

ACTION AGENDA

Tuesday, June 15, 2004

Legislative Day No. 21

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

9:00 A.M.

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

*Awards
presented*

Presentation of Legislative Staff Service Awards

9:30 A.M.

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS

Presented

Joint proclamation **presented to Donna M. Wilson, , Chris Akinbobola, Section Head, and Brian Willsey, Planner, Department of Environmental Resources, recognizing the month of June, 2004 as “Flood Awareness Month” in Prince George’s County.** (Council Chairman Tony Knotts, County Executive Representative Al Cornish and Council Members Samuel H. Dean, Camille A. Exum and Marilynn M. Bland)

Presented

Joint proclamation **presented to Donna M. Wilson, , Chris Akinbobola, Section Head, and Brian Willsey, Planner, Department of Environmental Resources, recognizing the County’s departments and agencies organization of the “All Hazards Mitigation Plan” in Prince George’s County.** (Council Chairman Tony Knotts, County Executive Representative Al Cornish and Council Members Samuel H. Dean, Camille A. Exum, Marilynn M. Bland and Douglas J.J. Peters)

Presented

Proclamation **recognizing La’Mont Geddis, Technology Coordinator, as the recipient of the “Teacher of the Year” award sponsored by Wal-Mart in Prince George’s County.** (Council Chairman Tony Knotts, Council Vice Chairman Samuel H. Dean and Council Members Camille A. Exum, Marilynn M. Bland, Douglas J.J. Peters and County Executive Representative Al Cornish)

Presented

Proclamation **recognizing Taunja Snyder, Language Arts Teacher, as the recipient of the “Teacher of the Year” award sponsored by Sams Club in Prince George’s County.** (Council Chairman Tony Knotts, Council Vice Chairman Samuel H. Dean and Council Members Camille A. Exum, Marilynn M. Bland, Douglas J.J. Peters and County Executive Representative Al Cornish)

Presented

Proclamation **recognizing Chanel Outley, Student as the recipient of the “2004 Crystal Y Award” for Prince George’s County.** (Council Chairman Tony Knotts, Council Vice Chairman Samuel H. Dean and Council Members Camille A. Exum, Marilynn M. Bland, Douglas J.J. Peters and County Executive Representative Al Cornish)

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (CONTINUED)

Presented Proclamation recognizing Erica L. Jackson, Student as the recipient of the “Women of Tomorrow Award” in Prince George’s County. (Council Chairman Tony Knotts, Council Vice Chairman Samuel H. Dean and Council Members Camille A. Exum, Marilynn M. Bland, Douglas J.J. Peters and County Executive Representative Al Cornish)

Presented Proclamation presented to Coach Bill Seibert, Bowie High Baseball Team and the Bowie High School Baseball Team, recognizing the coach for his many years of dedicated service and the Team for winning the 4A State Championship. (Council Chairman Tony Knotts, Council Vice Chairman Samuel H. Dean and Council Members Camille A. Exum, Marilynn M. Bland, Douglas J.J. Peters and County Executive Representative Al Cornish)

10:08 A.M.

CALL TO ORDER

INVOCATION: Monsignor Richard Hughes, St. Mary’s Church, Upper Marlboro, Maryland

PLEDGE OF ALLEGIANCE

1. **CONSENT AGENDA -- CB-37-2004 REMOVED FROM CONSENT AGENDA; CB-39, CB-40, CB-41, CB-42-2004 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) **First Reading of Bills (Presentation)**

Presented

CB-35-2004 – AN ORDINANCE CONCERNING C-S-C ZONE for the purpose of modifying the property size requirement for a vehicle repair and service station in the C-S-C Zone under certain circumstances.

Council Member Shapiro; referral to PZED

Presented

CB-36-2004 – AN ORDINANCE CONCERNING R-A ZONE for the purpose of allowing gas stations in the R-A Zone under certain circumstances.

Council Member Dean; referral to PZED

*Removed from
Consent Agenda*

CB-37-2004 – AN ACT CONCERNING BUILDING CODE – GRADING DRAINAGE, AND POLLUTION CONTROL – ADMINISTRATIVE PROVISIONS for the purpose of amending the Building Code, Grading, Drainage, and Pollution Control, and Administrative Provisions portions of the County Building Ordinance.

