

ACTION AGENDA

Tuesday, November 30, 2004

Business Meeting

(Legislative Day No. 41 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

8:45 A.M.

SWEARING IN OF COUNCIL MEMBER TO REPRESENT COUNCIL DISTRICT 2 – (COUNCIL HEARING ROOM)

Mr. Will Campos

9:30 A.M.

AGENDA BRIEFING – (1ST FLOOR EXECUTIVE CONFERENCE ROOM) - - AGENDA BRIEFING HELD

10:22 A.M.

COMMITTEE OF THE WHOLE - (1ST FLOOR LARGE CONFERENCE ROOM) -- C.O.W. HELD

*Favorable
recommendation*

**CB-116-2004 – AN ACT CONCERNING TAX INCREMENT
DEVELOPMENT DISTRICT CREATED BY THE CITY OF LAUREL,
MARYLAND AND DESIGNATED AS CENTRE AT LAUREL
DEVELOPMENT DISTRICT** for the purpose of authorizing the pledge by the County of a portion of its property taxes levied on the tax increment pertaining to a contiguous area located on the northwest corner of Contee Road and Baltimore Washington Boulevard Route 1 in Prince George's County, such area having been designated by the City of Laurel, Maryland as a "development district"

(Introduced by Council Members Harrington, Dernoga, Exum and Dean on 11/1/2004)

*Favorable
recommendation*

**CR-76-2004 – A RESOLUTION CONCERNING A SUPPLEMENTAL
APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS** for the purpose of funding from grants in the amount of \$7,597,260 to the Department of Corrections, Police Department, Fire/EMS Department, Human Relations Commission, Department of Environmental Resources, Office of the Sheriff, Office of Homeland Security, Office of the State's Attorney, Department of Housing and Community Development, Department of Social Services, the Office of Community Relations and the Health Department.

(Introduced by Council Members Knotts, Dean, Exum and Peters on 11/23/2004)

10:32 A.M.

CALL TO ORDER

INVOCATION: Ms. Betty Horton Hodge, Member, Fort Foote Baptist Church,
Fort Washington, Maryland

PLEDGE OF ALLEGIANCE*Designated***DESIGNATION OF NOVEMBER 30, 2004 AS LEGISLATIVE DAY NO. 41**

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

*Vice Chairman
authorized to
sign*

- (a) Proposed letter to Joyce Starks, Chair, Washington Suburban Sanitary Commission Commissioner, regarding the Council's recommendation of a 0% rate increase for the (WSSC) FY 2006 Water and Sewer Operating and Capital Budgets.

Council Member Dean

*Chairman
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, providing local endorsement to portions of the Board of Education's proposed FY 2006 capital budget request and to support its request for planning approval for the West Hyattsville Elementary School, and for three new high school additions.

The Chairman (by request – County Executive)

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

*Public hearing
held; no final
action taken*

**CB-72-2004 (DR-2) – AN ORDINANCE CONCERNING C-S-C AND C-M
ZONES** for the purpose of permitting a Commercial Revitalization use within the C-S-C and C-M Zones, and setting standards and requirements for the use.

(Introduced by Council Member Knotts on 11/2/2004; favorably reported out of PZED on 10/26/2004 with amendments)

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

*Public hearing
held; enacted*

CB-90-2004 (DR-2) – AN ORDINANCE CONCERNING R-E ZONE for the purpose of permitting elderly housing in the R-E Zone subject to certain requirements.

(Introduced by Council Member Knotts on 11/1/2004; favorably reported out of PZED on 10/26/2004)

*Public hearing
held; amended;
DR-3 enacted*

CB-92-2004 (DR-2) – AN ORDINANCE CONCERNING I-3 ZONE for the purpose of permitting additional industrial uses and modifying development regulations in the I-3 Zone under certain circumstances.

(Introduced by Council Members Dernoga, Harrington, Dean and Exum on 11/1/2004; favorably reported out of PZED on 10/20/2004)

*Public hearing
held; enacted*

CB-95-2004 – (DR-2) (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.

(Introduced by Council Members Knotts, Dean, Peters, Dernoga, Exum and Bland on 10/19/2004; favorably reported out of PZED on 10/6/2004)

*Public hearing
held; no final
action taken*

CB-98-2004 (DR-2) (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.

(Introduced by Council Members Bland, Dernoga and Harrington on 10/19/2004; favorably reported out of PZED on 10/20/2004)

*Public hearing
held; enacted*

CB-111-2004 (DR-2) – AN ORDINANCE CONCERNING I-2 ZONE for the purpose of clarifying that asphalt mixtures are asphalt mixing plants and permitting asphalt mixing plants and concrete batching or cement mixing plants in the I-2 Zone without the requirement for a special exception under certain circumstances.

