

ACTION MINUTES

Tuesday, March 18, 2003

Legislative Day No. 7

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – *Chairman Peter A. Shapiro commenced presentation of proclamations at 9:33 a.m. and concluded at 9:49 a.m.*

Proclamation **recognizing Avalon Elementary School as the winner of the “Anti-Smoking Contest” in Prince George’s County.** (Council Chairman Peter A. Shapiro and Council Vice Chairman Tony Knotts.) - **PRESENTED**

Chairman Peter A. Shapiro and Vice-Chairman Tony Knotts presented a proclamation to Avalon Elementary School, recognizing winners of the Anti- Smoking Contest in Prince George's County. Council Members Samuel H. Dean, David C. Harrington, and Thomas R. Hendershot were also present for the presentation. A representative from Avalon Elementary and other well-wishers were present to accept.

Proclamation **recognizing Parkdale High School Football Team as the winner of the “2002 4A Football Championship” in Prince George’s County.** (Council Chairman Peter A. Shapiro and Council Member Thomas R. Hendershot.) - **PRESENTED**

Chairman Peter A. Shapiro and Council Member Thomas R. Hendershot presented a proclamation to Parkdale High School Football Team, recognizing the team as winners of the 2002 4A Football Championship in Prince George's County. Council Vice-Chairman Tony Knotts and Council Members Marilyn M. Bland, Samuel H. Dean, Camille A. Exum, David C. Harrington, and Douglas J. J. Peters were also present for the presentation. The coach and members of the team were present to accept.

CALL TO ORDER – *Chairman Peter A. Shapiro called to order at 10:03 a.m. with the following Council Members present:*

*Peter A. Shapiro
Marilynn M. Bland
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
David C. Harrington
Thomas R. Hendershot
Tony Knotts
Douglas J. J. Peters*

Others Present:

*Barbara Holtz, Council Administrator
Robert Williams, Jr., Associate Council Administrator
Ralph Grutzmacher, Legislative Officer
Aisha N. Braveboy, County Council Liaison, Office of the County Executive
Kathy Canning, Associate County Attorney
David VanDyke, County Auditor
Steven McGibbon, Associate County Auditor*

INVOCATION – *The Invocation was provided by Pastor Charles Thomas, Laurel Church of Christ, Laurel, Maryland. Special intentions were requested for a constituent of the Eighth Councilmanic District who was killed in a domestic violence incident, members of the United States Armed forces, including two brothers of Councilwoman Bland, and for the citizens of Iraq.*

PLEDGE OF ALLEGIANCE – *The pledge was led by Council Member Peters.*

****** *Council Member Peters moved to accept additional items to the agenda; seconded by Council Member Harrington; carried by voice vote.*

1. **CONSENT AGENDA -- CB-16-2003 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.

(a) Approval of County Council Minutes- **APPROVED**

Council Minutes were approved for Council Sessions held on February 25, 2003 and March 4, 2003.

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

CB-15-2003 – AN ACT CONCERNING GENERAL AVIATION AIRPORT ENVIRONMENT DISCLOSURE NOTICE for the purpose of amending the Consumer Protection laws of the County to require disclosure in real estate contracts of proximity of certain airports and to provide certain remedies to purchasers for the failure to provide the required notice. - **PRESENTED**

Council Bill 15 was presented by Council Member Dean and referred to the Transportation, Housing and the Environment Committee.

CB-16-2003 – AN ORDINANCE CONCERNING MIXED-USE PLANNED COMMUNITIES for the purpose of amending the definition of the Mixed-Use Planned Community use, to permit the use on E-I-A property with an approved Basic Plan, under certain circumstances. - **PRESENTED**

Council Bill 16 was presented by Council Member Peters and referred to the Planning, Zoning and Economic Development Committee.

** *Council Member Harrington moved to adopt the Consent Agenda; seconded by Council Member Dean; carried by voice vote.*

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

No items were removed.

