

ACTION AGENDA MINUTES

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Tuesday, October 19, 2004

Legislative Day No. 35

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

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

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PRESENTATION OF PROCLAMATIONS/COMMENDATIONS - *Chairman Tony Knotts commenced presentation of proclamation/commendations at 1:51 p.m. and concluded at 2:15 p.m.*

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Joint Proclamation presented to **Ms. Barbara Miller, Member, Southern Maryland Business & Professional Women, recognizing October 17-23 as “National Women’s Week” in Prince George’s County.** (County Council Chairman Tony Knotts and Council Member Marilynn M. Bland) - **PRESENTED**

Chairman Tony Knotts and Council Member Marilynn M. Bland presented a proclamation to Ms. Barbara Miller, Member of Southern Maryland Business & Professional Women, recognizing October 17-23 as “National Women’s Week”. Ms. Miller was present to accept.

Joint Proclamation presented to **Mr. Paul E. Porter, President, Fort Washington Medical Center, recognizing the 2004 “Employer of the Year”, sponsored by the Southern Prince George’s Business & Professional Women.** (County Council Chairman Tony Knotts and Council Members Marilynn M. Bland and Douglas J.J. Peters) - **PRESENTED**

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Chairman Tony Knotts and Council Members Marilynn M. Bland and Douglas J. J. Peters presented a proclamation to Mr. Paul E. Porter, President, Fort Washington Medical Center, recognizing the 2004 “Employer of the Year”, sponsored by the Southern Prince George’s Business & Professional Women. Mr. Porter was present to accept.

Proclamation presented to **Ms. Diane C. Hampton, Director of Research, Maryland Independent College, recognizing the 2004 “Woman of the Year”, sponsored by the Southern Prince George’s Business & Professional Women.** (County Council Chairman Tony Knotts, Council Vice Chairman Samuel H. Dean and Council Members Marilynn M. Bland and Douglas J.J. Peters) - **PRESENTED**

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Chairman Tony Knotts, Vice Chairman Samuel H. Dean, Council Members Marilynn M. Bland and Douglas J. J. Peters presented a proclamation to Ms. Diane C. Hampton, Director of Research, Maryland Independent College, recognizing the 2004 “Woman of the Year”, sponsored by the Southern Prince George’s Business & Professional Women. Ms. Hampton was present to accept.

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS
-(CONTINUED)

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Proclamation presented to Mr. Ken Silverman, National Federation for the Blind, recognizing October 15, 2004 as “White Cane Safety Day” in Prince George’s County. (County Council Chairman Tony Knotts, Council Vice Chairman Samuel H. Dean and Council Members Marilyn M. Bland and Douglas J.J. Peters) - **PRESENTED**

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Chairman Tony Knotts, Council Vice Chairman Samuel H. Dean and Council Members Marilyn M. Bland and Douglas J. J. Peters presented a proclamation to Mr. Ken Silverman, National Federation for the Blind, recognizing October 15, 2004 as “White Cane Safety Day” in Prince George’s County. Mr. Silverman was present to accept.

Proclamation recognizing the outstanding contributions of First Book of Prince George’s County Local Advisory Board and proclaiming October 23, 2004 as “Make a Difference Day” in Prince George’s County. (County Council Chairman Tony Knotts, Council Vice Chairman Samuel H. Dean and Council Members Marilyn M. Bland and Douglas J.J. Peters) - **PRESENTED**

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Chairman Tony Knotts, Council Vice Chairman Samuel H. Dean and Council Members Marilyn M. Bland and Douglas J. J. Peters presented a proclamation recognizing the outstanding contributions of First Book of Prince George’s County Local Advisory Board and proclaiming October 23, 2004 as “Make a Difference Day”.

