

ACTION MINUTES

Tuesday, April 27, 2004

Business Meeting

(Legislative Day No. 14 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) BRIEFING HELD

CALL TO ORDER *Chairman Knotts called to order at 1:35 p.m. with the following Council Members present:*

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

Others Present:

*Barbara L. Holtz, Council Administrator
Craig S. Price, Deputy Council Administrator
Robert Williams, Jr., Associate Council Administrator
Ralph Grutzmacher, Legislative Officer
Aisha Braveboy, County Council Liaison, Office of the County Executive
Kathy Canning, Associate County Attorney
Frank Porter, Committee Director (PSFM)*

INVOCATION: *The Invocation was led by Pastor Robert Williams, Jr., Good Hope Baptist Church, King George, Virginia.*

PLEDGE OF ALLEGIANCE : *The Pledge of allegiance was led by Council Member Dean.*

DESIGNATION OF APRIL 27, 2004 AS LEGISLATIVE DAY NO. 14
Chairman Knotts designated April 27, 2004 as Legislative Day number 14.

Council Member Harrington moved to accept additional items to the Agenda; seconded by Council Member Dean. The motion carried by voice vote.

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.

First Reading of Bills (Presentation)

CB-27-2004 – AN ACT CONCERNING PERSONNEL LAW for the purpose of restoring provisions that were deleted from the Personnel Law pertaining to longevity increases in certain circumstances. - **PRESENTED**

Council Bill 27 was presented by Council Member Dernoga and referred to the Public Safety and Fiscal Management Committee.

CB-28-2004 – AN ORDINANCE CONCERNING C-S-C ZONE for the purpose of permitting multifamily dwellings in the C-S-C Zone under certain circumstances. **PRESENTED**

Council Bill 28 was presented by Council Member Bland and referred to the Planning, Zoning and Economic Development Committee.

CB-29-2004 – AN ACT CONCERNING VICIOUS ANIMALS for the purpose of amending the provisions pertaining to potentially dangerous dogs, providing criminal penalties for violations, and repealing breed-specific prohibitions concerning pit bull terriers. - **PRESENTED**

Council Bill 29 was presented by Council Member Hendershot and referred to the Health, Education and Human Services Committee.

Introduction of Resolutions

CR-29-2004 – A RESOLUTION CONCERNING REVITALIZATION TAX

CREDIT for the purpose of establishing that a multi-family unit development known as the University View Project, located in census tract number 8070, qualifies for a revitalization/redevelopment tax credit pursuant to Section 10-235.02 of the Prince George's County Code. **INTRODUCED**

Council Resolution 29 as proposed by Council Member Hendershot will provide a Revitalization Tax Credit within census tract 8070.00 to a multi-family dwelling unit development known as University View Project. The developer plans to develop a 352 multi-family dwelling unit on M-U-I zoned land located at 8074 Baltimore Avenue, College Park, Maryland, in Councilmanic District 3. The census tract is located inside the Beltway and has a median household income of \$30,907 which qualifies it for the tax credit. The tax credit is for three consecutive years only. Council Resolution 29 was introduced by Council Member Hendershot and referred to Public Safety and Fiscal Management Committee (PSFM).

Council Member Harrington moved adoption of the Consent Agenda; seconded by Council Member Dean. The motion carried by voice vote.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

No Items were removed.

PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

No Items were considered.

SECOND READING OF BILLS (INTRODUCTION)

CB-17-2004 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO, LOCAL 1619 (FIRE FIGHTERS, PARAMEDICS AND EMERGENCY RESPONSE TECHNICIANS)

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 Emergency Response Technicians) 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

Council Member Peters as Chairman of the Public Safety and Fiscal Management Committee provided a verbal report of the committee's actions and recommendations. Council Bill 17 reflects the terms and conditions of the collective bargaining agreement between the County and the International Association of Fire Fighters (IAFF), AFL-CIO, Local 1619, covering approximately 702 uniformed Fire Fighters, Paramedics, and Emergency Rescue Technicians in the Fire/EMS Department. Council Bill 17 was favorably reported out of Public Safety and Fiscal Management (PSFM) on April 13, 2004. Council Bill 17 was introduced by introduced by Council Members Knotts, Shapiro, Harrington, Dernoga, Dean, Exum, Peters and Bland.

CB-18-2004 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE'S COUNTY for the purpose of assigning a certain class of work to the bargaining unit represented by the International Association of Fire Fighters Local, AFL-CIO, Local 1619 (Fire Fighters, Paramedics and Emergency Response Technicians). - **INTRODUCED**

Council Member Peters as Chairman of the Public Safety and Fiscal Management Committee provided a verbal report of the committee's actions and recommendations. Council Bill 18 will amend the Classification Plan by assigning a certain class of work to the bargaining unit represented by the International Association of Fire Fighters (IAFF), AFL-CIO, Local 1619, (Fire Fighters, Paramedics and Emergency Response Technicians). Council Bill 17 was favorably reported out of Public Safety and Fiscal Management (PSFM) on April 13, 2004. Council Bill 18 was introduced by introduced by Council Members Knotts, Shapiro, Harrington, Dernoga, Dean, Exum, Peters and Bland.

