

AGENDA MINUTES

Tuesday, June 17, 2008

Legislative Day No. 19

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

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

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – COUNCIL HEARING ROOM

Council Chairman Samuel H. Dean commenced with the presentation of Proclamations and Commendations at 10:00 A.M. and concluded at 10:20 A.M.

Proclamation presented to Bowie State University Women's Softball Team recognizing their win of the "2008 CIAA Softball Championship." (Council Chairman Samuel H. Dean, Council Member Ingrid M. Turner; Council Vice Chair Marilynn M. Bland and Council Members Will A. Campos, Thomas E. Dernoga, Camille A. Exum, Andrea C. Harrison, Tony Knotts and Eric C. Olson) - **PRESENTED**

Council Chairman Samuel H. Dean, Council Vice Chair Marilynn M. Bland, Council Members Ingrid M. Turner, Will A. Campos, Thomas E. Dernoga, Camille A. Exum, Andrea C. Harrison, Tony Knotts and Eric C. Olson presented a Proclamation to Bowie State University Women's Softball Team recognizing their win of the "2008 CIAA Softball Championship". The Coach and several team members were present to accept.

Proclamation presented to James Madison Middle School recognizing its partnership with the Dominica School located in the Dominican Republic as their "Sister (Twin) School" in Prince George's County (Council Chairman Samuel H. Dean, Council Vice Chair Marilynn M. Bland and Council Members Will A. Campos, Thomas E. Dernoga, Camille A. Exum, Andrea C. Harrison, Tony Knotts, Eric C. Olson and Ingrid M. Turner) - **PRESENTED**

Council Chairman Samuel H. Dean, Council Vice Chair Marilynn M. Bland, Council Members Ingrid M. Turner, Will A. Campos, Thomas E. Dernoga, Camille A. Exum, Andrea C. Harrison, Tony Knotts and Eric C. Olson presented a Proclamation to James Madison Middle School recognizing its partnership with the Dominica School located in the Dominican Republic as their "Sister (Twin) School" in Prince George's County.

Proclamation **recognizing June 16-21, 2008, as “Juneteenth National Holiday Observance” in Prince George’s County.** (Council Chairman Samuel H. Dean, Council Vice Chair Marilyn M. Bland and Council Members Will A. Campos, Thomas E. Dernoga, Camille A. Exum, Andrea C. Harrison, Tony Knotts, Eric C. Olson and Ingrid M. Turner) - **PRESENTED**

Council Chairman Samuel H. Dean, Council Vice Chair Marilyn M. Bland, Council Members Ingrid M. Turner, Will A. Campos, Thomas E. Dernoga, Camille A. Exum, Andrea C. Harrison, Tony Knotts and Eric C. Olson presented a Proclamation recognizing June 16-21, 2008, as “Juneteenth National Holiday Observance” in Prince George’s County.

CALL TO ORDER: - *Chairman Dean called to order at 10:33 A.M. with the following Council Members present:*

*Marilynn M. Bland
Will Campos
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum (arrived at 10:34 A.M.)
Andrea C. Harrison
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
Josh Hamlin, Associate County Attorney
Marcus Jackson, County Council Liaison, Office of the County Executive*

INVOCATION: - *The Invocation was led by Dr. David Billings, County Employee. Council Member Turner requested special prayers for Fred and Joyce Madison, the parents of Brian Madison (District 4 employee). Council Member Exum for the Crawford family, young man killed by an intruder in Capitol Heights.*

PLEDGE OF ALLEGIANCE: - *The Pledge of Allegiance was led by Council Member Bland.*

POINT OF PERSONAL PRIVILEGE:

Council Member Knotts announced his plans to accompany the Oxon Hill High School Band to Beijing China. Council Member Olson congratulated Bill Worther, a Prince George’s County

native of Berwyn Heights, the oldest living former major league baseball player on his 100th Birthday. He was featured in today's Washington Post sport's page.

1. **CONSENT AGENDA -- CB-45, 46, AND 47 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.