CALL TO ORDER – Chairman Knotts called to order at 2:35 p.m. with the following Council Members present:

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*Marilynn M. Bland
 Samuel H. Dean
 Thomas E. Dernoga
 Camille A. Exum
 Tony Knotts
 David C. Harrington
 Thomas R. Hendershot
 Douglas J. J. Peters
 Council District 2 — (Vacant)*

Others Present:

*-Barbara L. Holtz, Council Administrator
 Craig S. Price, Deputy Council Administrator
 Robert Williams, Jr., Associate Council Administrator
 Ralph Grutzmacher, Legislative Officer
 Kimberly Shearin-Cotton, Associate County Attorney
 Aisha Braveboy, County Council Liaison, Office of the County Executive
 Jackie Brown, Committee Director, PZED
 Sandra Eubanks, Committee Director, HEHS & THE*

INVOCATION: *The Invocation was led by Mrs. Donna Dean, Member, Vermont Avenue Baptist Church Washington, DC. Council Member Bland requested Special Intentions for Aurelia Napa and for the families of all the young people that have~~s~~ been killed on our dangerous roads~~;~~. Council Member Dean requested prayer for George Braxton in the lost of his mother Lillian Braxton; and~~-~~ Council Member Harrington requested prayer for the family of DuVal High School student, David Butler.*

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PLEDGE OF ALLEGIANCE *The pledge of allegiance was led by Council Member Knotts.*

POINTS OF PERSONAL PRIVILEGE ~~-~~

*Council Member Dean thanked Mrs. Dean for the Invocation today.
Council Member Harrington announced that the family of David Butler needed financial assistance and requested that interested persons~~person's c~~. ~~Call his office for information.~~*

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****** *Council Member Peters moved to accept additional items to the agenda; seconded by Council Member Dean. The motion carried by voice vote (Council District 2-vacant).*

CONSENT AGENDA -- CR-69-2004 & CB-113-2004 ADDED ~~(SEE PAGE 6)~~; 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.

~~*Council Member Peters moved to accept the additions package; seconded by Council Member Dean. Motion carried by voice vote.*~~

Introduction of Resolutions

CR-68-2004 – A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS for the purpose of funding from grants in the amount of \$967,109 to the Office of the Sheriff, the Police

Department, the Office of Homeland Security, the Fire/EMS Department, Circuit Court, Department of Social Services and the Office of the State's Attorney. -▲

INTRODUCED

Council Resolution 68, ~~was~~ proposed by the Chairman at the request of the County Executive, will provide supplementary appropriations for grant programs in FY2004 in the amount of \$967,109 to support new or expanded efforts of seven agencies. Council Resolution 68 was introduced by Council Members Knotts, Harrington, Peters, Dean, Exum and Bland ~~and~~ Council Resolution 68 was referred to Public Safety and Fiscal Management (PSFM) Committee.

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CONSENT AGENDA - Introduction of Resolutions – (CONTINUED)

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CR-69-2004 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (AUGUST CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan. - **INTRODUCED**

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Council Resolution 69, as proposed by the Chairman at the request of the County Executive, concerns the 2001 Water and Sewer Plan (August 2004 Amendment Cycle), which changes the water and sewer category designations within the 2001 Water and Sewer Plan. Council Resolution 69 was introduced by Chairman Knotts, and referred to Transportation, Housing and the Environment (THE) Committee

First Reading of Bills (Presentation)

CB-113-2004 – AN ORDINANCE CONCERNING I-1 ZONE for the purpose of allowing residential development in the I-1 Zone under certain circumstances. - **PRESENTED**

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Council Bill 113 was presented by Council Member Knotts and referred to Planning, Zoning and Economic Development (PZED) Committee.

