

ACTION AGENDA

Tuesday, November 8, 2011

Business Meeting

(Legislative Day No. 26 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

10:22 A.M. SWEARING IN CEREMONY – (COUNCIL HEARING ROOM)

Council Member Derrick Leon Davis (Councilmanic District 6)

By: The Honorable Marilynn M. Bland, Clerk of the Circuit Court

12:45 P.M. AGENDA BRIEFING – (ROOM 2027) – BRIEFING HELD

1:08 P.M. COMMITTEE OF THE WHOLE – (ROOM 2027) -- COMMITTEE MEETING HELD

- Favorable Recommendation*
- Proposed joint signature letter to Dr. David Lever, R.A., D.A., Executive Director, The Interagency Committee of State School Construction, endorsing the Prince George's County Board of Education's proposed FY-2013 capital budget request and to identify the projects that the County considers most critical.
- Favorable Recommendation*
- Proposed joint signature letter to Dr. David Lever, R.A., D.A., Executive Director, The Interagency Committee on State School Construction, expressing the County's support of the Board of Education recommended schools to be funded with the State's FY 2012 \$9 million supplemental appropriation.

1:30 P.M.

CALL TO ORDER

INVOCATION: Dr. Gerald Folsom, PhD., Minister, Community of Hope A.M.E., Hillcrest Heights, Maryland

PLEDGE OF ALLEGIANCE

Designated

DESIGNATION OF NOVEMBER 8, 2011 AS LEGISLATIVE DAY NO. 26

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.

Approved

- (a) Approval of County Council Minutes dated
- (b) **Introduction of Resolutions**

Introduced

CR-78-2011 – A RESOLUTION CONCERNING HIGH-CAPACITY FIXED-ROUTE MASS TRANSIT SERVICE IN THE MD 5/US 301 CORRIDOR for the purpose of expressing the County Council’s continued support for the development of new high-capacity, fixed-route transit service on the 18.8-mile MD Route 5/US 301 corridor alignment between the Branch Avenue Metrorail Station in Prince George’s County and Waldorf/White Plains in Charles County.

Introduced by Council Members Franklin, Patterson, Harrison, Olson, Lehman, and Campos; referral to C.O.W.

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

None

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

Chair authorized to sign (a) Proposed joint signature letter to Dr. David Lever, R.A., D.A., Executive Director, The Interagency Committee of State School Construction, endorsing the Prince George's County Board of Education's proposed FY-2013 capital budget request and to identify the projects that the County considers most critical.

(Verbal C.O.W. report to be provided)

Chair authorized to sign (b) Proposed joint signature letter to Dr. David Lever, R.A., D.A., Executive Director, The Interagency Committee on State School Construction, expressing the County's support of the Board of Education recommended schools to be funded with the State's FY 2012 \$9 million supplemental appropriation.

(Verbal C.O.W. report to be provided)

Chair authorized to sign (c) Proposed correspondence to Verjeana M. Jacobs, Chair, Board of Education, approving the Board of Education's final transfer request for the Fiscal Year 2011 Operating Budget.

(Favorably reported out of HEHS on 11/3/2011)

4. **PUBLIC HEARINGS: - (COUNCIL HEARING ROOM)**

Public Hearing held; Confirmed • **Appointment of the following individual to the Housing Authority for Prince George's County:**

Mr. Paul E. Rowe Appointment, Chair
Replacing: Leroy Brown
Term Expiring: 10/24/2014

(Favorably reported out of THE on 10/13/2011)

PUBLIC HEARINGS: - (COUNCIL HEARING ROOM) – (CONTINUED)

*Public Hearing held;
All confirmed*

- **Appointment of the following individuals to the Cable Commission for Prince George’s County:**

Ms. Doris McMillon

Appointment
Replacing: Laurence C. Daniels
Cable Television Member
Term Expiring: 12/4/2014

Ms. Yulonda “Pleshette” Monroe

Appointment
Replacing: Martin Harris
Public Member at Large
Term Expiring: 12/4/2014

