

# ***ACTION AGENDA***

**Tuesday, October 28, 2003**

**Business Meeting**

**(Legislative Day No. 35 to be declared)**

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

**9:15 A.M.**                    **TRANSPORTATION, HOUSING & THE ENVIRONMENT COMMITTEE –  
(ROOM 2027) -- COMMITTEE MEETING HELD**

**9:30 A.M.**                    **AGENDA BRIEFING – (ROOM 2027) -- AGENDA BRIEFING HELD**

**10:05 A.M.**                    **CALL TO ORDER**

**INVOCATION:** Reverend Willie Lampley, Berean Baptist Church, Forest Heights,  
Maryland

**PLEDGE OF ALLEGIANCE**

*Designated*

**DESIGNATION OF OCTOBER 28, 2003 AS LEGISLATIVE DAY NO. 35**

**EXECUTIVE SESSION – (ROOM 2027) -- EXECUTIVE SESSION HELD**

- (a) Discussion regarding status of Dimensions Health Corporation in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (4).

1. **CONSENT AGENDA -- CR-72, 73, 74 ADDED; 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.

*Approved*

- (a) Approval of County Council Minutes dated October 7, 2003.

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

*None*

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

*None*

4. **PUBLIC HEARING: -- PUBLIC HEARING HELD; CONFIRMED**

*Confirmed*

**Appointment of the following individual to the Housing Authority for Prince George's County:**

**Ms. Elsie I. Akinbobola**

Appointment  
Replacing: Muriel Mathis Lyles  
Term Expiring: 10/24/2008

5. **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD; ALL CONFIRMED****Appointment of the following individuals to the Prince George's County Historical and Cultural Trust:**

<i>Confirmed</i>	<b>Ms. Phyllis A. Luskey Cox</b>	Appointment Replacing: Clem Martin Term Expiring: 6/30/2005
<i>Confirmed</i>	<b>Ms. Dawn G. Davit</b>	Appointment Replacing: Gilbert Francis Term Expiring: 6/30/2006
<i>Confirmed</i>	<b>Ms. Denise Doby</b> (unable to attend)	Appointment Replacing: Nancy Thiessen Term Expiring: 6/30/2004
<i>Confirmed</i>	<b>Mr. Michael S. Leventhal</b>	Appointment Replacing: Katherine Watson Term Expiring: 6/30/2006
<i>Confirmed</i>	<b>Mr. Alfonso A. Narvaez</b>	Appointment Replacing: Druscilla Null Term Expiring: 6/30/2005
<i>Confirmed</i>	<b>Mr. Udomah C. Ohiri</b>	Appointment Replacing: Retha Henry Term Expiring: 6/30/2005
<i>Confirmed</i>	<b>Delegate Justin Ross</b>	Appointment Replacing: Delegate James Hubbard Term Expiring: 6/30/2007
<i>Confirmed</i>	<b>Mr. Jack I. Thompson, Jr.</b>	Appointment Replacing: Robert Crecco Term Expiring: 6/30/2006
<i>Confirmed</i>	<b>Ms. Katherine D. Bryant</b> (unable to attend)	Reappointment Term Expiring: 6/30/2004
<i>Confirmed</i>	<b>Ms. Mildred R. Gray</b>	Reappointment Term Expiring: 6/30/2007
<i>Confirmed</i>	<b>Ms. Carolyn C. Rowe</b>	Reappointment Term Expiring: 6/30/2004
<i>Confirmed</i>	<b>Mr. Robert H. Schnabel</b>	Reappointment Term Expiring: 6/30/2007
<i>Confirmed</i>	<b>Ms. Donna L. Schneider</b> (unable to attend)	Reappointment Term Expiring: 6/30/2006

6. **PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD; ALL CONFIRMED****Appointment of the following individuals to the Historic Preservation Commission for Prince George's County:**

