



Prince George's County Council

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

Meeting Minutes - Final County Council

Mel Franklin, District 9, Chairman
Will A. Campos, District 2, Vice Chair
Derrick Leon Davis, District 6
Andrea C. Harrison, District 5
Mary A. Lehman, District 1
Eric C. Olson, District 3
Obie Patterson, District 8
Karen R. Toles, District 7
Ingrid M. Turner, District 4

Robert J. Williams, Jr., Council Administrator

Tuesday, September 16, 2014

1:30 PM

Council Hearing Room

11:00 A.M. - PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE MEETING - (ROOM 2027)

1:00 P.M. - AGENDA BRIEFING - (ROOM 2027)

1:30 P.M. - PRESENTATION OF PROCLAMATIONS/COMMENDATIONS - (COUNCIL HEARING ROOM)

Presentation of Proclamations commenced at 1:37 p.m.

PROCLAMATION presented to Jodi Evans, Student, for being named “Youth Ambassador” to the Alliance for a Healthier Generation. (Council Member Ingrid M. Turner and Council Chairman Mel Franklin)

Council Member Ingrid M. Turner and Council Chairman Mel Franklin presented a proclamation to Jodi Evans. She was present to accept, accompanied by her parents. Council Members Harrison, Lehman, Patterson and Toles were also present for the presentation.

1:30 P.M. - PRESENTATION OF PROCLAMATIONS/COMMENDATIONS - (COUNCIL HEARING ROOM) (CONTINUED)

JOINT PROCLAMATION presented to Howard Burnett, Board President, Human Service Coalition of Prince George's County, recognizing the week of October 6-10, 2014, as "Nonprofit Awareness Week" in Prince George's County. (Council Chairman Mel Franklin and County Executive Rushern L. Baker, III)

Council Chairman Mel Franklin and County Executive Rushern L. Baker, III's representative, Nathaniel Tutt, III, presented a proclamation to Howard Burnett. He was present to accept, accompanied by members of the coalition. Council Members Harrison, Lehman, Patterson, Toles and Turner were also present for the presentation.

PROCLAMATION presented to Buddy Harrison, Owner, The Old School Boxing Program, recognizing his "Outstanding Community Service" in Prince George's County. (Council Member Obie Patterson and Council Chairman Mel Franklin) and PROCLAMATION presented to Dusty Hernandez-Harrison, Boxer, recognizing his "Outstanding Achievements and Contributions" to Prince George's County. (Council Member Obie Patterson and Council Chairman Mel Franklin)

Council Member Obie Patterson and Council Chairman Mel Franklin presented proclamations to Buddy Harrison and Dusty Hernandez-Harrison. They were present to accept. Council Members Harrison, Toles and Turner were also present for the presentation.

PROCLAMATION presented to Prince George's County Fire/EMS Department Rescuers, recognizing their "Life Saving Skills" in Prince George's County. (Council Member Karen R. Toles and Council Chairman Mel Franklin)

Council Member Karen R. Toles and Council Chairman Mel Franklin presented a proclamation to Prince George's County Fire/EMS Department Rescuers. Chief Mari Bashoor was present to accept. Council Members Harrison, Lehman, Patterson, and Turner were also present for the presentation.

PROCLAMATION presented to Michael J. Chiaramonte, President, Medstar Southern Maryland Hospital Center, recognizing his "Outstanding Public Service" to Prince George's County. (Council Chairman Mel Franklin and Council Vice Chair Will Campos)

Presentation of this proclamation was deferred to a later date.

RECESS

The meeting went into recess at 2:06 p.m.

2:00 P.M. - CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order at 2:08 p.m. with eight members present at roll call. Council Member Toles arrived at 2:09 p.m.

Present: 9 - Chairman Mel Franklin
Vice Chair Will Campos
Council Member Derrick Davis
Council Member Andrea Harrison
Council Member Mary Lehman
Council Member Eric Olson
Council Member Obie Patterson
Council Member Karen Toles
Council Member Ingrid Turner

INVOCATION:

The Invocation was provided by Bishop David T. P. Perrin, Christ Kingdom Church, District Heights, Maryland. Chairman Franklin requested prayer for the family of Russ Tedesco in his passing. Council Member Davis requested prayer for the family of Kevin Maxwell in the passing of his mother-in-law. Council Member Harrison requested prayer for Mary Hoffman and family in the passing of her husband.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Lehman.