(a) **First Reading of Bills (Presentation)**

CB-44-2008 – AN ACT CONCERNING ELECTRICAL CODE for the purpose of amending the Electrical Code to remove provisions requiring the color coding of the armor or metal shell of type AC, HFC and MC electrical cables when installed in buildings of Type I and II construction.
- **PRESENTED**

Council Bill 44 was presented by the Chairman at the request of the County Executive and referred to the Transportation, Housing and the Environment (THE) Committee.

(b) **Introduction of Resolutions**

CR-62-2008 – A RESOLUTION CONCERNING COUNTY REAL PROPERTY for the purpose of declaring certain parcels of County-owned real property as surplus, and approving the County Executive's plan for disposal of such parcels. - **INTRODUCED**

Council Resolution 62 declares certain parcels of County-owned real property as surplus, and approving the County Executive's plan for disposal of such parcels. Council Resolution 62 was introduced by Council Member Dean and referred to the Public Safety and Fiscal Management (PSFM) Committee.

**THIS RESOLUTION REQUIRES A PUBLIC HEARING
THE PUBLIC HEARING FOR CR-62-2008 IS SCHEDULED FOR 7/23/2008**

CR-63-2008 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (APRIL 2008 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan.
- **INTRODUCED;EXPEDITED**

Council Resolution 63 concerns the 2001 Water and Sewer Plan (April 2008 Amendment Cycle) to change the water and sewer category designations within the 2001 Water and Sewer Plan. Council Resolution 63 was introduced by Council Member Dean and referred to the Transportation, Housing and the Environment (THE) Committee. The Clerk was directed to expedite scheduling of Council Resolution 63.

**THIS RESOLUTION REQUIRES A PUBLIC HEARING
THE PUBLIC HEARING FOR CR-63-2008 IS SCHEDULED FOR 7/23/2008**

Council Member Bland moved to accept additional items to the Agenda; seconded by Council Member Turner. The motion carried by voice vote.

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

- (a) Proposed letter to Mr. Colin V. Reed, Chairman and CEO Gaylord Entertainment, Gaylord National Resort and Convention Center, extending the Council's appreciation for the sculpture of the American Bald Eagle presented on April 25, 2008 during the grand opening of Gaylord National Resort and Convention Center. - **CHAIRMAN AUTHORIZED TO SIGN**

A letter was proposed for sending to Mr. Colin V. Reed, Chairman and CEO Gaylord Entertainment, Gaylord National Resort and Convention Center, extending the Council's appreciation for the sculpture of the American Bald Eagle presented on April 25, 2008 during the grand opening of Gaylord National Resort and Convention Center. Council Member Exum moved to authorize the Chairman's signature; seconded by Council Member Turner. The motion carried 9-0. (The Sculpture will be displayed in Room 2027).

3. **SECOND READING OF BILLS – (INTRODUCTION) -- CB-39-2008 ADDED**

CB-41-2008 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed One Hundred Thirty-eight Million Three Hundred Thirty-two Thousand Dollars (\$138,332,000) in aggregate principal amount of general obligation bonds with serial maturities, including mandatory sinking fund installments in lieu of serial maturities, for the purpose of providing funds for financing in whole or in part costs of the planning, construction, reconstruction, establishment, extension, enlargement, demolition, improvement or acquisition of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2009, or usable portions thereof, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs and probable useful lives thereof; prescribing or providing for the procedures for the issuance and sale of such bonds at public sale; declaring the County's official intent to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; showing compliance with the power of the County to incur indebtedness; directing the application of the proceeds of such bonds; pledging the full faith and credit and taxing power of the County to the payment of such bonds and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; authorizing and empowering the County to issue and sell an amount not to exceed One Hundred Thirty-eight Million Three Hundred Thirty-two Thousand Dollars (\$138,332,000) . . . - **INTRODUCED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 41 was introduced by Council Members Exum, Bland, Dean and Knotts. Council Bill 41 was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 6/9/2008. The Public Hearing for Council Bill 41 is scheduled for 7/15/2008.