****** *Council Member Dean moved adoption of the Consent Agenda; seconded by Council Member Harrington. The motion carried by voice vote (Council District 2-vacant).*▲

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CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

~~None~~ *No items were considered.*

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PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

Proposed letter to Dr. Beatrice Tignor, Chair, Prince George's County Board of Education concerning Regional High School construction and compliance with Title IX of the Educational Amendments of 1972 related to gender discrimination. -▲

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CHAIRMAN AUTHORIZED TO SIGN

The Chairman, by request of the Board of Education, proposed ~~that a~~ letter be sent to Dr. Beatrice Tignor, Chair, Prince George's County Board of Education concerning ~~the~~ Regional High School construction and its compliance with Title IX of the Educational Amendments of 1972 related to gender discrimination. Council Member Dernoga moved to authorize the Chairman's signature; seconded by Council Member Exum. ~~The m~~Motion carried 8-0 (Council District 2 ~~-~~vacant).

**PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT –
(CONTINUED)**

Proposed letter to Dr. Nancy Grasmick, State Superintendent of Schools concerning Regional High School construction and compliance with Title IX of the Educational Amendments of 1972 related to gender discrimination. ~~-~~ ▲

CHAIRMAN AUTHORIZED TO SIGN

The Chairman, by request of the Board of Education, proposed ~~that a~~ letter be sent to Dr. Nancy Grasmick, State Superintendent of Schools concerning ~~the~~ Regional High School construction and its compliance with IX of the Educations Amendments of 1972 related to gender discrimination. Council Member Exum moved to authorize the Chairman's signature; seconded by Council Member Harrington. ~~The m~~Motion carried 8-0 (Council District 2 vacant~~-~~ →).

Proposed letter to David S. Whitacre, County Attorney concerning Regional High School construction and compliance with Title IX of the Educational Amendments of 1972 related to gender discrimination. ~~-~~ ▲

CHAIRMAN AUTHORIZED TO SIGN

The Chairman, by request of the Board of Education, proposed ~~that a~~ letter be sent to David S. Whitacre, County Attorney concerning ~~the~~ Regional High School construction and its compliance with IX of the Educations Amendments of 1972 related to gender discrimination. Council Member Exum moved to authorize the Chairman's signature; seconded by Council Member Dernoga. ~~The m~~Motion carried 7-1- (Opposed: Council Member Hendershot; Council District 2 ~~-~~vacant~~-~~ →).

Proposed letter to the Honorable Joyce Starks, Chair, Washington Suburban Sanitary Commission concerning disposition of the former WSSC headquarters building located in Hyattsville. ~~-~~ ▲

FINAL ACTION DEFERRED TO 10/26/2004

Chairman Knotts announced that final action on this proposed letter would be deferred to the October 26, 2004 Council agenda. ▲

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SECOND READING OF BILLS (INTRODUCTION)

CB-28-2004 (DR-2) – AN ORDINANCE CONCERNING C-S-C ZONE for the purpose of permitting multifamily dwellings in the C-S-C Zone under certain circumstances. ~~INTRODUCED~~

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Council Member Dernoga, as Chairman of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 28 permits multifamily dwellings in the C-S-C Zone under certain circumstances. Council Bill 28 was favorably reported out of the Planning, Zoning and Economic Development Committee on October 12, 2004 with amendments. Council Bill 28, Draft 2 was introduced by Council Members Bland and Harrington. ~~Council Bill 28 was favorably reported out of PZED on 10/12/2004 with amendments.~~

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SECOND READING OF BILLS (INTRODUCTION) – (CONTINUED)

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CB-91-2004 (DR-2) – AN ORDINANCE CONCERNING R-55 ZONE for the purpose of permitting multifamily dwellings in the R-55 Zone under certain circumstances. ~~INTRODUCED~~

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Council Member Dernoga, as Chairman of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 91 permits multifamily dwellings in the R-55 Zone under certain circumstances. Council Bill 91 was favorably reported out of the Planning, Zoning and Economic Development Committee on October 6, 2004 with amendments. Council Bill 91, Draft 2 was introduced by Council Members Dernoga, Harrington and Dean. ~~Council Bill 91 was favorably reported out of PZED on 10/06/2004 with amendments.~~