Mr. James “Jimmy” Tarlau

Appointment
Replacing: Innocent E. Otugo
Public Member at Large
Term Expiring: 12/4/2015

Mr. Michael J. Thompson

Appointment
Replacing: vacant
Prince George’s Municipal Association
Representative Member
Term Expiring: 12/4/2014

(Favorably reported out of PSFM on 10/19/2011)

*Public Hearing held;
All confirmed*

- **Appointment of the following individuals to the Advisory Committee on Aging for Prince George’s County:**

Ms. Jacqueline Byrd

Appointment
General Member
Term Expiring: 2/1/2014

Ms. Darilyn Marinelli

Appointment
Public Non-Profit Member
Replacing: Brenda Harris
Term Expiring: 2/1/2014

Ms. Carolyn Butler

Appointment
Senior Citizen Member
Term Expiring: 2/1/2013

PUBLIC HEARINGS: - (COUNCIL HEARING ROOM) – (CONTINUED)

Mr. Albert Dickson Re-Appointment
Senior Citizen Member
Term Expiring: 2/1/2014

Mr. James Lyles, Sr. Re-Appointment
Senior Citizen Member
Term Expiring: 2/1/2014

Ms. Ethel Mitchell Rock Re-Appointment
(unable to attend) General Member
Term Expiring: 2/1/2014

Ms. Dorothy Powell-Allen Re-Appointment
Public Non-Profit Member
Term Expiring: 2/1/2014

Mr. Byron Richardson Re-Appointment
General Member
Term Expiration: 2/1/2014

(Favorably reported out of HEHS on 10/20/2011)

5. **BILLS ELIGIBLE FOR FINAL READING**

Enacted

CB-46-2011 – (EXECUTIVE ORDER NO. 42-2011) REORGANIZATIONAL PROPOSAL relating to the Office of Human Relations.

(Reported out of C.O.W. on 10/18/2011 with no recommendation)

On September 16, 2011, the County Executive transmitted Executive Order No. 42-2011 proposing a Reorganization of the Office of Community Relations. Pursuant to Charter Section 503, this Reorganization will become effective on November 15, 2011 unless disapproved by a majority vote of the full Council prior to close of business on that date.

BILLS ELIGIBLE FOR FINAL READING – (CONTINUED)

Enacted

CB-65-2011 – (EXECUTIVE ORDER NO. 49-2011) REORGANIZATIONAL PROPOSAL relating to the Fire Commission.

(Favorably reported out of PSFM on 11/2/2011)

On October 19, 2011, the County Executive transmitted Executive Order No. 49-2011 proposing a Reorganization of the Fire/Emergency Medical Services Department. Pursuant to Charter Section 503, this Reorganization will become effective on December 18, 2011 unless disapproved by a majority vote of the full Council by the close of business on that date.

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

*Public Hearing held;
Enacted*

CB-8-2011 – (SUBDIVISION BILL) – AN ACT CONCERNING VALIDITY PERIODS FOR PRELIMINARY PLANS OF SUBDIVISION for the purpose of temporarily extending the validity periods of all approved applications for Preliminary Plans of Subdivision that were in a valid status as of January 1, 2011.

(Introduced by Council Members Patterson, Toles, Turner on 9/20/2011; favorably reported out of PZED on 9/7/2011)

*Public Hearing held;
Enacted*

CB-35-2011 – AN ORDINANCE CONCERNING SECTIONAL MAP AMENDMENT PROCEDURES AND DEFINITIONS for the purpose of clarifying Sectional Map Amendment Procedures for Sector Plans and amending certain definitions.

(Introduced by Council Members Patterson and Turner on 9/20/2011; favorably reported out of PZED on 9/7/2011)

*Public Hearing held;
Enacted*

CB-36-2011 – AN ACT CONCERNING ADMINISTRATION for the purpose of requiring an audit of the accounts maintained by the County Executive and County Council Members upon the death, resignation, removal or expiration of the term of the County Executive or County Council Member.