<i>Confirmed</i>	<b>The Honorable Christina A. Davis</b>	Appointment/Municipal Representative Replacing: Iris McConnell Term Expiring: 6/30/2004
<i>Confirmed</i>	<b>Mr. Derek McDaniels</b>	Appointment/Suburban Maryland Home Builders Association Representative Replacing: William Shipp Term Expiring: 6/30/2005
<i>Confirmed</i>	<b>Mr. John P. Olike</b>	Appointment/Architect Representative Replacing: Leland Edgecombe Term Expiring: 6/30/2005
<i>Confirmed</i>	<b>Ms. Leola A. Richards</b>	Appointment/Board of Realtors Representative Replacing: James (J.D.) Williams Term Expiring: 6/30/2006
<i>Confirmed</i>	<b>Mr. John Peter Thompson</b> (unable to attend)	Appointment/Chamber of Commerce Representative Replacing: Charles Day Term Expiring: 6/30/2006
<i>Confirmed</i>	<b>Mr. David A. Turner</b>	Appointment/History Expert Replacing: Jane Eagen Dodd Term Expiring: 6/30/2006
<i>Confirmed</i>	<b>Mr. Robert H. Schnabel</b>	Appointment/Historical & Cultural Trust Representative Replacing: Drucilla Null Term Expiring: 6/30/2004
<i>Confirmed</i>	<b>Mr. Herman A. Windsor</b>	Appointment/Farm Bureau Representative Replacing: Virginia Garretson Term Expiring: 6/30/2004
<i>Confirmed</i>	<b>Ms. Patricia E. Hayes Parker</b>	Reappointment/Preservation Expert Term Expiring: 6/30/2005

7. **SECOND READING OF BILLS (INTRODUCTION)**

*Introduced*

**CB-66-2003 (DR-2) – AN ACT CONCERNING ELECTRICAL CODE** for the purpose of amending the Electrical Code and adopting the 2002 National Electrical Code.

(Favorably reported out of THE on 10/23/2003 with amendments)

*Introduced by Council Members Dean and Peters*

*Introduced*

**CB-86-2003 (DR-2) – AN ACT CONCERNING ADULT ENTERTAINMENT CLUBS** for the purpose of regulating the adult entertainment industry by establishing license requirements and penalties for violators and amending the provisions of the Code to clarify the use of the terms “public place” and “place open to the public.”

(Favorably reported out of HEHS on 10/21/2003 with amendments)

*Introduced by Council Members Hendershot, Shapiro, Dean and Exum*

*Introduced*

**CB-62-2003 (DR-2) – AN ACT CONCERNING SCHOOL FACILITIES SURCHARGE – EXEMPTION STUDENT HOUSING** for the purpose of eliminating the payment of the school facilities surcharge for certain multifamily projects designated as student housing, providing for the assessment of the school facilities surcharge under certain conditions and making other amendments concerning the school facilities surcharge.

(Favorably reported out of PZED on 10/22/2003 with amendments)

*Introduced by Council Members Hendershot, Shapiro and Dean*

*Introduced;  
expedited*

**CB-70-2003 – AN ORDINANCE CONCERNING R-T ZONE** for the purpose of permitting retail uses in the R-T Zone under certain circumstances.

(Reported out of PZED on 10/22/2003 with no recommendation)

*Introduced by Council Member Harrington*

**THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-70-2003.**

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

*Introduced;  
expedited*

**CB-83-2003 – AN ORDINANCE CONCERNING LOT COVERAGE AND GREEN AREA IN RESIDENTIAL ZONES** for the purpose of providing lot coverage and green area ratios for uses in proximity to drinking water reservoirs.

(Favorably reported out of PZED on 10/22/2003)

*Introduced by Council Members Dernoga, Peters and Shapiro*

**THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-83-2003.**

*Introduced;  
expedited*

**CB-85-2003 (DR-2) – AN ORDINANCE CONCERNING C-O ZONE** for the purpose of defining and permitting a multifamily retirement community in the C-O Zone under certain circumstances.

(Favorably reported out of PZED on 10/22/2003 with amendments)

*Introduced by Council Member Hendershot*

**THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-85-2003.**

*Amended; DR-3  
introduced;  
expedited*

**CB-87-2003 (DR-2) – AN ORDINANCE CONCERNING CLASS 3 FILLS** for the purpose of defining Class 3 fills, requiring a special exception for Class 3 fills in all zones where they are permitted, providing criteria for approval of the exception, and providing a limitation on grading permit renewals for Class 3 fills.

(Favorably reported out of PZED on 10/22/2003 with amendments)

*Introduced by Council Members Dean, Shapiro, Exum, Harrington, Dernoga and Peters*

**THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-87-2003.**

*Introduced*

**CB-77-2003 (DR-2) – AN ACT CONCERNING BENEFIT PERFORMANCES – LIMITATION ON PRIZES** for the purpose of clarifying the limitation on certain prizes.

(Favorably reported out of PSFM on 10/22/2003 with amendments)

*Introduced by Council Members Dernoga, Peters and Exum*

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

**CB-79-2003 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – PRINCE GEORGE’S CORRECTIONAL OFFICERS’ ASSOCIATION, INC. (CORRECTIONAL OFFICERS)** for the purpose of amending the labor agreement by and between Prince George’s County, Maryland and Prince George’s Correctional Officers’ Association, Inc. (Correctional Officers) 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.