CB-42-2008 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION STORMWATER MANAGEMENT BONDS for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Fifteen Million Six Hundred Sixty-one Thousand Dollars (\$15,661,000) in aggregate principal amount of general obligation stormwater management bonds for the purpose of providing funds for financing in whole or in part costs of the planning, acquisition, construction, reconstruction, establishment, extension, enlargement, demolition or purchase of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2009, constituting facilities (including without limitation any land, interest in land or equipment) for the control and disposition of storm and surface waters, including floodproofing, flood control or navigation programs and other stormwater programs and systems, environmental restoration and/or wetlands construction, and the protection, conservation, creation and acquisition of certain property described in the Maryland Annotated Code Environment Article consistent with federal and Maryland laws and regulations on the subject of nontidal and private wetlands, . . .

- **INTRODUCED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 42 was introduced by Council Members Exum, Bland, Dean and Knotts. Council Bill 42 was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 6/9/2008. The Public Hearing for Council Bill 41 is scheduled for 7/15/2008

CB-43-2008 (DR-2) - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS AND INTERDEPARTMENTAL TRANSFER OF APPROPRIATIONS for the purpose of declaring additional revenue, appropriating to the General Fund Outside Sources to provide funds for costs that were not anticipated in the Approved Fiscal Year 2008 Budget, and transferring surplus appropriations reflecting savings from Non-Departmental accounts to various County Departments. - **INTRODUCED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 43(DR-2) was introduced by Council Members Bland, Dernoga, Dean and Knotts. Council Bill 43(DR-2) was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 6/9/2008.

THE PUBLIC HEARING FOR CB-43-2008(DR-2) IS SCHEDULED FOR 7/23/2008

4. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-59-2008 - A RESOLUTION CONCERNING JUNETEENTH NATIONAL HOLIDAY CAMPAIGN AND OBSERVANCE for the purpose of expressing support for the Juneteenth National Holiday Campaign and Observance.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 59 expresses Prince George's County's support for the Juneteenth National Holiday Campaign and Observance. Council Resolution 59 was introduced by Council Members Dean, Campos, Olson, Exum, Bland, Harrison, Turner, Dernoga and Knotts. Council Member

Exum moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 59; seconded by Council Member Knotts. The motion carried by voice vote. Council Member Exum moved adoption of Council Resolution 59; seconded by Council Member Knotts. The motion carried 9-0.

CR-60-2008 - A RESOLUTION CONCERNING PREPARATION OF A NEW SECTOR PLAN AND SECTIONAL MAP AMENDMENT (SMA) AND APPROVAL OF GOALS, CONCEPTS, GUIDELINES, AND PUBLIC PARTICIPATION PROGRAM FOR THE PORT TOWNS AREA

for the purpose of initiating an amendment to portions of the 1994 Approved Hyattsville and Vicinity Master Plan (Planning Area 68), the 1994 Approved Bladensburg, New Carrollton and Vicinity Master Plan (Planning Area 69), the 2001 Approved Anacostia Trails Heritage Area Management Plan, the 2007 Approved Bladensburg Town Center Sector Plan and approving Goals, Concepts, Guidelines, and Public Participation Program in order to develop a comprehensive approach to implement the recommendations of the 2002 Prince George's County Approved General Plan, and to ensure that future development is consistent with County Policies. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 60 concerns the Preparation of a New Sector Plan and Sectional Map Amendment (SMA) and approval of Goals, Concepts, Guidelines, and Public Participation Program for the Port Towns Area for the purpose of initiating an amendment to portions of the 1994 Approved Hyattsville and Vicinity Master Plan (Planning Area 68), the 1994 Approved Bladensburg, New Carrollton and Vicinity Master Plan (Planning Area 69), the 2001 Approved Anacostia Trails Heritage Area Management Plan, the 2007 Approved Bladensburg Town Center Sector Plan and approving Goals, Concepts, Guidelines, and a Public Participation Program in order to develop a comprehensive approach to implement the recommendations of the 2002 Prince George's County Approved General Plan to ensure that future development is consistent with County policies. Council Resolution 60 was introduced by Council Member Harrison. Council Member Exum moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 60; seconded by Council Member Harrison. The motion carried by voice vote. Council Member Exum moved adoption of Council Resolution 60; seconded by Council Member Knotts. The motion carried 9-0.