(Introduced by Council Members Harrington, Dean and Exum on 11/1/2004; favorably reported out of PZED on 10/26/2004 with amendments)

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

*Public hearing
held; enacted*

CB-112-2004 – AN ORDINANCE CONCERNING R-18 ZONE for the purpose of permitting townhouses in the R-18 Zone under certain circumstances.

(Introduced by Council Members Harrington, Dernoga, Dean and Exum on 11/1/2004; favorably reported out of PZED on 10/26/2004)

*Public hearing
held; enacted*

CB-114-2004 – AN ORDINANCE CONCERNING C-M ZONE for the purpose of requiring Detailed Site Plan review for car washes in the C-M Zone.

(Introduced by Council Members Harrington, Exum, Dean, and Bland on 11/1/2004; favorably reported out of PZED on 11/17/2004)

*Public hearing
held; enacted*

CB-79-2004 (DR-2) – AN ACT CONCERNING HIGH TECHNOLOGY FACILITIES – TAX CREDIT for the purpose of repealing Section 2 of Chapter 28, 2001 Laws of Prince George's County, Maryland, concerning the sunset provision relating to a property tax credit for certain manufacturing, fabrication, assembling, or research and development facilities.

(Introduced by Council Members Knotts, Dean and Dernoga on 11/1/2004; favorably reported out of PSFM on 10/27/2004 with amendments)

*Public hearing
held; enacted*

CB-83-2004 (DR-2) – AN ACT CONCERNING COURT SYSTEM – PRINCE GEORGE'S COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL for the purpose of establishing the Prince George's County Criminal Justice Coordinating Council; providing for the purpose, membership, duties, quorum, and frequency of meetings of the Criminal Justice Coordinating Council; providing that the function of the Criminal Justice Coordinating Council is advisory, establishing reporting requirements; and generally relating to the Prince George's County Criminal Justice Coordinating Council.

(Introduced by Council Members Dean and Knotts on 11/1/2004; favorably reported out of PSFM on 10/27/2004 with amendments)

*Public hearing
held; enacted*

CB-104-2004 (DR-2) – AN ACT CONCERNING OFF-ROAD VEHICLES for the purpose of amending provisions of the County Code relating to Off-the-Road Motorcycles; defining Off-Road Vehicles and requiring such vehicles to be registered with the County; and imposing restrictions and penalties on the operation of Off-Road Vehicles.

(Introduced by Council Members Dernoga, Harrington, Dean, Exum, Bland and Knotts on 11/1/2004; favorably reported out of PSFM on 10/27/2004 with amendments)

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

*Public hearing
held; enacted*

**CB-116-2004 – AN ACT CONCERNING TAX INCREMENT
DEVELOPMENT DISTRICT CREATED BY THE CITY OF LAUREL,
MARYLAND AND DESIGNATED AS CENTRE AT LAUREL
DEVELOPMENT DISTRICT** for the purpose of authorizing the pledge by the County of a portion of its property taxes levied on the tax increment pertaining to a contiguous area located on the northwest corner of Contee Road and Baltimore Washington Boulevard Route 1 in Prince George's County, such area having been designated by the City of Laurel, Maryland as a "development district"

(Introduced by Council Members Harrington, Dernoga, Exum and Dean on 11/1/2004; verbal C.O.W. report to be provided)

*Public hearing
held; no final
action taken*

**CB-117-2004 – AN ACT CONCERNING DISPOSITION OF SURPLUS REAL
PROPERTY** for the purpose of authorizing the County Executive to dispose of certain surplus real property that is no longer needed for stormwater management purposes and establishing that the price to be paid is the same price paid by the County at the time of acquisition.

(Introduced by Council Members Bland, Dean and Exum on 11/1/2004; held in PSFM on 10/27/2004)

*Public hearing
held; enacted*

**CB-82-2004 – AN ACT CONCERNING IMPOUNDMENT OF MOTOR
VEHICLES FROM PRIVATE PROPERTY** for the purpose of requiring that photographs be taken whenever a motor vehicle is impounded from private property under certain circumstances.

(Introduced by Council Members Dean, Exum and Bland on 11/1/2004; favorably reported out of PSFM on 10/27/2004)

*Public hearing
held; no final
action taken*

CB-96-2004 (DR-2) – AN ACT CONCERNING TOWING REGULATIONS for the purpose of amending provisions of the Code relating to towing regulations and establishing penalties, amending the hours for a property owner to initiate the towing of a vehicle from private property under certain circumstances and establishing the fees to be charged for private property tow services.