CB-95-2004 (SUBDIVISION BILL) – AN ACT CONCERNING APPEALS IN CLUSTER SUBDIVISION CASES for the purpose of modifying the procedures for approval of final plats in cluster subdivision cases, to authorize appeals from Planning Board to District Council of decisions on cluster subdivision final plats. ~~AMENDED; DR-2 INTRODUCED~~

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Council Member Dernoga, as Chairman of the Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee. Council Bill 95 modifies the procedures for approval of final plats in cluster subdivision cases, to authorize appeals of decisions from the Planning Board to the District Council of decisions on cluster subdivision final plats. Council Bill 95 was favorably reported out of the Planning, Zoning and Economic Development Committee on October 6, 2004. ~~Council Bill 95 was introduced by Council Members Knotts, Dean, Peters, Dernoga, Exum and Bland. Council Bill 95 was favorably reported out of PZED on 10/06/2004.~~ Council Member Dernoga moved

amendment number 1 to Council Bill 95; seconded by Council Member Harrington. The motion carried by voice vote (Council District 2-vacant). Council Bill 95, Draft 2 was introduced by Council Members Knotts, Dean, Peters, Dernoga, Exum and Bland.

CB-98-2004 (SUBDIVISION BILL) – AN ACT CONCERNING SUBDIVISIONS – RURAL TIER for the purpose of providing interim development standards for new subdivision plat applications in the Rural Tier as designated in the Approved General Plan. ~~–~~ **AMENDED; DR-2 INTRODUCED**

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Council Bill 98 provides interim development standards for new subdivision plat applications in the Rural Tier as designated in the Approved General Plan. Council Member Dernoga moved amendment number 1 to Council Bill 98; seconded by Council Member Harrington. The motion carried by voice vote (Council District 2-vacant). Council Bill 98, Draft 2 was introduced by Council Members Bland, Dernoga and Harrington and. ~~Council Bill 98 was referred to Planning, Zoning and Economic Development Committee. Council Member Dernoga moved amendment number 1; seconded by Council Member Harrington. Motion carried by voice vote.~~

Chairman Knotts announced that (To meet the advertising requirements of the Regional District Act, October 19, 2004 is the last day for introduction of Subdivision Bills. Final action by the Planning, Zoning and Economic Development -PZED- Committee was action is scheduled to take place occur on Wednesday, October 20, 2004.)

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING (ENACTMENT)

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CB-75-2004 (DR-2) – AN ACT CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION RESIDENT CURATORSHIP AGREEMENT FOR HISTORIC HAZELWOOD for the purpose of approving a long-term resident curatorship agreement for the restoration, rehabilitation, renovation and maintenance of Historic Hazelwood. **PUBLIC HEARING HELD; AMENDED; RULES SUSPENDED; DR-3 ENACTED**

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Pursuant to proper notice, the public hearing convened on Council Bill 75. No persons wishing to speak, the public hearing was declared held. Council Member Dernoga moved amendment number 1 to Council Bill 75, Draft 2; seconded by Council Member Exum. The motion carried by voice vote (Council District 2-vacant). Council Member Dernoga moved to suspend the Council Rules of Procedure to allow Council Bill 75, Draft 3 to become effective on the date of adoption for the immediate enactment of Council Bill 75; seconded by Council Member Exum. The motion carried by voice vote (Council District 2-vacant). Council Member Peters moved enactment of Council Bill 75, Draft 3 as amended; seconded by Council Dean. The motion carried 8-0 (Council District 2-vacant).

RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION)

CR-64-2004 – A RESOLUTION CONCERNING APPROVAL OF A CERTAIN REFUNDING PLAN OF THE WASHINGTON SUBURBAN SANITARY COMMISSION

FOR THE ISSUANCE OF REFUNDING BONDS for the purpose of approving the Refunding Plan of the Washington Suburban Sanitary Commission for the refunding of certain bonds of the Washington Suburban Sanitary District through the issuance of General Construction Refunding Bonds, Water Supply Refunding Bonds and Sewerage Disposal Refunding Bonds of Washington Suburban Sanitary District. ~~---~~ **ADOPTED**

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Council Member Harrington, as Chairman of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the committee. Council Member Harrington moved adoption of Council Resolution 64; seconded by Council Member Exum. The motion carried by roll call vote 7-0 (Absent: Chairman Knotts, who recused himself from the proceedings; Council District 2~~---~~~~s~~-vacant).

