



Prince George's County Council

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

Meeting Minutes - Draft County Council

Todd M. Turner, Council Chair, District 4
Monique Anderson-Walker, District 8
Derrick Leon Davis, District 6
Thomas E. Dernoga, District 1
Mel Franklin, At-Large
Dannielle M. Glaros, District 3
Sydney J. Harrison, District 9
Calvin S. Hawkins, II, Vice Chair, At-Large
Jolene Ivey, District 5
Rodney C. Streeter, District 7
Deni L. Taveras, District 2

Robert J. Williams, Jr., Council Administrator

Wednesday, September 9, 2020

1:00 PM

(VIRTUAL MEETING)

VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>

1:00 P.M. - CALL TO ORDER - (VIRTUAL MEETING)

The meeting was called to order at 1:00 p.m. by Council Chair Turner with 10 members present at roll call. Council Member Franklin arrived at 1:20 p.m.

Present: 11 - Council Chair Todd Turner
Council Member Monique Anderson-Walker
Council Member Derrick Davis
Council Member Thomas Dernoga
Council Member Mel Franklin
Council Member Dannielle Glaros
Council Member Sydney Harrison
Vice Chair Calvin S. Hawkins
Council Member Jolene Ivey
Council Member Rodney Streeter
Council Member Deni Taveras

Also present:

*Robert J. Williams, Jr., Council Administrator
William M. Hunt, Deputy Council Administrator
Donna J. Brown, Clerk of the Council
Theresa D. Myers, Legislative Assistant
Leonard D. Moses, Zoning Assistant
Terry L. Bell, Council Liaison
Sakinda Skinner, Associate County Attorney
Kathy Canning, Legislative Officer
Leroy Maddox, Legislative Officer
Howard Stone, GOFP Committee Director
Colette Gresham, Legislative Officer
Jacqueline Brown, PHED Committee Director
Karen Zavakos, Legislative & Zoning Counsel
Nathaniel Tutt, III, HHSPS Committee Director
Monica B. James, Legislative Officer*

INVOCATION / MOMENT OF SILENCE

The Invocation was provided by Howard W. Stone, County Employee.

DESIGNATION OF SEPTEMBER 9, 2020 AS LEGISLATIVE DAY NO. 23

1. CONSENT AGENDA

(a) Approval of County Council Minutes

[MIN 07272020](#) County Council Minutes dated July 27, 2020.

Attachment(s): [07272020](#)

These minutes were approved.

[MIN 09012020](#) County Council Minutes dated September 1, 2020.

Attachment(s): [09012020](#)

These minutes were approved.

(b) First Reading of Bills (Presentation)

[CB-055-2020](#)

Draft 1

AN ACT CONCERNING QUALIFIED DATA CENTERS - PERSONAL PROPERTY TAX EXEMPTION for the purpose of establishing a personal property tax exemption on the personal property of a Qualified Data Center; defining certain terms; providing for certain amounts of personal property tax exemptions under certain conditions; requiring a certain notice; and generally relating to personal property tax exemptions on qualified data centers.

Attachment(s): [B2020055](#)
[CB-055-2020 Attachment 1](#)
[CB-055-2020 Attachment 2](#)
[CB-055-2020 AIS](#)

This Council Bill was presented by the Council Chair by request of the County Executive and referred to the Sitting as the Committee of the Whole.

[CB-056-2020](#)

Draft 1

AN ACT CONCERNING THE BUILDING CODE OF PRINCE GEORGE'S COUNTY for the purpose of updating the provisions of the Building Code of Prince George's County (the "County") to conform to the 2018 editions of the International Building Code, the International Mechanical Code, the International Energy Conservation Code and the International Residential Code for One- and Two-Family Dwellings.

Attachment(s): [B2020056](#)
[CB-056-2020 AIS](#)

This Council Bill was presented by the Council Chair by request of the County Executive and referred to the Sitting as the Committee of the Whole.

[CB-057-2020](#)

Draft 1

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, 2021.

Attachment(s): [B2020057](#)
[CB-057-2020 AIS](#)

This Council Bill was presented by the Council Chair by request of the County Executive and referred to the Sitting as the Committee of the Whole.

[CB-058-2020](#)

Draft 1

AN ACT CONCERNING REGULAR COUNTY HOLIDAYS - JUNETEENTH DAY for the purpose of recognizing the end of slavery and to celebrate the history, culture and accomplishments of African Americans in Prince George's County, Maryland, and across the nation by establishing June 19th as Juneteenth Day to be observed as a regular County holiday in Prince George's County, Maryland.

Attachment(s): [B2020058](#)
[CB-058-2020 AIS](#)

This Council Bill was presented by the Council Chair by request of the County Executive and referred to the Sitting as the Committee of the Whole.

[CB-059-2020](#)

Draft 1

AN ACT CONCERNING SHORT-TERM RENTALS for the purpose of modifying the provisions for platform short-term rental licensing in the County and clarifying the adjudication process for violations of those regulations.

Attachment(s): [B2020059](#)
[CB-059-2020 AIS](#)

This Council Bill was presented by the Council Chair by request of the County Executive and referred to the Sitting as the Committee of the Whole.