(Favorably reported out of PSFM on 10/22/2003)

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

*Introduced*

**CB-80-2003 – 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.

(Favorably reported out of PSFM on 10/22/2003)

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

*Introduced*

**CB-91-2003 – AN ACT CONCERNING PERSONNEL LAW** for the purpose of amending language in Subtitle 16 of the Prince George’s County Code used to refer to the office, functions, powers, duties and practices of the agency known as the Office of Personnel and Labor Relations.

(Favorably reported out of PSFM on 10/22/2003)

*Introduced by Council Members Shapiro and Bland*

*Introduced*

**CB-95-2003 – AN ACT CONCERNING A SUPPLEMENTARY APPROPRIATION** for the purpose of appropriating to the General Fund revenue in excess of budget estimates, to provide funds for costs that were not anticipated in the approved Fiscal Year 2003-2004 budget for the Prince George’s Community College.

(Favorably reported out of PSFM on 10/22/2003)

*Introduced by Council Members Shapiro, Dean, Exum, Knotts, Harrington, Peters and Bland*

**ADDITIONS TO THE AGENDA****1. CONSENT AGENDA – (see page 2)**

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**(b) Introduction of Resolutions**

*Introduced*

**CR-72-2003 - 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.

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

*Introduced by Council Members Shapiro and Dernoga*

**PUBLIC HEARING SCHEDULED FOR 11/25/2003 @ 10:00 A.M.**

*Introduced*

**CR-73-2003 - A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS**

for the purpose of funding from grants in the amount of \$1,795,392 to the Health Department, Fire Department, Office of the State's Attorney, Department of Social Services, Circuit Court, Office of the Sheriff, Department of Housing and Community Development and Police Department.

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

*Introduced by Council Member Shapiro*

*Introduced*

**CR-74-2003 - A RESOLUTION CONCERNING STATE OF MARYLAND NEIGHBORHOOD PARTNERSHIP PROGRAM**

for the purpose of approving the project submitted by the Neighborhood Design Center to the Maryland Department of Housing and Community Development for participation in the Neighborhood Partnership Program.

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

*Introduced by Council Member Shapiro*



7. **SECOND READING OF BILLS (INTRODUCTION) – (see page 8)**

*Introduced*

**CB-94-2003 (DR-2) - AN ACT CONCERNING REVENUE AUTHORITY OF PRINCE GEORGE'S COUNTY – PARKING ENFORCEMENT** for the purpose of authorizing the Revenue Authority of Prince George's County to enforce provisions of the Prince George's County Code regarding parking within Prince George's County, including authorizing the Revenue Authority of Prince George's County to enforce provisions of the Prince George's County Code regarding parking on private property; and generally relating to parking within Prince George's County

(Favorably reported out of THE on 10/28/2003 with amendments)

*Introduced by Council Member Peters*

*Introduced*

**CB-97-2003 – AN ACT CONCERNING LAND ACQUISITION FOR MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION** for the purpose of authorizing the Maryland-National Capital Park and Planning Commission to acquire three parcels of land consisting of approximately 99.8786 acres more or less of unimproved land from MIE Acquisitions, LLC for public use purposes.

*Introduced by Council Members Peters, Shapiro, Dean, Exum, Dernoga, Harrington, and Knotts; referred to C.O.W.*

*Introduced*

**CB-98-2003 – AN EMERGENCY ACT CONCERNING SUPPLEMENTARY APPROPRIATION** for the purpose of appropriating to the General Fund revenue in excess of budget estimates, to provide funds for costs that were not anticipated in the approved Fiscal Year 2003-2004 Budget.

The Chairman (by request – County Executive); referral to C.O.W.

*Introduced by Council Members Shapiro, Hendershot, Bland, Harrington, Peters Dernoga and Exum*

8. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced; rules  
suspended;  
adopted*

**CR-75-2003 – A RESOLUTION CONCERNING EMERGENCY**

**APPROPRIATION** for the purpose of appropriating to the General Fund revenue in excess of budget estimates, to provide funds for costs that were not anticipated in the approved Fiscal Year 2003-2004 Budget.

The Chairman (by request – County Executive)

*Introduced by Council Members Shapiro, Bland, Dean, Exum, Harrington, Peters, Knotts*

**THE 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*

12:46 P.M.

**ADJOURN**

1:30 P.M.

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

**REMINDER**

Mon., Nov. 3, 2003

7:00 p.m.

Joint Public Hearing (Morgan Blvd. & Largo  
Town Center Metro Area Sector Plan and SMA)