INTRODUCTION AND ADOPTION OF RESOLUTIONS

CR-67-2004 – A RESOLUTION CONCERNING COMMON OWNERSHIP COMMUNITIES TASK FORCE for the purpose of establishing the Common Ownership Communities Task Force to evaluate and advise the County on issues relating to common ownership communities. ~~---~~ **INTRODUCED; RULES SUSPENDED; ADOPTED**

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Council Resolution 67, establishes and sets the membership requirements of The Common Ownership Communities Task Force, which will study the unique problems associated with common ownership communities and make appropriate recommendations to the Council on or before June 1, 2005. Council Resolution 67 was introduced by Council Members Dean, Dernoga, Exum, Peters, Bland and Harrington. Council Member Dean moved to suspend the Council Rules of Procedures to allow for the immediate adoption of Council Resolution 67; seconded by Council Member Exum. The motion carried by voice vote (Council District 2-vacant). Council Member Dean moved adoption of Council Resolution 67; seconded by Council Member Exum. The motion carried by roll call vote 8-0 (Council District 2~~---~~~~s~~-vacant).

PUBLIC HEARING:

Appointment of the following individual to the Redevelopment Authority for Prince George's County: ~~---~~ PUBLIC HEARING HELD; CONFIRMED

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Mr. Charles E. Samuel Appointment/Chair
Replacing: Ms. Shirley S. Hagans
Term Expiring: 7/28/2008

Council Member Harrington, as Chair of the Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the committee. Pursuant to proper notice, the public hearing convened on the appointment of Mr. Charles E. Samuel to the Redevelopment Authority for Prince George's County. Ms. Aisha Braveboy, Council Liaison, introduced Mr. Samuels on behalf of the County Executive and spoke to his credentials and character. Mr. Samuel was present and spoke on his own behalf. All persons wishing to speak having done so, the public hearing was declared held. Council Member Dean moved confirmation of Mr. Charles E. Samuel; seconded by Council Member Peters. The

~~m~~Motion carried 8-0 (Council District 2 ~~-vacant-~~).

ADDITIONS TO THE AGENDA

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.~~

Introduction of Resolutions

~~CR-69-2004 — A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (AUGUST CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan. — INTRODUCED~~

~~Council Resolution 69 was proposed by the Chairman at the request of the County Executive and referred to Transportation, Housing and the Environment (THE) Committee. Council Resolution concerns the 2001 Water and Sewer Plan (August 2004 Amendment Cycle) to change the water and sewer category designations within the 2001 Water and Sewer Plan. Council Resolution 69 was introduced by Council Member Knotts.~~

First Reading of Bills (Presentation)

~~CB-113-2004 — AN ORDINANCE CONCERNING I-1 ZONE for the purpose of allowing residential development in the I-1 Zone under certain circumstances.~~

PRESENTED

~~Council Bill 113 was presented by Council Member Knotts and referred to Planning, Zoning and Economic Development (PZED) Committee.~~

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

~~None~~No persons wished to address the Council.

ADJOURN - - Chairman Knotts adjourned the meeting at 2:22 p.m.

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

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BRIEFING – (ROOM 2027) -- CANCELLED

**INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS SCHEDULED
FOR MONDAY, OCTOBER 25, 2004.**

Prepared By:	Submitted By:
_____ Donna J. Brown, Office Manager	_____ Regis C. Floyd, Clerk Of the Council

Prepared By:	Submitted By:
_____ Shirley T. Blake, Administrative Aide	_____ Redis C. Floyd, Clerk of the Council