CR-61-2008 – A RESOLUTION CONCERNING PREPARATION OF A SECTOR PLAN (MASTER PLAN AMENDMENT) AND SECTIONAL MAP AMENDMENT (SMA) AND APPROVAL OF GOALS, CONCEPTS, GUIDELINES AND PUBLIC PARTICIPATION PROGRAM FOR THE LANDOVER GATEWAY AREA

for the purpose of initiating an amendment to the 1993 Approved Landover and Vicinity Master Plan (Planning Area 72), the 1990 Approved Largo-Lottsford and Vicinity Master Plan and Sectional Map Amendment (Planning Area 73), and approving Goals, Concepts, Guidelines, and a Public Participation Program in order to develop a comprehensive approach to implement the recommendations of the 2002 Prince George's County Approved General Plan to ensure that future development is consistent with County policies. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 61 concerns the Preparation of a Sector Plan (Master Plan Amendment) and SMA and approval of Goals, Concepts, Guidelines and Public Participation Program for the Landover Gateway Area for the purpose of initiating an amendment to the 1993 Approved Landover and Vicinity Master Plan (Planning Area 72), the 1990 Approved Largo-Lottsford and

Vicinity Master Plan and SMA (Planning Area 73), and approving Goals, Concepts, Guidelines, and a Public Participation Program in order to develop a comprehensive approach to implement the recommendations of the 2002 Approved General Plan to ensure that future development is consistent with County policies. Council Resolution 61 was introduced by Council Member Harrison. Council Member Harrison moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 61; seconded by Council Member Exum. The motion carried by voice vote. Council Member Harrison moved adoption of Council Resolution 61; seconded by Council Member Bland. The motion carried 9-0.

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

CR-48-2008 - A RESOLUTION CONCERNING SCHOOL FACILITIES SURCHARGE for the purpose of adjusting the school facilities surcharge for inflation for Fiscal Year 2009, beginning July 1, 2008, as required by State law. - **ADOPTED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendation from the Committee to the Council. Council Resolution 48 was introduced by Council Members Dean and Dernoga on 6/3/2008. Council Resolution 48 was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 6/9/2008. Council Member Campos moved adoption of Council Resolution 48; seconded by Council Member Knotts. The motion carried 9-0.

CR-49-2008 - A RESOLUTION CONCERNING PUBLIC SAFETY SURCHARGE for the purpose of adjusting the Public Safety surcharge for inflation for Fiscal Year 2009, beginning July 1, 2008, as required by State law. - **ADOPTED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendation from the Committee to the Council. Council Resolution 49 was introduced by Council Members Dean and Dernoga on 6/3/2008. Council Resolution 49 was favorably reported out of the Public Safety and Fiscal Management (PSFM) on 6/9/2008. Council Member Exum moved adoption of Council Resolution 49; seconded by Council Member Knotts. The motion carried 9-0.

CR-56-2008 – 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 pay rates and other modified benefits for General Schedule employees. - **DEFERRED TO A LATER DATE**

CR-24-2008 – A RESOLUTION CONCERNING U.S. COOL COUNTIES CLIMATE STABILIZATION DECLARATION for the purpose of declaring the intent of the Prince George’s County Council to take immediate steps to identify regional climate change impacts, to implement a County plan to prepare for and build resilience to those impacts, and achieve the 2050 climate stabilization goal. - **ADOPTED**

Council Member Campos, Chair of the Transportation, Housing and the Environment (THE) Committee, provided a verbal report of the actions and recommendation from the Committee to the Council. Council Resolution 24 was introduced by Council Members Dernoga, Olson and Campos on 04/08/2008. Council Resolution 24 was favorably reported out of the Transportation, Housing and the Environment (THE) Committee on 4/24/2008. Council Member Olson moved adoption of Council Resolution 24; seconded by Council Member Dernoga. The motion carried 9-0.

