

ACTION AGENDA

Tuesday, July 1, 2008

Legislative Day No. 20

**COUNTY COUNCIL
OF
PRINCE GEORGE'S COUNTY, MARYLAND**

9:30 A.M.

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

10:10 A.M.

CALL TO ORDER

INVOCATION: Reverend Clyde Pearson, Assistant Pastor, Kettering Baptist Church, Upper Marlboro, Maryland

PLEDGE OF ALLEGIANCE

1. **CONSENT AGENDA -- 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)**

Presented

CB-48-2008 – 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, 2009.

To be presented by the Chairman (by request – County Executive); referral to PSFM

CONSENT AGENDA – (CONTINUED)

(b) **Introduction of Resolutions**

Introduced

CR-64-2008 – A RESOLUTION CONCERNING FINANCIAL ASSISTANCE TO THE PRINCE GEORGE’S COUNTY ECONOMIC DEVELOPMENT CORPORATION (“EDC”) FOR A FEASIBILITY STUDY OF AN INTERNATIONAL OFFICE AND WAREHOUSE INCUBATOR for the purpose of approving \$62,500 in grant funding from the Maryland Economic Development Assistance Fund (“MEDAF”) to EDC to evaluate the feasibility of an international office and warehouse business incubator at Steeplechase 95 International Business Park.

The Chairman (by request – County Executive); referral to PSFM

Introduced by Council Members Dean and Turner

2. **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

None

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER’S REPORT**

None

4. **SECOND READING OF BILLS – (INTRODUCTION) -- CB-45, 46, 49, 50 & 51-2008 ADDED; SEE PAGE 9)**

Introduced; expedited

CB-15-2008 (DR-2) – AN ORDINANCE CONCERNING I-3 ZONE for the purpose of modifying development regulations in the I-3 Zone under certain circumstances.

(Favorably reported out of PZED on 6/18/2008 with amendments)

Introduced by Council Memberes Dean and Harrison

CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-15-2008 (DR-2)

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)

*Introduced;
expedited*

CB-29-2008 (DR-2) – AN ORDINANCE CONCERNING REGIONAL URBAN COMMUNITY for the purpose of defining the Regional Urban Community use; permitting the use in the M-X-T Zone; permitting the use in the R-M Zone; and making related amendments to the Zoning Ordinance.

(Favorably reported out of PZED on 6/18/2008 with amendments)

Introduced by Council Members Dean and Harrison

CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-15-2008 (DR-2)

Introduced

CB-11-2008 (DR-2) – AN ACT CONCERNING ENERGY CONSERVATION REAL PROPERTY TAX CREDIT for the purpose of establishing a tax credit for real property for residential homeowners who utilize solar or geothermal energy conservation devices.

(Favorably reported out of PSFM on 6/16/2008 with amendments)

Introduced by Council Members Olson, Dernoga, Campos, Exum, Harrison, Dean and Turner

Introduced

CB-34-2008 – AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR LIBRARY FACILITIES 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 \$9,155,000 to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Library Facilities including the acquisition of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

(Favorably reported out of PSFM on 6/16/2008)

Introduced by Council Member Dean

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)*Introduced*

CB-35-2008 AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR PUBLIC SAFETY FACILITIES 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 \$38,134,000 to finance the design, construction, reconstructions, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public Safety Facilities (including Fire Department Facilities), including the acquisition of sites therefore; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

(Favorably reported out of PSFM on 6/16/2008)

Introduced by Council Members, Dean, Olson, Exum, Bland, Harrison and Turner

Introduced

CB-36-2008 – AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR COUNTY BUILDINGS 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 \$112,596,000 to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of County Buildings including the acquisition of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

(Favorably reported out of PSFM on 6/16/2008)

Introduced by Council Members Dean, Bland, Harrison and Turner

Introduced

CB-37-2008 – AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR PUBLIC WORKS AND TRANSPORTATION FACILITIES 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 \$153,224,000 to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public Works And Transportation Facilities including the acquisition of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

(Favorably reported out of PSFM on 6/16/2008)

Introduced by Council Members Dean, Bland, Harrison, Dernoga, Olson and Turner

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)*Introduced***CB-38-2008 – AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR PRINCE GEORGE'S COMMUNITY COLLEGE**

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 \$48,731,000 to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Community College Facilities including the acquisition of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

(Favorably reported out of PSFM on 6/16/2008)

Introduced by Council Members Dean, Bland, Harrison, Turner, Exum and Olson

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

*Public hearing held; enacted***CB-13-2008 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – PRINCE GEORGE'S COUNTY POLICE CIVILIAN EMPLOYEES ASSOCIATION**

for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the Prince George's County Police Civilian Employees Association to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board.