[CB-060-2020](#)

Draft 1

AN ACT CONCERNING IMPOUNDMENT for the purpose of modifying the notice requirements and reclaiming and redemption process for impounded vehicles.

Attachment(s): [B2020060](#)
[CB-060-2020 AIS](#)

This Council Bill was presented by the Council Chair by request of the County Executive and referred to the Sitting as the Committee of the Whole.

(c) Introduction of Resolutions

[CR-085-2020](#)

Draft 1

A RESOLUTION CONCERNING PUBLIC SAFETY FACILITIES SURCHARGE for the purpose of approving a partial waiver of the public safety facilities surcharge for all residential units of the mixed-use Atworth Project.

Attachment(s): [R2020085](#)
[CR-085-2020 AIS](#)
[CR-085-2020 Report](#)

This resolution seeks the approval of the County Council in order to partially waive the Atworth Project from the public safety facilities surcharge, in accordance with Section 10-192.11(b)(3) of the Prince George's County Code that enables the County Council to waive the public safety facilities surcharge for certain multi-family housing projects. The project includes 451 market-rate multi-family dwelling units, 324 structured parking spaces, 79 surface parking spaces and 5,000 square feet of

ground-floor retail space. Estimated construction is \$123.3 million. The Council Chair announced that the Committee of the Whole Worksession will be held later this date.

This Resolution was introduced by Council Members Turner, Glaros, Taveras, Davis and Dernoga and referred to the Sitting as the Committee of the Whole.

[CR-086-2020](#)

Draft 1

A RESOLUTION CONCERNING FISCAL YEAR 2021 ANNUAL TRANSPORTATION PLAN FOR MARYLAND PUBLIC TRANSPORTATION PROGRAMS AND AMERICANS WITH DISABILITIES ACT PROGRAM

for the purpose of authorizing the Director of the Prince George's County Department of Public Works and Transportation to file grant funding applications for Fiscal Year 2021 with the Maryland Transit Administration of the Maryland Department of Transportation under the Annual Transportation Plan (ATP), Maryland's Public Transportation Programs (PTP), the American with Disabilities Act (ADA) Program and the Federal Transit Administration (FTA) under the Low or No Emission Vehicle Program (Low-No);

Attachment(s): [R2020086](#)
[CR-086-2020 AIS](#)

This Resolution is for the purpose of authorizing the Director of the Prince George's County Department of Public Works and Transportation to file applications with the Maryland Transit Administration of the Maryland Department of Transportation and the Federal Transit Administration for certain grants under the Annual Transportation Plan (ATP) package for Maryland's Public Transportation Programs (PTP) and Americans with Disabilities Act (ADA) Program under the Federal Transit Act.

This Resolution was introduced by Council Members Turner, Anderson-Walker, Ivey, Glaros, Taveras, Hawkins, Dernoga, Harrison, Streeter and Davis and referred to the Sitting as the Committee of the Whole.

[CR-087-2020](#)

Draft 1

A RESOLUTION CONCERNING THE 2018 WATER AND SEWER PLAN (JUNE 2020 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2018 Water and Sewer Plan.

Attachment(s): [R2020087](#)
[CR-087-2020 Attachments A & B](#)
[CR-087-2020 AIS](#)

The 2018 Water and Sewer Plan provides for four cycles of category change requests annually to amend the Plan. This Resolution represents the June

2020 Cycle of Amendments. There is one (1) requested category change that is located in the Mattawoman sewer basin. Additionally, the Department of Permitting, Inspections and Enforcement will amend maps of residential properties to reflect the existing water and sewer service category in District 8 and District 9. Council Chair Turner announced that this Resolution requires a public hearing.

This Resolution was introduced by Council Members Turner, Taveras, Davis, Hawkins and Harrison and referred to the Sitting as the Committee of the Whole.

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

No items were considered.

[Consent24-20](#)

MOTION TO ADOPT CONSENT AGENDA

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

Aye	10 - Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras
Absent	Franklin

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

No items were considered.

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

[CB-025-2020](#)

Draft 1

AN ACT CONCERNING PERSONNEL BOARD for the purpose of amending the compensation rates for the Prince George's County Personnel Board.

Sponsor(s): Turner, Hawkins, Harrison, Davis, Taveras, Franklin, Dernoga, Glaros, Anderson-Walker, Ivey and Streeter

Attachment(s): [B2020025](#)
[CB-025-2020 AIS](#)
[CB-025-2020 Report](#)

Pursuant to proper notice, the public hearing convened on CB-025-2020 at 1:17 p.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

This public hearing was held.

A motion was made by Vice Chair Hawkins, seconded by Council Member Streeter, that this Council Bill be enacted. The motion carried by the following vote:

Aye 9 - Turner, Anderson-Walker, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras
Absent Davis and Franklin

[CB-039-2020](#)

Draft 2

AN ORDINANCE CONCERNING C-S-C ZONE for the purpose of permitting Vehicle or camping trailer storage yard uses by Special Exception in the C-S-C (Commercial Shopping Center) Zone of Prince George's County, under certain specified circumstances.