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

Presented

CB-38-2004 – AN ACT CONCERNING FINANCE AND TAXATION – TAX BILL – COPIES for the purpose of authorizing the Director of Finance to set a fee for copies of tax bills.

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

CONSENT AGENDA – (CONTINUED)**(b) Introduction of Resolutions***Introduced*

CR-41-2004 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (APRIL 2004 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan.

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

Introduced by Council Member Dean

PUBLIC HEARING SCHEDULED FOR TUESDAY, JULY 20, 2004 AT 10:00 A.M.

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

None

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

*Chairman
authorized to
sign*

- (a) Proposed letter to Elizabeth M. Hewlett, Chairman, Prince George's County Planning Board, concurring with the Planning Board's request for a two month extension for preparing the Tuxedo Road/Arbor Street/Cheverly Metro Area Sector Plan and Sectional Map Amendment.

The Chairman (by request – Planning Board)

4. SECOND READING OF BILLS (INTRODUCTION)*Introduced*

CB-21-2004 (DR-2) – AN ORDINANCE CONCERNING AREA REQUIREMENTS FOR LANDSCAPING CONTRACTOR'S BUSINESS for the purpose of reducing the minimum area requirements for landscaping contractor's business under certain circumstances.

(Favorably reported out of PZED on 6/2/2004 with amendments)

Introduced by Council Members Dean and Peters

SECOND READING OF BILLS (INTRODUCTION) – (CONTINUED)

*Amended;
DR-2 introduced*

CB-23-2004 – AN ACT CONCERNING THE ISSUANCE AND SALE OF SPECIAL OBLIGATION BONDS for the purpose of providing that special obligation bonds may be issued from time to time under the provisions of this Act, in an amount not to exceed the aggregate principal amount of Sixty-five Million Dollars (\$65,000,000) in order for the County to finance the construction of the public infrastructure improvements; making certain findings and determinations concerning the public benefit and purpose of such special obligation bonds; providing that such special obligation bonds shall be payable from the amounts levied and deposited in the Tax Increment Fund, including certain County hotel occupancy taxes and other tax revenues and from the special tax to be levied and deposited in the Special Taxing District Fund and that the special obligation bonds shall not constitute a general obligation debt of the County or a pledge of the County's full faith and credit or taxing power other than the taxes representing the levy on the Tax Increment, the Hotel Tax, the National Harbor Convention Center Excess Development District Taxes and the Special tax; authorizing the County Executive to take certain actions, to execute the documents and make certain commitments on behalf of the County in connection with the issuance, sale and delivery of such special obligation bonds; and generally providing for, and determining various matters in connection with the issuance, sale, delivery and payment of such special obligation bonds.

(Committee of the Whole held on 6/8/2004 and 6/14/2004; no action taken)

Introduced by Council Members Hendershot and Knotts

PUBLIC HEARING SCHEDULED FOR TUESDAY, JULY 6, 2004 AT 10:00 A.M.

*Amended;
DR-2 introduced*

CB-24-2004 – AN ACT CONCERNING ISSUANCE AND SALE OF SPECIAL OBLIGATION BONDS for the purpose of providing that special obligation bonds may be issued from time to time under the provisions of this Act, in an amount not to exceed the aggregate principal amount of Ninety-five Million Dollars (\$95,000,000) for the County finance a portion of the costs of the convention center; making certain findings and determinations, among others, concerning the public benefit and purpose of such special obligation bonds; providing that such special obligations bonds authorized to be issued hereby shall be payable from the amounts levied and deposited in the Tax Increment Fund, including the Hotel Tax and from the Special Hotel Rental Tax to be levied and deposited in the Special Taxing District Fund and that the special obligation bonds shall not constitute a general obligation debt of the County or a pledge of the County's full faith and credit or taxing power other than the Tax Increment, the Hotel Tax and the Special Hotel Rental Tax; authorizing the County Executive of the County to specify, prescribe, determine, provide for and approve certain details, forms, documents or procedures in connection with such special obligation bonds; and generally providing for, and determining various matters in connection with, the issuance, sale, delivery and payment of such special obligation bonds.

(Committee of the Whole held on 6/8/2004 and 6/14/2004; no action taken)

Introduced by Council Members Hendershot and Knotts

PUBLIC HEARING SCHEDULED FOR TUESDAY, JULY 6, 2004 AT 10:00 A.M.

5. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced; rules
suspended;
adopted*

CR-42-2004 - A RESOLUTION CONCERNING THE TAX RATES FOR FY 2004-2005 for the purpose of imposing and levying the tax rates and causing to be raised the amount of taxes required by the adopted budget so as to balance the budget as to proposed income and expenditures for the fiscal year beginning July 1, 2004; and to set forth the State tax levy and the Stormwater Management District tax levy.

Council Member Knotts

Introduced by Council Members Knotts, Dean and Exum

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

*Introduced; rules
suspended;
adopted*

CR-43-2004 - A RESOLUTION CONCERNING NATIONAL JUNETEENTH HOLIDAY CAMPAIGN AND OBSERVANCE for the purpose of expressing support for the National Juneteenth Holiday Campaign and Observance.

Council Members Dean, Knotts, Dernoga, Exum, Harrington, Peters and Shapiro

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

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

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

*Public hearing
held; enacted*

CB-22-2004 – AN ORDINANCE CONCERNING C-M ZONE for the purpose of permitting monument and headstone sales establishment in the C-M Zone under certain circumstances.

(Introduced by Council Member Exum, Harrington, Dean, Peters and Shapiro on 5/4/2004; favorably reported out of PZED on 4/22/2004)

7. **PUBLIC HEARINGS/RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION)**

*Public hearing
held; adopted*

CR-39-2004 – A RESOLUTION CONCERNING THE FORMATION OF AN AGRICULTURAL DISTRICT PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approve the petition of John P. and Donna L. Denison to establish an agricultural district.

(Introduced by Council Members Bland, Harrington and Dernoga on 6/8/2004; favorably reported out of THE on 6/9/2004)

*Public hearing
held; adopted*

CR-40-2004 – A RESOLUTION CONCERNING THE FORMATION OF AN AGRICULTURAL DISTRICT PURSUANT TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION PROGRAM for the purpose of recommending that the Maryland Agricultural Land Preservation Foundation approve the petition of The Richardson Family Limited Partnership to establish an agricultural district.

(Introduced by Council Members Bland, Dernoga and Harrington on 6/8/2004; favorably reported out of THE on 6/9/2004)

ADDITIONS TO THE AGENDA – (page 3)

1. **CONSENT AGENDA – (page 3)**

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-39-2004 – AN ORDINANCE CONCERNING I-1 AND I-2 ZONES for the purpose of repealing Council Bill 75-1998 and Council Bill 21-2000, bills which amended requirements for certain uses in heavy industrial zones.

Council Member Harrington; referral to PZED

CONSENT AGENDA – (CONTINUED)

Presented

CB-40-2004 – AN ORDINANCE CONCERNING TRUCKING OPERATIONS for the purpose of amending the definition of trucking operations and repealing all provisions of the Zoning Ordinance concerning truck marshalling, by repealing in part CB-13-2000 and repealing in its entirety CB-20-2000.

Council Member Harrington; referral to PZED

Presented

CB-41-2004 – AN ORDINANCE CONCERNING C-M ZONE for the purpose of allowing certain commercial uses in the C-M Zone.

Council Member Peters, referral to PZED

Presented

CB-42-2004 – AN ORDINANCE CONCERNING NOTICE for the purpose of amending certain provisions concerning informational mailings and sign posting and deleting obsolete language.

Council Member Harrington; referral to PZED

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

None

10:37. A.M.

ADJOURN

BRIEFING – (ROOM 2027) -- BRIEFING HELD

**INFORMATION AND DISCUSSION OF DISTRICT COUNCIL ITEMS
SCHEDULED FOR MONDAY, JUNE 21, 2004.**

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

*Favorable
recommendation*

CB-34-2004 – AN EMERGENCY ACT CONCERNING NON-DEPARTMENTAL GRANTS AND TRANSFER PAYMENTS for the purpose of providing conditions upon the use of certain funds appropriated for Dimensions Healthcare Systems, Inc.

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

Discussion of a matter directly related to the contents of a bid or proposal in accordance Maryland Annotated Code, State Government, Section 10-508 (a) (14).

REMINDER

Mon., June 21, 2004

9:30 a.m.

District Council Agenda Briefing (Room 2027)

10:00 a.m.

Call to Order

1:30 p.m.

District Council (continued)