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT -- 3 (b)**
ADDED

(a) General Assembly Report - **APPROVED; CHAIRMAN AUTHORIZED TO SIGN**

Council Member Peters, as Chairman of the Rules and General Assembly Committee provided the Council Members with a verbal report of the actions and recommendations of committee and requested a separate vote for MC/PG 109-03. Council Member Dernoga moved to approve the General Assembly Report as submitted with the exception of MC/PG 109-03; seconded by Council Member Dean; carried by roll call vote 9-0. Council Member Peters moved to support MC/PG 109-03; seconded by Council Member Exum; carried by roll call vote 8-0-1. (Abstained: Council Member Knotts)

(b) Proposed joint signature letter to the Honorable Audrey Scott, Secretary of Planning, Maryland Department of Planning, amending the County's designated Priority Funding Areas to include a thirty-three acre property in Fort Washington (Fort Washington Manor Senior Housing). - **CHAIRMAN AUTHORIZED TO SIGN**

The Chairman, at the request of the County Executive, proposed that a joint signature letter be sent to the Honorable Audrey Scott, amending the County's Priority Funding Area to include a thirty-three acre property in Fort Washington for a planned retirement community. Ms. Barbara Holtz, Council Administrator, spoke to the intent of the correspondence and provided procedural direction. Ms. Aisha Braveboy, County Council Liaison, Office of the County Executive, responded to the Council Member's questions. Council Member Knotts moved to authorize the Chairman's signature; seconded by Council Member Hendershot; carried by roll call vote 9-0.

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

CB-5-2003 (DR-2) – AN ACT CONCERNING CONFORMING AMENDMENTS TO THE COUNTY CODE for the purpose of making certain amendments to the County Code to conform to amendments to the County Charter approved at the 2002 General Election. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 5, Draft 2. No persons wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 5, Draft 2; seconded by Council Member Dean; carried by roll call vote 9-0.

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

CB-6-2003 (DR-2) – AN ACT CONCERNING TECHNICAL AMENDMENTS TO THE COUNTY CODE for the purpose of making technical amendments to the County Code to conform to amendments to the County Charter approved at the 2002 General Election. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 6, Draft 2. No persons wishing to speak, the public hearing was declared held. Council Member Harrington moved enactment of Council Bill 6, Draft 2; seconded by Council Member Peters; carried by roll call vote 9-0.

CB-7-2003 – AN ACT CONCERNING PRINCE GEORGE’S COUNTY COUNCIL AND COUNTY EXECUTIVE for the purpose of making amendments to the provisions of the County Code regarding special elections to fill a vacancy on the County Council and compensation of the County Council and County Executive to conform to amendments to the County Charter approved at the 2002 General Election. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 7. No persons wishing to speak, the public hearing was declared held. Council Member Peters moved enactment of Council Bill 7; seconded by Council Member Dean; carried by roll call vote 9-0.

5. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-8-2003 – A RESOLUTION CONCERNING PROPOSED RAIL TRANSIT LINE ACROSS THE WOODROW WILSON BRIDGE for the purpose of establishing the Prince George’s County Council’s position and support regarding funding of rail transit across the Woodrow Wilson Bridge from the Oxon Hill area to downtown Alexandria, Virginia. **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 8, as proposed by Council Member Knotts, was introduced by Chairman Shapiro and Council Members Dean, Exum, Dernoga, Peters, Harrington and Knotts. Council Resolution 8 endorses the Woodrow Wilson Bridge Rail Transit Line Project and State financial support for the project. Council Member Harrington moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 8; seconded by Council Member Peters; carried by voice vote. Council Member Knotts moved adoption of Council Resolution 8; seconded by Council Member Peters; carried by roll call vote 9-0.

CR-9-2003 – A RESOLUTION CONCERNING UNITED STATES MILITARY ACTION AGAINST IRAQ for the purpose of expressing the position of the County Council that military action against Iraq should not be taken until all reasonable peaceful efforts have been pursued. - **NO ACTION TAKEN**

No action was taken on this agenda item.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

ADJOURN – *Chairman Peter A. Shapiro adjourned the meeting at 10:24 a.m.*

COMMITTEE OF THE WHOLE – (ROOM 2027) -- C.O.W. HELD

M-NCPPC LONG TERM FISCAL PLAN (FY 2004-2009)

Chairman Shapiro convened the Committee of the Whole at 10:40 a.m. Mr. Craig Price, Deputy Council Administrator, provided an overview of the Fiscal Plan. He and Ms. Betty Hewlett, Chair of the Maryland-National Capital Park and Planning Commission, responded to Council Member's questions.

Prepared by:

Submitted by:

Donna J. Brown, Office Manager

Redis C. Floyd, Clerk of the Council