(Introduced by Council Member Dean on 6/3/2008; favorably reported out of PSFM on 5/19/2008)

*Public hearing held; enacted***CB-16-2008 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – FRATERNAL ORDER OF POLICE, PRINCE GEORGE'S COUNTY LODGE 89, INC.**

for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the Fraternal Order of Police, Prince George's County Lodge 89, Inc., to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board.

(Introduced by Council Member Dean on 6/3/2008; favorably reported out of PSFM on 5/19/2008)

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

*Public hearing
held; enacted*

CB-17-2008 (DR-2) – AN ACT CONCERNING PRINCE GEORGE’S COUNTY FIRE SERVICE PENSION PLAN for the purpose of approving by legislative act an amendment to the Fire Service Pension Plan regarding the addition of line of duty death benefits.

(Introduced by Council Members Olson, Exum, Bland and Dean on 6/3/2008; favorably reported out of PSFM 5/19/2008 with amendments)

*Public hearing
held; enacted*

CB-18-2008 (DR-2) – AN ACT CONCERNING PRINCE GEORGE’S COUNTY DEPUTY SHERIFF’S PENSION PLAN for the purpose of approving by legislative act an amendment to the Deputy Sheriff’s Pension Plan regarding the addition of line of duty death benefits.

(Introduced by Council Members Olson, Exum, Bland, Dean, Turner and Knotts on 6/3/2008; favorably reported out of PSFM 5/19/2008 with amendments)

*Public hearing
held; enacted*

CB-19-2008 (DR-2) – AN ACT CONCERNING PRINCE GEORGE’S COUNTY PENSION PLAN FOR EMPLOYEES REPRESENTED BY THE PRINCE GEORGE’S CORRECTIONAL OFFICERS’ ASSOCIATION, INC. for the purpose of approving by legislative act an amendment to the Prince George’s County Pension Plan for employees represented by the Prince George’s Correctional Officers’ Association, Inc. regarding the addition of line of duty death benefits.

(Introduced by Council Members Olson, Exum, Bland, Dean, Turner and Knotts on 6/3/2008; favorably reported out of PSFM 5/19/2008 with amendments)

*Public hearing
held; enacted*

CB-20-2008 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – DEPUTY SHERIFF’S ASSOCIATION OF PRINCE GEORGE’S COUNTY, INC. (CIVILIANS) for the purpose of amending the labor agreement by and between Prince George’s County, Maryland and the Deputy Sheriff’s Association of Prince George’s County, Inc. (Civilian Units), to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George’s County Public Employee Relations Board.

(Introduced by Council Member Dean on 6/3/2008; favorably reported out of PSFM on 5/19/2008)

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

*Public hearing
held; enacted*

CB-21-2008 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1619, AFL-CIO (CIVILIANS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the International Association of Fire Fighters, Local 1619, AFL-CIO (Civilians) to provide for wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board.

(Introduced by Council Member Dean on 6/3/2008; favorably reported out of PSFM on 5/19/2008)

*Public hearing
held; enacted*

CB-22-2008 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO, LOCAL 1619 (FIRE FIGHTERS, PARAMEDICS AND FIRE FIGHTER/MEDICS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the International Association of Fire Fighters, AFL-CIO, Local 1619 (Fire Fighters, Paramedics and Fire Fighter/Medic) to provide for wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board.

(Introduced by Council Member Dean on 6/3/2008; favorably reported out of PSFM on 5/19/2008)

*Public hearing
held; enacted*

CB-23-2008 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – PRINCE GEORGE'S CORRECTIONAL OFFICERS' ASSOCIATION, INC. (CIVILIAN UNIT) for the purpose of approving the labor agreement by and between Prince George's County, Maryland and Prince George's Correctional Officers' Association, Inc. (Civilian Unit) to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board.

(Introduced by Council Member Dean on 6/3/2008; favorably reported out of PSFM on 5/19/2008)

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

*DR-2
substituted;
adopted*

CR-27-2008 (DR-2) - A RESOLUTION CONCERNING REPEAL OF THE BRADFORD PEAR TREE (PYRUS CALLERYRIANA) AS THE OFFICIAL TREE OF PRINCE GEORGE’S COUNTY for the purpose of repealing the designation of the Bradford Pear Tree (*Pyrus Calleryriana*) as the official tree of Prince George’s County.

