

# ***ACTION AGENDA***

**Tuesday, October 23, 2012**

**Business Meeting**

**(Legislative Day No. 29 to be declared)**

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

**11:14 A.M.**

### **BRIEFING – (ROOM 2027) – BRIEFING HELD**

- Urban Agriculture: A Tool for Creating Economic Development and Health Communities in Prince George's County

Gül Güleriyuz, M-NCPPC  
Derick Berlage, M-NCPPC

**12:07 P.M.**

### **BRIEFING – (ROOM 2027) -- BRIEFING HELD**

- **COUNCIL OF GOVERNMENTS PRESENTATION - PROPOSED REGION FORWARD ACTIVITY CENTERS MAP**

David Robertson, Executive Director  
Paul DesJardins, Director of Community Planning and Services

**12:53 P.M.**

### **AGENDA BRIEFING – (ROOM 2027)**

**2:13 P.M.**

### **CALL TO ORDER**

**INVOCATION:** Johnie Higgs County Employee

### **PLEDGE OF ALLEGIANCE**

*Designated*

**DESIGNATION OF OCTOBER 23, 2012 AS LEGISLATIVE DAY NO. 29**

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) **Introduction of Resolutions**

*Introduced*

**CR-83-2012 – A RESOLUTION CONCERNING THE IMPLEMENTATION IN PRINCE GEORGE’S COUNTY OF SENATE BILL 236, THE SUSTAINABLE GROWTH AND AGRICULTURAL PRESERVATION ACT OF 2012** for the purpose of adopting the Prince George’s County Sustainable Growth Act Tier Map.

The Chair (by request – Planning Board)

*Introduced by Council Members Harrison and Franklin; referral to PZED*

**PUBLIC HEARING ON THIS RESOLUTION IS SCHEDULED 11/20/2012 AT 10:00 A.M.**

*Introduced*

**CR-84-2012 – A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS** for the purpose of appropriating funding from grants in the amount of \$3,841,196 to the Health Department, Department of Family Services, Police Department, Department of Housing and Community Development, Office of Community Relations, Office of Homeland Security and the Office of the Sheriff.

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

*Introduced by Council Members Patterson and Turner*

*Introduced*

**CR-85-2012 – A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS** for the purpose of appropriating funding from grants in the amount of \$4,523,882 to the Health Department, Office of the State’s Attorney, Department of Public Works and Transportation, Office of Central Services, Soil Conservation District, Office of Community Relations and Department of Family Services.

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

*Introduced by Council Members Patterson and Turner*

**CONSENT AGENDA – (CONTINUED)**

**CR-86-2012 – A RESOLUTION CONCERNING LOANS TO VOCUS, INC. (“VOCUS”) FROM THE MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE AUTHORITY AND FUND (“MEDAAF”) AND PRINCE GEORGE’S COUNTY, MARYLAND (THE “COUNTY”)**

for the purpose of endorsing a loan not to exceed \$500,000 to Vocus from the Maryland Department of Business and Economic Development (“DBED”) and MEDAAF and authorizing a conditional loan by the County to Vocus not to exceed \$100,000 for eligible project costs associated with leasing a facility in the County for expansion and capital expenditures.

Proposed by: The Chair (by request – County Executive); referral to PSFM

*Introduced by Council Members Harrison, Davis, Franklin, Lehman, Olson, 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)**

*Introduced*

**CB-67-2012 – AN ORDINANCE CONCERNING VALIDITY PERIODS FOR DETAILED SITE PLANS AND SPECIFIC DESIGN PLANS** for the purpose of temporarily extending the validity periods of all approved applications for Detailed Site Plans and Specific Design Plans that were in a valid status as of January 1, 2012.

(Favorably reported out of PZED on 10/10/2012)

*Introduced by Council Member Davis, Harrison, Lehman and Turner*

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

*Amended;  
DR-3 introduced;  
Expedited*

**CB 75-2012 (DR-2) – AN ORDINANCE CONCERNING MIXED-USE TOWN CENTER (M-U-TC) ZONE** for the purpose of requiring detailed site plan approval for certain development projects in the Mixed-Use Town Center (M-U-TC) Zone.

(Favorably reported out of PZED on 10/10/2012)

*Introduced by Council Members Olson and Lehman*

**THE CLERK IS DIRECTED TO EXPEDITE SCHEDULING OF CB-75-2012 (DR-2)**

*Introduced;  
Expedited*

**CB-81-2012 (DR-2) – AN ORDINANCE CONCERNING PUBLIC FACILITIES FINANCING AND IMPLEMENTATION PROGRAM (PFFIP)** for the purpose of clarifying that financing strategies for proposed and future development in a specified area include annual cost adjustments in a percentage equivalent to the percentage by which the Engineering News-Record (ENR) cost indices of local construction costs for the Washington Metropolitan area have changed.