POINT OF PERSONAL PRIVILEGE:

Council Member Dernoga introduced Ms. Alana Wase, representing the Sierra Club. Ms. Wase provided the Council Members and staff with a hand out that supported her comments.

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.

(a) **First Reading of Bills (Presentation)**

CB-45-2008 – AN ACT CONCERNING CONTRACT APPROVALS for the purpose of approving Energy Savings and Lease Financing agreements for the purchase, installation and financing of certain energy efficient equipment that is guaranteed to reduce Prince George’s County (“County”) energy consumption and maintenance costs at County building sites.
- **PRESENTED**

Council Bill 45 was presented by the Chairman at the request of the County Executive and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CB-46-2008 – AN ACT CONCERNING CONTRACT APPROVALS for the purpose of approving the lease of certain improvements by Prince George’s County. - **PRESENTED**

Council Bill 46 was presented by the Chairman at the request of the County Executive and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CB-47-2008 – AN ACT CONCERNING THE PROHIBITION OF THE SALE, OFFER OR DISTRIBUTION OF CERTAIN TOBACCO PRODUCTS USED AS DRUG PARAPHERNALIA for the purpose of prohibiting the sale, offer or distribution of cigar and

“blunt” tobacco products intended for use, or designed for use, in ingesting, inhaling, or otherwise introducing marihuana, cocaine, hashish, or hashish oil into the human body.

- **PRESENTED**

Council Bill 47 was presented by the Chairman at the request of the County Executive and referred to the Health, Education and Human Services (HEHS) Committee.

Council Member Exum moved adoption of the Consent Agenda; seconded by Council Member Bland. The motion carried by voice vote.

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

CB-39-2008 – AN ACT CONCERNING BORROWING TO FINANCE SCHOOL PROJECTS

for the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full faith and credit at any time and from time to time, in an aggregate principal amount not exceeding Seven Hundred Five Million Sixty Five Thousand Dollars (\$705,065,000) to finance the construction, including the design, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, repair or modernization, of school buildings in the County; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; and providing generally for the issuance of such bonds. - **INTRODUCED**

Council Member Knotts, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Bill 39 was introduced by Council Members Exum, Bland, Campos, Dean, Dernoga, Knotts, Turner, Olson and Harrison. Council Bill 39 is scheduled for Public Hearing on 7/15/2008.

12:05
P.M.

DISTRICT COUNCIL ITEMS

(SEE SEPARATE ACTION AGENDA)

Motion to convene into Executive Session was made by Council Member Exum; seconded by Council Member Harrison. The motion carried 9-0.

EXECUTIVE SESSION – (ROOM 2027) - EXECUTIVE SESSION HELD

- (a) Discussion of personnel issues in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (1) (i) (ii) and (9).

BRIEFING – (COUNCIL HEARING ROOM) - BRIEFING HELD

BIOTECHNOLOGY RESEARCH AND DEVELOPMENT CENTER STUDY

Gül Güteryüz, Planner Coordinator, M-NCPPC
Lisa Smith, Consultant, ANGLE Technology Group

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Ms. Barbara Dunn, Kiamsha Youth Empowerment Organization addressed the Council regarding the Organization and requested a meeting with Council Members.

ADJOURN: - *Chairman Dean adjourned the meeting at 12:19 P.M.*

COOL COUNTIES MEDIA EVENT – (PONDSIDE) - CANCELLED

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE MEETING – (COUNCIL HEARING ROOM) - COMMITTEE MEETING HELD

COMMITTEE OF THE WHOLE – (ROOM 2027) - COMMITTEE MEETING HELD

PROPOSED AMENDMENTS TO THE ADOPTED CAPITOL HEIGHTS TRANSIT DISTRICT DEVELOPMENT PLAN AND ENDORSED TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT AS OUTLINED IN CR-17-2008 (DR-2)

DIGEST OF TESTIMONY

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council