LEGISLATIVE DAY NO. 26**1. CONSENT AGENDA**

A motion was made by Council Member Turner, seconded by Council Member Toles, that the Consent Agenda be adopted and all actions approved. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

(a) Approval of County Council Minutes dated September 8, and 9, 2014.

These minutes were approved

(b) First Reading of Bills (Presentation)[CB-076-2014](#)

AN ACT CONCERNING AIR CONDITIONING, REFRIGERATION AND HEATING SERVICING for the purpose of repealing provisions of the County Code pertaining to Air Conditioning, Refrigeration and Heating Servicing at the Department of the Environment to comport with State law for functions which are handled by the Maryland Department of Labor, Licensing and Regulation (DLLR).

Attachment(s): [B2014076.doc](#)
[CB-076-2014 Report](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Transportation, Housing and the Environment Committee

[CB-077-2014](#)

AN ACT CONCERNING THE PERSONNEL LAW for the purpose of amending provisions of the Personnel Law so that the leave year for annual, sick, military and personal leave will be for a common period that will begin January 1 and end December 31, which is the same as the calendar year, and allow for leave to be taken in increments of one-quarter (1/4) hour.

Attachment(s): [B2014077.docx](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee

[CB-078-2014](#)

AN ACT CONCERNING PERSONNEL for the purpose of prohibiting certain employers from conducting a criminal background check or otherwise inquiring into an applicant's criminal record before making a conditional offer of employment; requiring certain employers to provide prior notice to an applicant or employee when taking an adverse action concerning the applicant's or employee's employment; providing for enforcement by the Executive Director of the Human Relations Commission; and generally regulating the use of criminal records in the hiring process by certain employers.

Attachment(s): [B2014078.doc](#)

This Council Bill was presented by Council Member Patterson and referred to the Public Safety and Fiscal Management Committee

(c) Introduction of Resolutions

[CR-087-2014](#)

A RESOLUTION CONCERNING PILOT AGREEMENT for The Carrollton Station Project for the purpose of approving the terms and conditions of a negotiated Payment in Lieu of Taxes (PILOT) Agreement by and between Prince George’s County, Maryland (the “County”) and BE NC Station Holdings, LLC (the “Developer”) for the Carrollton Station Project.

Sponsor(s): Franklin, Olson, Toles, Turner and Davis

Attachment(s): [R2014087.doc](#)

Council Resolution 87 will approve the terms and conditions of a negotiated Payment in Lieu of Taxes (PILOT) Agreement between Prince George’s County, Maryland and BE NC Station Holdings, LLC for the Carrollton Station Project.

This Resolution was introduced by Council Members Franklin, Olson, Toles, Turner and Davis and referred to the Public Safety and Fiscal Management Committee

ADDITIONS TO THE AGENDA

A motion was made by Council Member Toles, seconded by Council Member Davis, to accept the additions package. The motion carried unanimously.

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

CONSENT AGENDA - (CONTINUED)[CR-089-2014](#)

A RESOLUTION CONCERNING PILOT AGREEMENT FOR KEYS ENERGY CENTER LLC for the purpose of approving the terms and conditions of a negotiated Payment in Lieu of Taxes (PILOT) Agreement by and between Prince George’s County, Maryland (the “County”) and Keys Energy Center LLC (the “Company”).

Sponsor(s): Franklin and Patterson

Attachment(s): [R2014089.docx](#)

Council Resolution 89 will approve the terms and conditions of a negotiated Payment in Lieu of Taxes (PILOT) Agreement between the County and Keys Energy Center LLC.

This Resolution was introduced by Council Members Franklin and Patterson and referred to the Public Safety and Fiscal Management Committee

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

There were no items considered.

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

There were no items considered.

4. BILLS ELIGIBLE FOR THIRD READING – (ENACTMENT)**[CB-049-2014](#)**

AN ACT CONCERNING AUTOMATED PURCHASING MACHINES for the purpose of defining automated purchasing machines, prohibiting automated purchasing machines; providing for certain fines and penalties; and generally relating to automated purchasing machines.

Sponsor(s): Harrison, Davis, Franklin, Lehman, Olson, Patterson and Turner

Attachment(s): [B2014049.doc](#)
[CB-049-2014 Report.doc](#)

Under discussion, Council Member Harrison spoke to the intent of Amendment 1A. Council Member Lehman questioned to procedure for County Executive action.