Sponsor(s): Harrison, Hawkins and Davis

Attachment(s): [B2020039](#)
[CB-039-2020 AIS](#)
[CB-039-2020 Report](#)

Pursuant to proper notice, the public hearing convened on CB-039-2020 (DR-2) at 1:20 p.m. Edward Gibbs, Esquire signed up to speak. All persons wishing to speak having done so, the public hearing was declared held.

This public hearing was held.

No action was taken on CB-39-2020 (DR-2)

[CB-040-2020](#)

Draft 2

AN ORDINANCE CONCERNING EATING OR DRINKING ESTABLISHMENTS for the purpose of permitting eating or drinking establishments, excluding drive through service in the R-E (Residential-Estate) Zone, under certain circumstances.

Sponsor(s): Harrison, Turner, Davis, Streeter, Franklin, Glaros and Taveras

Attachment(s): [B2020040](#)
[CB-040-2020 AIS](#)
[CB-040-2020 Report](#)

Pursuant to proper notice, the public hearing convened on CB-040-2020 (DR-2) at 1:22 p.m. Nate Foreman, Esquire signed up to speak. All persons wishing to speak having done so, the public hearing was declared held.

This public hearing was held.

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

Aye 10 - Turner, Anderson-Walker, Davis, Franklin, Glaros,
Harrison, Hawkins, Ivey, Streeter and Taveras

Abstain 1 - Dernoga

[CB-041-2020](#)

Draft 1

AN ORDINANCE CONCERNING R-R ZONE--LOT COVERAGE

REGULATIONS for the purpose of amending the Lot Coverage Regulations in the (R-R) Rural Residential Zone of Prince George's County, under certain circumstances.

Sponsor(s): Harrison, Turner, Glaros, Taveras, Davis, Franklin and Hawkins

Attachment(s): [B2020041](#)
[CB-041-2020 AIS](#)
[CB-041-2020 Report](#)

Pursuant to proper notice, the public hearing convened on CB-041-2020 (DR-2) at 1:27 p.m. Thomas Haller, Esquire and Stephen Paul, Mid Atlantic Builders signed up to speak. All persons wishing to speak having done so, the public hearing was declared held.

This public hearing was held.

A motion was made by Council Member Davis, seconded by Council Member Harrison, that the County Council Rules of Procedure be suspended to allow for an effective date on the date of adoption. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

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

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

[CB-052-2020](#)

Draft 1

AN EMERGENCY ACT CONCERNING TO REINSTATE THE DEFINITION OF TENANT PRIOR TO THE ADOPTION OF CB-16-2020, WHICH PROHIBITED CERTAIN ACTS DURING THE COVID-19 PUBLIC HEALTH

CRISIS for the purpose of amending the Landlord-Tenant Code to reinstate the definition of tenant in effect prior to the adoption of CB-16-2020.

Sponsor(s): Turner, Glaros, Dernoga, Taveras, Ivey, Davis, Streeter, Anderson-Walker, Hawkins and Harrison

Attachment(s): [B2020052](#)
[CB-052-2020 AIS](#)
[CB-052-2020 Report](#)

Pursuant to proper notice, the public hearing convened on this CB-052-2020 at 1:34 p.m. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

This public hearing was held.

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

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

ADJOURN

THE MEETING ADJOURNED AT 1:42 P.M.

A motion was made by Council Member Taveras, seconded by Council Member Franklin, that the meeting be adjourned. The motion carried unanimously.

2:00 P.M. - COMMITTEE OF THE WHOLE - (VIRTUAL MEETING)

(SEE SEPARATE MINUTES)

EXECUTIVE SESSION - (VIRTUAL MEETING)

[EX 09092020](#)

Motion to convene in executive session to discuss personnel issues, to consult with counsel to seek legal advice, and to discuss pending or potential litigation in accordance with Sections 3-305(b) (1) (7), and (8), General Provisions Article, Annotated Code of Maryland.

The following closing statement was read by Council Chair Turner: "Motion to convene in Executive Session pursuant to Section 3-305(b)(1), (7), (8), and (10), General Provisions Article, Annotated Code of Maryland, in order to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction, specifically, the proposed appointments to the EDIF Financial Advisory Committee, the Board of Appeals and the Revenue Authority; to discuss and consider pending or potential litigation and to consult with counsel to seek legal advice, specifically, to be briefed by counsel as to and to discuss status of cases in the Circuit Court for Prince George's County, Maryland, the Court of Special Appeals, and the US District Court of Maryland, to maintain confidentiality regarding the current status of ongoing litigation and as to the Council's position on pending litigation; and to discuss public

security and the development/implementation of operation plans for the Legislative Branch finding that public discussion will constitute a risk to public safety and security."

A motion was made by Council Member Davis, seconded by Vice Chair Hawkins, to convene into Executive Session. The motion carried by the following vote:

Aye 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Prepared by:

Theresa D. Myers, Legislative Assistant

Submitted by:

Donna J. Brown, Clerk of the Council

draft