(Introduced by Council Members Olson, Turner, Lehman and Franklin and discharged from C.O.W. on 10/11/2011)

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT) – (CONTINUED)

*Public Hearing
held;
Enacted*

CB-39-2011 (DR-2) – AN ACT CONCERNING PARKING RESTRICTIONS AND VIOLATIONS for the purpose of making amendments to certain parking restrictions, violations and fines in the County; and generally relating to parking violations.

(Introduced by Council Members Campos, Franklin, Patterson and Lehman on 10/4/2011; favorably reported out of THE on 9/23/2011 with amendments)

*Public Hearing
held;
Enacted*

CB-42-2011 – 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, 2012.

(Introduced by Council Member Turner on 10/11/2011; favorably reported out of PSFM on 10/5/2011)

*Public Hearing
held;
Enacted*

CB-47-2011 - AN ACT CONCERNING HUMAN RELATIONS COMMISSION for the purpose of amending the provisions of the County Code relating to the Executive Director, staff, and budget of the Human Relations Commission.

(Introduced by Council Member Turner on 10/18/2011; reported out of C.O.W. on 10/18/2011 with no recommendation)

*Public Hearing
held;
Enacted*

CB-50-2011 (DR-2) – AN ACT CONCERNING FOOD SERVICE FACILITIES for the purpose of eliminating the exemption for facilities located on State-owned property from inspection from the Prince George's County Health Department.

(To be introduced by Council Members Patterson, Franklin, Toles and Harrison on 10/11/2011; favorably reported out of HEHS on 10/6/2011 with amendments)

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

*DR-2
substituted;
Adopted*

CR-73-2011 (DR-2) – A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$1,201,155 to the Police Department, Office of Homeland Security, Department of Social Services, Health Department and Department of Family Services.

(Introduced by Council Members Patterson, Harrison, Turner, Lehman and Olson on 10/25/2011; favorably reported out of PSFM on 11/2/2011 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (CONTINUED)

Adopted

CR-74-2011 – A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$5,100,300 to the Department of Family Services, Department of Social Services, Health Department, Department of Corrections, Police Department, Office of the Sheriff, Department of Public Works and Transportation, Circuit Court and the Office of the State’s Attorney.

(Introduced by Council Members Turner, Franklin, Harrison, Lehman, Olson, Patterson and Toles on 10/25/2011; favorably reported out of PSFM on 11/2/2011)

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Steven Sonnett and John Brunner addressed the Council regarding the Family Justice Center’s proposed location on a historic site in the Town of Upper Marlboro.

3:12 P.M.

BRIEFING – (COUNCIL HEARING ROOM) -- BRIEFING HELD

FAMILY JUSTICE CENTER

The Honorable Sheila R. Tillerson Adams, Administrative Judge, Prince George’s County and Seventh Judicial Circuit

The Honorable Cathy H. Serrette, Seventh Judicial Circuit and Family Division Coordinating Judge

3:36 P.M.

COUNTY COUNCIL SITTING AS THE BOARD OF HEALTH – (COUNCIL HEARING ROOM)

COMMITTEE OF THE WHOLE – COMMITTEE MEETING HELD

Favorable Recommendation

- **CR-77-2011 – A RESOLUTION CONCERNING ACTING HEALTH OFFICER** for the purpose of extending the appointment of Pamela Brown Creekmur as Acting Health Officer for Prince George’s County.

Briefing held

- **BOARD OF HEALTH YEAR IN REVIEW AND NEXT STEPS**

Dr. Joseph L. Wright, MPH, Professor and Senior Vice President, Children’s National Medical Center

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

Adopted

CR-77-2011 – A RESOLUTION CONCERNING ACTING HEALTH OFFICER

for the purpose of extending the appointment of Pamela Brown Creekmur as Acting Health Officer for Prince George’s County.

(Introduced by Council Member Turner on 11/1/2011)

(Favorably reported out of C.O.W. 11/8/2011)

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.