A motion was made by Council Member Harrison, seconded by Council Member Turner, that this Council Bill be amended (1). The motion carried by the following vote:

Aye: 8 - Franklin, Campos, Davis, Harrison, Olson, Patterson,
Toles and Turner

Nay: 1 - Lehman

Under discussion, Robert Williams, Jr., Council Administrator responded to further questions regarding the requested Attorney General's opinion.

A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 7 - Franklin, Campos, Davis, Harrison, Olson, Patterson and
Turner

Nay: 2 - Lehman and Toles

6. INTRODUCTION AND ADOPTION OF RESOLUTIONS**[CR-088-2014](#)**

A RESOLUTION CONCERNING METRO D.C. CAR FREE DAY for the purpose of expressing the County Council's support for declaring September 22nd, 2014 as Car Free Day in Prince George's County as part of international mobility week in the Washington, D.C. metropolitan region.

Attachment(s): [R2014088.doc](#)

Council Resolution 88 expresses the County Council's support for the National Capital Region Transportation Planning Board's (TPB) annual Car Free Day to be held on September 22nd, 2014.

This Resolution was introduced by Council Members Harrison, Olson, Toles, Turner, Lehman, Franklin and Davis.

A motion was made by Council Member Harrison, seconded by Council Member Olson, to suspend the Council Rules of Procedure to allow for the immediate adoption of this Resolution. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Franklin, Campos, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

POINT OF PERSONAL PRIVILEGE

Vice-Chair Campos acknowledged October 15-September 15 as Hispanic Heritage Month.

2:45 P.M. - BRIEFING – (ROOM 2027)

[BR-14-048](#)

PRINCE GEORGE'S COUNTY PUBLIC SCHOOL MATTERS

Mr. Curtis Valentine, M.P.P., Board of Education Member

The briefing convened at 2:55 p.m. Curtis Valentine, Board of Education Member briefed the Council on current issue/issues of the Board such as: student readiness, enrollment, teacher retention, contract negotiations, Latino population, class sizes, speciality programs and newly established sub-committee and responded to questions posed by the Council. (See Administrative Day file for detailed Clerk's notes). The briefing concluded at 4:16 p.m.

This Briefing was Briefing held

7:00 P.M. - RECONVENE

The meeting was reconvened at 7:16 p.m.

5. PUBLIC HEARING: -(COUNCIL HEARING ROOM)

[PH 09162014](#)**ADOPTED COLLEGE PARK-RIVERDALE PARK
TRANSIT DISTRICT DEVELOPMENT PLAN**

Pursuant to provisions of the Land Use Article of the Annotated Code of Maryland and the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, the Prince George's County Council, sitting as the District Council public hearing to receive testimony regarding the *Adopted College Park-Riverdale Park Transit District Development Plan*.

The College Park - Riverdale Park Transit District area is composed of approximately 293 acres of land in the northwestern portion of Prince George's County along and east of the Washington Metropolitan Area Transit Authority's METRO Green Line. The College Park/U of MD Metro Station is the first inbound station from the northern Green Line terminus at Greenbelt and serves the University of Maryland, College Park campus, which is the largest university in the Washington Metropolitan Region. Land within the transit district area is classified in the M-X-T (Mixed Use - Transportation Oriented), I-3 (Planned Industrial/Employment Park), R-R (Rural Residential), O-S (Open Space), and R-O-S (Reserved Open Space) Zones. The transit district includes the College Park/U of MD Metro Green Line station and a MARC station, and is the site of 2 of 11 proposed Purple Line stations within Prince George's County, Maryland (College Park/U of MD, and M Square). This process also includes a Transit District Overlay Zoning Map Amendment that will rezone property to ensure compatibility with the recommendations of the adopted Transit District Development Plan.

(SEE SEPARATE AGENDA)

Attachment(s): [College Park Riverdale Park TDDP 9-16-2014 agenda.doc](#)

The Public Hearing was held (See separate minutes for details).

ADJOURN

The meeting was adjourned at 7:58 p.m.

Prepared by:

Donna J. Brown, Deputy Clerk of the Council

Submitted by:

Redis C. Floyd, Clerk of the Council