(Introduced by Council Members Bland and Knotts on 4/22/2008; favorably reported out of THE on 6/12/2008 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

7. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

No action taken

CR-65-2008 – A RESOLUTION CONCERNING BRANCH AVENUE CORRIDOR SECTOR PLAN AND SECTIONAL MAP AMENDMENT for the purpose of approving the sector plan and sectional map amendment for the Branch Avenue Corridor area, thereby defining long-range land use and development policies and setting forth and adopting detailed zoning proposals for the area comprising the Branch Avenue Corridor from the District of Columbia boundary line to St. Barnabas Road, including the Naylor Road Metro Station, Iverson Mall, and Marlow Heights Shopping Center, Silver Hill Road, Old Silver Hill Road, and the St. Barnabas Road commercial corridor to the Capital Beltway.

The Chairman (by request – Planning Board)

To be introduced by:

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

11:02 A.M.

DISTRICT COUNCIL ITEM

Adopted

ADOPTION OF ZONING ORDINANCE NO. 18-2008 (CR-66-2008)

Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment (TDDP/TDOZ)

DISTRICT COUNCIL ITEM

(SEE SEPARATE ACTION AGENDA)

ADDITIONS TO THE AGENDA

4. **SECOND READING OF BILLS – (INTRODUCTION) – (page 2)**

Introduced

CB-45-2008 (DR-2) – 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.

(Favorably reported out of PSFM on 6/30/2008 with amendments)

Introduced by Council Member Dean

Introduced

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

(Favorably reported out of PSFM on 6/30/2008)

Introduced by Council Member Dean

Introduced

CB-49-2008 – AN ACT CONCERNING DAYS OF OPERATIONS OF FARMER’S AND FLEA MARKETS IN PRINCE GEORGE’S COUNTY for the purpose of repealing the use and occupancy permit limitation to weekend and holiday dates of operation of Farmer’s and Flea markets in Prince George’s County.

Introduced by Council Members Olson and Campos; referral to HEHS

Introduced

CB-50-2008 - AN ACT CONCERNING AMENDMENT OF SECTION 317, CHARTER OF PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 317 of the Charter of Prince George's County to provide clarification as to the prescribed scheduling and notice periods for legislation by the Clerk of the Council.

Introduced by Council Members Exum and Bland; referral to PSFM

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)

Introduced

CB-51-2008 – AN ACT CONCERNING FISCAL YEAR 2008-2009 CURRENT EXPENSE BUDGET for the purpose of amending certain revenue estimates and certain appropriations in the Annual Budget and Appropriations Ordinance for Fiscal Year 2008-2009.

The Chairman (by request – County Executive); referral to PSFM

Introduced by Council Member Dean

6. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (page 8)**

*DR-2
substituted;
adopted*

CR-50-2008 (DR-2) – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – POLICE OFFICIALS – SALARY SCHEDULE P-O, SCHEDULE OF PAY GRADES for the purpose of amending the Salary Plan of the County to reflect certain wage and benefit modifications of Police Officials.

(Introduced by Council Member Dean on 5/20/2008; favorably reported out of PSFM on 6/30/2008 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

Adopted

CR-51-2008 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – FIRE OFFICIALS – SALARY SCHEDULE F-O for the purpose of amending the Salary Plan of the County to reflect certain wage and benefit modifications of Fire Officials.

(Introduced by Council Member Dean on 5/27/2008; favorably reported out of PSFM on 6/30/2008)

*DR-2
substituted;
adopted*

CR-55-2008 (DR-2) – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, SHERIFF OFFICIALS-SALARY SCHEDULE S-O SCHEDULE OF PAY GRADES for the purpose of amending the Salary Plan of the County to reflect wage and benefit modifications of Sheriff Officials.

(Introduced by Council Member Dean on 6/3/2008; favorably reported out of PSFM on 6/30/2008 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (CONTINUED)

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

CR-29-2008 (DR-2) – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2009 for the purpose of approving and adopting the Prince George’s County Fiscal Year 2009 Housing and Community Development Annual Action Plan consisting of federal programs, including their federal funding applications which, along with other resources, serve to implement housing and community development strategies set forth in the County’s FY 2006-2010 Consolidated Plan, adopted by CR-41-2005, which Plan required by the U.S. Department of Housing and Urban Development (HUD) as a prerequisite to consideration of the funding applications.

(Introduced by Council Member Dean on 4/22/2008; favorably reported out of THE on 6/30/2008 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1

AMENDMENT #1 TO CR-29-2008 (DR-2)

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Mr. McKinley Hayes, Member
Board of Directors of the Fort Washington, Maryland Alumni Chapter
Kappa Alpha Psi Fraternity, Inc.

11:12 A.M.

ADJOURN

1:30 P.M.

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

REMINDER

Fri., July 4, 2008

INDEPENDENCE DAY HOLIDAY

Tues., July 8, 2008

9:30 a.m.

County Council Agenda Briefing (Room 2027)

10:00 a.m.

Call to Order (Council Hearing Room)