(b) **Introduction of Resolutions**

CR-79-2011 - A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY LEGACY PROGRAM for the purpose of approving the application by Housing Initiative Partnership, Inc. (“HIP”), a Maryland nonprofit, to the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Fund.

The Chair (by request – County Executive); referral to C.O.W.

To be introduced by:

CR-80-2011 - A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY LEGACY PROGRAM for the purpose of approving the application by Prince George’s County, Maryland, to the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Fund.

The Chair (by request – County Executive); referral to C.O.W.

To be introduced by:

CR-81-2011 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS GENERAL SCHEDULE EMPLOYEES - SALARY SCHEDULE G for the purpose of amending the Salary Plan of the County to reflect modified benefits for General Schedule Employees.

The Chair (by request – County Executive); referral to C.O.W.

To be introduced by:

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT – (page 3)**

- (d) Proposed correspondence to Secretary Richard E. Hall, Maryland Department of Planning, transmitting comments on PlanMaryland (Revised Draft Plan).

COMMITTEE OF THE WHOLE – (page 9)

- **CR-79-2011 - A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY LEGACY PROGRAM** for the purpose of approving the application by Housing Initiative Partnership, Inc. (“HIP”), a Maryland nonprofit, to the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Fund.
- **CR-80-2011 - A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY LEGACY PROGRAM** for the purpose of approving the application by Prince George’s County, Maryland, to the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Fund.
- **CR-81-2011 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS GENERAL SCHEDULE EMPLOYEES - SALARY SCHEDULE G** for the purpose of amending the Salary Plan of the County to reflect modified benefits for General Schedule Employees.

4:16 P.M.

ADJOURN

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

*Favorable
recommendation*

- **CR-78-2011 – A RESOLUTION CONCERNING HIGH-CAPACITY FIXED-ROUTE MASS TRANSIT SERVICE IN THE MD 5/US 301 CORRIDOR** for the purpose of expressing the County Council’s continued support for the development of new high-capacity, fixed-route transit service on the 18.8-mile MD Route 5/US 301 corridor alignment between the Branch Avenue Metrorail Station in Prince George’s County and Waldorf/White Plains in Charles County.

Motion to convene in Executive Session made by Council Member Olson; seconded by Council Member Harrison. Motion carried 8-0. (Absent: Council Member Toles)

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

- (a) Discussion to consider proposal for business to remain in the State in accordance with Maryland Annotated Code, State Government, Section 10-508 (a)(4).
- (b) To consult with counsel to obtain legal advice and to consult with staff, consultants, or other individuals about pending or potential litigation in accordance with Section 10-508(a)(7, 8), State Government, Annotated Code of Maryland.

Topics Discussed: Proposal for Children’s Hospital Center to perform Mobile Health Van service for underserved populations in the County and Top Dollar et al. v. Prince George’s County.

REMINDERS

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| Thurs., Nov. 10, 2011 | 10:00 a.m. | THE Committee Meeting (Room 2027) |
| Fri., Nov. 11, 2011 | | VETERAN'S DAY HOLIDAY |
| Mon., Nov. 14, 2011 | 9:30 a.m. 10:00 a.m. 1:30 p.m. | District Council Agenda Briefing (Room 2027) Call to Order (Council Hearing Room) District Council – continued (Council Hearing Room) |
| Tues., Nov. 15, 2011 | 9:30 a.m. 9:45 a.m. 10:00 a.m. | County Council Agenda Briefing (Room 2027) Proclamations (Council Hearing Room) Call to Order (Council Hearing Room) LAST COUNCIL SESSION FOR 2011 LEGISLATIVE YEAR |
| Wed., Nov. 16, 2011 | 7:00 -9:00 p.m. | TOWN HALL MEETING - ECONOMIC DEVELOPMENT “DEVELOPING GREAT OPPORTUNITIES IN PRINCE GEORGE’S COUNTY” – (Gwynn Park Middle School, 8000 Dyson Road, Brandywine, MD) |