(Introduced by Council Members Exum, Harrington, Dernoga, Dean, Bland and Knotts on 11/1/2004; favorably reported out of THE on 10/21/2004 with amendments)

3. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced; rules
suspended;
adopted*

CR-78-2004 – A RESOLUTION CONCERNING THE SECTOR PLAN AND SECTIONAL MAP AMENDMENT FOR THE PRINCE GEORGE’S COUNTY GATEWAY ARTS DISTRICT for the purpose of approving the Sector Plan and Sectional Map Amendment (SMA) for the Prince George’s County Gateway Arts District, defining long-range land use and development policies, setting out detailed zoning proposals, establishing design standards, and designating a Development District Overlay Zone for the municipalities of Mount Rainier, Brentwood, North Brentwood, and Hyattsville but excluding the Prince George’s Plaza and West Hyattsville transit districts, and consisting of portions of Planning Area 68, whose boundaries are described in the Zoning Ordinance.

The Chairman (by request – Planning Board)

Introduced by Council Members Campos, Harrington, Dean, Exum, Peters, Knotts and Dernoga

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

*Introduced; no
final action
taken*

CR-79-2004 - A RESOLUTION CONCERNING RURAL TIER ADVISORY TASK FORCE for the purpose of establishing the Rural Tier Advisory Task Force to evaluate and advise the County on issues relating to the rural tier of the County.

Introduced by Council Members Bland and Peters

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

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

*DR-2 substituted;
amended;
DR-3 adopted*

CR-69-2004 (DR-2) – 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 by Council Member Knotts on 10/19/2004; favorably reported out of THE on 11/23/2004 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-70-2004 – A RESOLUTION CONCERNING U.S. ROUTE 1 COLLEGE PARK DESIGN AND ENGINEERING FUNDING IN FY 2005-2010**

CONSOLIDATED TRANSPORTATION PROGRAM (CTP) for the purpose of requesting that the State Highway Administration advance the schedule of funding for the design and engineering for U. S. Route 1 improvements currently included in the State's CTP for FY 2004–2009.

(Introduced by Council Members Dernoga, Peters and Dean; referral to THE on 10/26/2004; favorably reported out of THE on 11/23/2004)

*Adopted***CR-73-2004 – A RESOLUTION CONCERNING STATE OF MARYLAND NEIGHBORHOOD PARTNERSHIP PROGRAM**

for the purpose of approving the project submitted by the Housing Initiative Partnership, Inc., (HIP), to the Maryland Department of Housing and Community Development for participation in the Neighborhood Partnership Program.

(Introduced by Council Members Harrington, Dernoga and Exum on 11/1/2004; favorably reported out of THE on 11/23/2004)

*Adopted***CR-77-2004 – A RESOLUTION CONCERNING EMERSON HOUSE APARTMENTS**

for the purpose of approving the issuance and sale of tax-exempt revenue bonds and taxable revenue bonds by the Housing Authority of Prince George's County (the "Housing Authority") in connection with the refunding of the Housing Authority's 1994 Bonds and the financing of renovations to Emerson House Apartments by Daniel Housing Corporation, Inc., a Maryland non-profit corporation (the "Owner").

(Introduced by Council Member Harrington on 11/23/2004; favorably reported out of THE on 11/23/2004)

*Adopted***CR-76-2004 – A RESOLUTION CONCERNING A SUPPLEMENTAL APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS**

for the purpose of funding from grants in the amount of \$7,597,260 to the Department of Corrections, Police Department, Fire/EMS Department, Human Relations Commission, Department of Environmental Resources, Office of the Sheriff, Office of Homeland Security, Office of the State's Attorney, Department of Housing and Community Development, Department of Social Services, the Office of Community Relations and the Health Department.

(Introduced by Council Members Knotts, Dean, Exum and Peters on 11/23/2004; verbal C.O.W. report to be provided)

ADDITION TO THE AGENDA

3. **INTRODUCTION AND ADOPTION OF RESOLUTIONS – (page 6)**

*Introduced; rules
suspended;
adopted*

**CR-80-2004 – A RESOLUTION CONCERNING STATE OF MARYLAND
COMMUNITY LEGACY PROGRAM** for the purpose of approving the application and receipt of financing submitted by the Housing Initiative Partnership, Inc. (HIP) to the Maryland Department of Housing and Community Development for funding from the Community Legacy Program.

The Chairman (by request – County Executive)

Introduced by Council Members Harrington, Dean, Exum, Peters and Knotts

**COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR
SUSPEND THE RULES PRIOR TO ADOPTION**

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

None

12:03 P.M.

ADJOURN**REMINDER**

Tues., Dec. 7, 2004	10:00 a.m.	Service Award Presentations Exchange of Gavel
Mon., Jan 10, 2005		Anticipated First District Council for 2005
Tues., Jan. 11, 2005		Anticipated First Council Session for 2005 Legislative Year