(Favorably reported out of PZED on 10/10/2012 with amendments)

*Introduced by Council Members Davis, Franklin, Toles and Turner*

**THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-81-2012 (DR-2)**

*Introduced;  
Expedited*

**CB-85-2012 (DR-2) – AN ORDINANCE CONCERNING DRY CLEANING AND LAUNDRY STORES OR PLANTS** for the purpose of amending the regulations for dry cleaning and laundry stores or plants in Commercial Zones.

(Favorably reported out of PZED on 10/10/2012 with amendments)

*Introduced by Council Members Franklin, Davis, Patterson and Toles*

**THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-85-2012 (DR-2)**

*Introduced;  
Expedited*

**CB-91-2012 (DR-2) – AN ORDINANCE CONCERNING ELECTRONIC RECYCLING FACILITIES** for the purpose of defining electronic recycling facility, amending the definition of recycling plant to exclude electronic recycling facilities, and to permit electronic recycling facilities in the I-1 and I-2 Zones under certain circumstances.

(Favorably reported out of PZED on 10/17/2012 with amendments)

*Introduced by Council Members Harrison, Davis, Franklin, Olson and Patterson*

**THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-91-2012 (DR-2)**

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

*Amended;  
DR-3 Introduced*

**CB-45-2012 (DR-2) - AN ACT CONCERNING BUILDING CODE** for the purpose of amending the Prince George’s County Building ordinance, adopting certain amendments to the 2012 Edition of the International Building Code, International Mechanical Code, International Energy Conservation Code, and International Residential Code for One and Two Family Dwellings, and amending certain sections to include modifications as it relates to building standards.

(Favorably reported out of THE on 10/9/2012 with amendments)

*To be introduced by Council Members Lehman and Turner*

*Amended;  
DR-3 Introduced*

**CB-78-2012 (DR-2) – AN ACT CONCERNING HOUSING CODE** for the purpose of amending the Housing Code to provide effective expedited code enforcement and eliminate needless delays to bring properties into compliance with the County’s minimum housing standards, thereby protecting the health and safety of the residents and the community.

(Favorably reported out of THE on 10/11/2012 with amendments)

*To be introduced by Council Member Harrison*

*Amended;  
DR-3 Introduced*

**CB-83-2012 (DR-2) – AN ACT CONCERNING COMPLETE AND GREEN STREETS POLICY** for the purpose of the establishment of a complete and green streets policy in Prince George’s County; and generally relating to the County road and sidewalk code.

(Favorably reported out of THE on 10/11/2012 with amendments)

*To be introduced by Council Members Olson, Turner, Franklin and Lehman*

*Introduced*

**CB-87-2012 (DR-2) – AN ACT CONCERNING COUNTY RECYCLING PROGRAM** for the purpose of amending the recycling program provisions in Prince George’s County to establish updated recycling goals and setting forth the time for compliance; amends the residential recycling program for multifamily facilities, establishes a commercial and industrial recycling program and a pilot food composting program, amends the Solid Waste Management Advisory Commission; and generally relating to the County’s recycling program.

(Favorably reported out of THE on 10/11/2012 with amendments)

*To be introduced by Council Members Olson, Lehman and Campos*

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

*Amended;  
DR-3 Introduced*

**CB-88-2012 (DR-2) - AN ACT CONCERNING EVICTIONS** for the purpose of amending the eviction provisions for notification, removal and placement of tenant property and landlord responsibility in Prince George’s County; and generally relating to evictions.

(Favorably reported out of THE on 10/16/2012 with amendments)

*Introduced by Council Member Campos*

*Introduced*

**CB-89-2012 –(DR-2) - AN ACT CONCERNING COMMON OWNERSHIP COMMUNITIES RENTAL HOUSING LICENSE REQUIREMENTS** for the purpose of amending the rental housing license requirements for single-family and multifamily rental facilities in common ownership communities, allowing for suspension, revocation and denial of licenses in certain circumstances; and generally relating to rental housing licenses in Prince George’s County.

(Favorably reported out of THE on 10/11/2012 with amendments)

*Introduced by Council Members Turner, Toles, Patterson, Olson, Campos, and Lehman*

*Introduced*

**CB-36-2012 - AN ACT CONCERNING CODE OF ETHICS** for the purpose of amending the Code of Ethics in order to comply with State law.

(Favorably reported out of C.O.W. on 10/16/2012)

*Introduced by Council Members Harrison and Davis*

*Amended;  
DR-3 Introduced*

**CB-63-2012 (DR-2) – AN ACT CONCERNING OFFICE OF ETHICS AND ACCOUNTABILITY** for the purpose of creating an Office of Ethics and Accountability within Prince George’s County Government; providing for the budget, powers and authority of the Office of Ethics and Accountability; providing for periodic reports and review of the activities of the Office of Ethics and Accountability; and generally relating to the Office of Ethics and Accountability.

