (DR-2) establishes a Disadvantaged Business Enterprise (DBE) program to assist disadvantaged entrepreneurs in performing work for the County under certain circumstances and amending the competitive sealed bidding threshold for the cost of goods and services in procurement contract awards. Council Bill 28(DR-2) was introduced by Council Members Harrington and Knotts. Council Bill 28(DR-2) was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 07/23/2007.

**CB-49-2007 – AN ACT CONCERNING MINORITY BUSINESS ENTERPRISE**

**CERTIFICATIONS** for the purpose of amending provisions of the Code allowing issuance of minority business enterprise certifications to entities that exceed the State of Maryland's minority business enterprise eligibility criteria, and for the purpose of transferring the minority business enterprise certification function to the Minority Business Development Division of the Office of Central Services.

- **AMENDED; DR-2 INTRODUCED**

Council Bill 49 amends provisions of the Code allowing issuance of minority business enterprise certifications to entities that exceed the State of Maryland's minority business enterprise eligibility criteria, revising the composition of the membership of the Minority Business Opportunities Commission and for the purpose of transferring the minority business enterprise certification. Council Member Dean moved amendment number 1; seconded by Council Member Turner. The motion carried 9-0. Council Bill 49 (DR-2) was introduced by Council Members Dean, Turner, Knotts, Harrington, Bland and Olson.

4. **INTRODUCTION AND ADOPTION OF RESOLUTIONS – (page 5)**

**CR-75-2007 - A RESOLUTION CONCERNING THE OUTSOURCING OF LOCAL JOBS BY WASHINGTON GAS LIGHT COMPANY** for the purpose of expressing

concern that Washington Gas Light Company has announced its intention to eliminate 300 positions in the Washington metropolitan area and outsource customer service and gas leak call center work to a foreign corporation.

- **AMENDED; DR-2 INTRODUCED; RULES SUSPENDED; ADOPTED**

*Council Resolution 75 expresses concern that Washington Gas Light Company has announced its intention to eliminate 300 positions in the Washington metropolitan area and outsource customer service and gas leak call center work to a foreign corporation. Council Member Olson moved amendment number 1; seconded by Council Member Bland. The motion carried 9-0. Council Resolution 75(DR-2) was introduced by Council Members Olson, Exum, Harrington, Bland, Dean, Dernoga, Turner, Campos and Knotts. Council Member Olson moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 75 (DR-2). The motion carried by voice vote. Council Member Olson moved adoption of Council Resolution 75(DR-2); seconded by Council Member Harrington. The motion carried 9-0.*

5. **INTRODUCTION OF RESOLUTIONS:**

**CR-76-2007 – A RESOLUTION CONCERNING PROCUREMENT REGULATIONS REGARDING MINORITY BUSINESS ENTERPRISES** for the purpose of approving

amendments to the Prince George’s County Procurement Regulations regarding minority business enterprises pursuant to Section 10A-105 of the Prince George’s County Code.

- **INTRODUCED**

*Council Resolution 76 approves amendments to the Prince George’s County Procurement Regulations regarding minority business enterprises pursuant to Section 10A-105 of the Prince George’s County Code. Council Resolution 76 was introduced by Council Member Exum and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

**CR-77-2007 – A RESOLUTION CONCERNING DISADVANTAGED BUSINESS ENTERPRISES** for the purpose of approving the Prince George’s County Disadvantaged Business Enterprise (“DBE”) Program. - **INTRODUCED**

*Council Resolution 77 concerns Disadvantaged Business Enterprises for the purposes of approving the Prince George’s County Disadvantaged Business Enterprise (“DBE”) Program. Council Resolution 77 was introduced by Council Member Exum and referred to the Public Safety and Fiscal Management (PSFM) Committee.*

**EXECUTIVE SESSION – (EXECUTIVE CONFERENCE ROOM)**

- **EXECUTIVE SESSION HELD**

- (a) To consider the investment of public funds in accordance with Maryland

Annotated Code, State Government, Section 10-508 (a) (5).  
Council Member Dean made a motion to convene into Executive Session; seconded by Council Member Turner. The motion carried 9-0.

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

*No person wished to Address the Council*

**ADJOURN:** - Chair Exum adjourned at 11:14 A.M.

**COMMITTEE OF THE WHOLE – (COUNCIL HEARING ROOM)**  
- **COMMITTEE OF THE HOLD (C.O.W.) HELD**

**THE PRINCE GEORGE’S COUNTY’S TELECOMMUNICATIONS  
TRANSMISSION FACILITIES COORDINATING COMMITTEE (TTFCC) 2007-  
2008 MASTER PLAN**

Stan Wildesen, Chair, TTFCC

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE – (ROOM 2027)**  
- **COMMITTEE MEETING HELD**

Prepared By:

Submitted By:

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Shirley T. Blake, Administrative Aide

\_\_\_\_\_  
Redis C. Floyd, Clerk of the Council