(Favorably reported out of C.O.W. on 10/16/2012 with amendments)

*Introduced by Council Members Davis and Franklin*

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

*Introduced*

**CB-99-2012 - AN ORDINANCE CONCERNING FOOD OR BEVERAGE STORE** for the purpose of amending the regulations for certain food or beverage stores in the C-M Zone.

*Introduced by Council Member Patterson; referral to PZED*

*Introduced*

**CB-108-2012 – AN ACT CONCERNING PURCHASING – PUBLIC NOTICE** for the purpose of providing a centralized place for public notice and advertisement for all competitive contracts and procurements that the County offers; providing for the designation of the public notice by the Purchasing Agent; and generally relating to purchasing public notice.

*Introduced by Council Members Franklin, Davis, Harrison, Patterson and Toles; referral to PSFM*

*Introduced*

**CB-109-2012 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2012 CAPITAL BUDGET** for the purpose of providing a supplementary appropriation to the Library Branch Renovations 2 capital project; decreasing appropriations to the Contingency Appropriation Fund; and amending the Approved Fiscal Year 2012-2017 Capital Improvement Program with regard to expenditures and financing beyond the budget year.

Proposed by: The Chair (by request – County Executive); referral to PSFM

*Introduced by Council Member Turner*

5. **RECOMMITTED BILL REQUIRING AN ADDITIONAL PUBLIC HEARING**

*DR-3 substituted*

**CB-41-2012 (DR-3) – AN ACT CONCERNING ANIMAL CONTROL - EAR TIPPED CATS** for the purpose of defining an ear tipped cat; imposing conditions on the trapping and release of ear tipped cats; providing for a review provision; and generally relating to ear tipped cats.

(Favorably reported out of THE on 6/19/2012 with amendments; introduced by Council Member Lehman on 6/19/2012; public hearing held and recommitted to THE on 7/24/2012; favorably reported out of THE on 10/16/2012 with amendments)

**MOTION REQUIRED TO SUBSTITUTE DR-3 IN LIEU OF DR-2**

**DR-3, REFLECTING THE COMMITTEE’S AMENDMENTS IS CONSIDERED TO BE SUBSTANTIVE AND, THEREFORE, REQUIRES AN ADDITIONAL PUBLIC HEARING TO BE HELD TUESDAY, NOVEMBER 20, 2012.**

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

*Public Hearing  
held;  
Enacted*

**CB-65-2012 (DR-2) - AN ACT CONCERNING BOARDS AND COMMISSIONS - RESIDENCY REQUIREMENT** for the purpose of requiring appointees and candidates for appointment to County boards and commissions, subject to Section 322 of the County Charter, to reside in Prince George's County at the time of their confirmation; to maintain County residency throughout their length of service; and providing for a reporting requirement and expiration of service upon discontinuing County residency.

(Introduced by Council Members Harrison, Franklin, Lehman, Olson, Patterson, Toles and Turner on 9/18/2012; favorably reported out of C.O.W. on 9/11/2012 with amendments)

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

*Adopted*

**CR-66-2012 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM** for the purpose of approving the project submitted by the Patuxent Riverkeeper (“Riverkeeper”) to the Maryland Department of Housing and Community Development for participation in the Department’s Community Investment Tax Credit Program.

(Introduced by Council Members Franklin, Lehman, Turner, Olson, Davis and Patterson on 9/25/2012; favorably reported out of THE on 10/9/2012)

*Adopted*

**CR-68-2012 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM** for the purpose of approving the project to be submitted by Hospice of the Chesapeake, Inc., to the Maryland Department of Housing and Community Development for participation in the Department’s Community Investment Tax Credit Program.

(Introduced by Council Member Turner on 10/2/2012; favorably reported out of THE on 10/9/2012)

*Adopted*

**CR-69-2012 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM** for the purpose of approving the project submitted by Legal Aid Bureau, Inc., to the Maryland Department of Housing and Community Development for participation in the Department’s Community Investment Tax Credit Program.

(Introduced by Council Members Franklin, Patterson and Turner on 10/2/2012; favorably reported out of THE on 10/9/2012)



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

**CR-72-2012 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY LEGACY PROGRAM** for the purpose of approving the application by Housing Initiative Partnership, Inc. (“HIP”), a Maryland nonprofit, to the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Fund.

(Introduced by Council Members Harrison, Campos, Davis, Franklin, Olson, Patterson and Turner on 10/9/2012; favorably reported out of THE on 10/16/2012)

*Adopted*

**CR-73-2012 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM** for the purpose of approving the project submitted by CASA de Maryland, Inc., to the Maryland Department of Housing and Community Development for participation in the Department’s Investment Tax Credit Program.

(Introduced by Council Members Campos, Davis, Franklin, Lehman, Olson and Patterson on 10/9/2012; favorably reported out of THE on 10/16/2012)

**ADDITIONS TO THE AGENDA**4. **SECOND READING OF BILLS – (INTRODUCTION)***Introduced*

**CB-42-2012 (DR-2) – AN ACT CONCERNING LOITERING** for the purpose of amending the Loitering Ordinance and providing for a written warning for the first offense; increasing penalties for the second, third and subsequent written offenses; providing for a certain length of time for return; and generally relating to loitering.

(Favorably reported out of PSFM on 10/22/2012 with amendments)

*Introduced by Council Members Toles, Davis, Franklin, Lehman and Turner*

*Introduced*

**CB-77-2012 (DR-2) – AN ACT CONCERNING ENERGY CONSERVATION REAL PROPERTY TAX CREDIT** for the purpose of providing that lessees of a solar energy device or geothermal energy device are eligible for the energy conservation real property tax credit; and generally relating to the energy conservation real property tax credit.

(Favorably reported out of PSFM on 10/22/2012 with amendments)

*Introduced by Council Members Lehman, Campos, Davis, Franklin, Patterson and Turner.*

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

*Introduced*

**CB-92-2012 (DR-2) – AN ACT CONCERNING ECONOMIC DEVELOPMENT AND LOCAL EMPLOYMENT** for the purpose of strengthening the requirements for finding “best efforts” by vendors to meet the local hiring percentage goal; and generally providing for the enforcement of County-based business assistance

(Favorably reported out of PSFM on 10/22/2012 with amendments)

*To be introduced by Council Members Franklin, Harrison, Lehman, Toles and Turner*

*Amended;  
DR-3 Introduced*

**CB-93-2012 (DR-2) – AN ACT CONCERNING CONVENIENCE STORES AND GAS STATIONS - PUBLIC SAFETY** for the purpose of decreasing robberies in the County by enhancing convenience store and gas station safety; registering convenience stores and gas stations; requiring training of convenience store employees and gas station employees; providing for security; providing for cash management; providing for visibility and signage; and providing for a grace period and for noncompliance; and generally relating to convenience store and gas station safety.

(Favorably reported out of PSFM on 10/22/2012 with amendments)

*Introduced by Council Members Olson, Franklin, Davis, Lehman, Patterson and Toles*

*Introduced;  
Expedited*

**CB-110-2012 - AN ORDINANCE CONCERNING MAJOR ACTIVITY CENTER (M-A-C) ZONE** for the purpose of permitting a Reducing/exercise salon or health club in the M-A-C Zone.

*Introduced by Council Member Turner and Harrison; referral to PZED*

**THE CLERK SHALL BE DIRECTED TO EXPEDITE SCHEDULING OF CB-110-2012**

*Introduced*

**CB-111-2012 - AN ACT CONCERNING WATER AND SEWER COST DISCLOSURE** for the purpose of requiring a seller to provide certain information relating to water and sewer service costs and bills to a buyer who submits an offer to purchase a single family home; and generally relating to real property, energy and environmental policy.

*Introduced by Council Member Patterson; referral to THE*

*Introduced*

**CB-112-2012 - AN ACT CONCERNING THE FIVE-YEAR CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT PLAN** for the purpose of amending the provisions of the County’s Five-Year Consolidated Housing and Community Development and Annual Action Plans by adding requirements under Section 3 of the Housing and Urban Development Act of 1968, as amended; and generally relating to housing and community development in the County.

*Introduced by Council Member Franklin; referral to THE*

**REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL***None***3:31 P.M.****ADJOURN****7:25 P.M.****TOWN HALL MEETING***Held***LAUREL HIGH SCHOOL AUDITORIUM  
8000 Cherry Lane  
Laurel, Maryland 20707****9:17 P.M.****CONCLUDED****REMINDERS**

Thurs., Oct. 25, 2012	10:00 a.m.	THE Committee Meeting (Room 2027) (CANCELLED)
	3:00 p.m.	Youth & Gang Violence Prevention Steering Committee Meeting (LGC Penthouse Suite) (CANCELLED)
Tues., Oct. 30, 2012	11:00 a.m.	District Council Call to Order (Council Hearing Room)
	1:00 p.m.	County Council Agenda Briefing (Room 2027)
	1:30 p.m.	County Council Call to Order (Council Hearing Room)
	7:00 p.m.	Joint Public Hearing – Central Branch Avenue Site Plan and Sectional Map Amendment
Wed., Oct. 31, 2012	2:00 p.m.	County Stat Briefing (1 <sup>st</sup> floor briefing room)
	3:00 p.m.	Foreclosure Task Force (Room 2027)