CB-19-2004 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1619 (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 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**

Council Member Peters as Chairman of the Public Safety and Fiscal Management Committee provided a verbal report of the committee's actions and recommendations. Council Bill 19 reflects the terms and conditions of the collective bargaining

agreement between the County and the International Association of Fire Fighters (IAFF), AFL-CIO, Local 1619, covering approximately 73 civilian clerical, administrative and professional employees in the Fire/EMS Department. Council Bill 19 was introduced by Council Members Knotts, Shapiro, Harrington, Dernoga, Exum, Peters and Bland.

SECOND READING OF BILLS (INTRODUCTION) – (CONTINUED)

CB-26-2004 - AN ORDINANCE CONCERNING ZONING OF COUNTY-OWNED PROPERTY for the purpose of providing that land conveyed to non-government persons for certain revitalization projects undertaken in conjunction with the County, the Housing Authority, the Revenue Authority, and the Redevelopment Authority be rezoned in certain circumstances. - **INTRODUCED; EXPEDITED**

Council Bill 26 as proposed by Council Member Exum provides rules for the development or redevelopment of land conveyed by the County Housing Authority, the Revenue Authority, or the Redevelopment Authority. Council Bill 26 provides that land conveyed by one of these entities is subject to District Council review prior to its development or redevelopment. Before the land is conveyed, the District Council shall decide whether the existing zoning is to be retained; if it is not, then the property will be classified O-S, until it is rezoned in an individual map amendment application. Council Bill 15 was introduced by Council Members Exum, Knotts, Harrington, Dean, Peters, Dernoga and Shapiro and referred to Planning, Zoning and Economic Development Committee (PZED). The clerk was directed to expedite scheduling of Council Bill 26.

PUBLIC HEARINGS/BILLS ELIGIBLE FOR THIRD READING (ENACTMENT)

CB-9-2004 – AN ORDINANCE CONCERNING C-O ZONE for the purpose of permitting a swimming pool accessory to a hotel or motel in the C-O Zone. **PUBLIC HEARING HELD; ENACTED**

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

CB-10-2004 (DR-2) - AN ORDINANCE CONCERNING PEOPLE'S ZONING COUNSEL for the purpose of amending the appointment procedure for the People's Zoning Counsel, providing for the role of Deputy People's Zoning Counsel, and amending the compensation provisions. **PUBLIC HEARING HELD; RULES SUSPENDED; ENACTED**

Pursuant to proper notice the public hearing convened on Council Bill 10. No persons wishing to speak, the public hearing was declared held. Council Member Harrington moved to suspend the Council Rules of Procedure to allow the bill to become effective on the date of adoption; seconded by Council Member Exum. Motion carried 7-2 (Opposed: Council Member Bland and Hendershot). Council Member Dean moved enactment; seconded by Council Member Exum. The motion carried 7-2 (Opposed: Council Member Bland and Hendershot).

RESOLUTIONS ELIGIBLE FOR FINAL READING (ADOPTION)

CR-11-2004 (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.
DRAFT 2 SUBSTITUTED; ADOPTED

Council Member Peters as chairman of Public Safety and Fiscal Management Committee provided a verbal report of the actions and recommendations of the committee. Council Resolution 11 will amend the Salary Plan in Salary Schedule P-O for 36 Police Officials (13 Majors, 23 Captains) above the rank of Lieutenant, covering FY2004 – FY2005 and will implement similar economic benefits and modifications contained in the Arbitration Award. Council Resolution 11 was introduced by Council Members Knotts, Bland, Dean, Exum, Harrington, Dernoga, Peters and Shapiro on February 10, 2004. Council Resolution 11 was favorably reported out of Public Safety and Fiscal Management (PSFM) on April 13, 2004 with amendments. Council Member Peters moved to substitute Draft 2; seconded by Council Member Exum. The motion carried by voice vote. Council Member Peters moved adoption; seconded by Council Member Harrington. Motion carried 9-0.

RECESS: *Chairman Knotts recessed the meeting at 2:00 p.m.*

RECONVENED : *Chairman Knotts reconvened the meeting at 7:15 p.m.*

PUBLIC HEARING:

CR-17-2004 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2005 for the purpose of approving and adopting the Prince George's County Annual Action Plan: FY 2005 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 2001-2005 Consolidated Plan, adopted by CR-10-2000, which Plan was required by the U.S. Department of Housing and Urban Development (HUD) as a prerequisite to consideration of the funding applications. - **PUBLIC HEARING HELD**

Pursuant to proper notice, the public hearing convened on Council Resolution 17. All persons wishing to speak having done so, the public hearing was declared held. Council Resolution 17 was introduced by Council Member Bland on March 23, 2004.

The Chairman announced the Council Resolution 17 would be considered during the Transportation, Housing and the Environment Committee scheduled to occur on April 28, 2004 at 11:00 a.m.

(SEE SEPARATE AGENDA)

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

Discussion of pending litigation in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (8)

COMMITTEE OF THE WHOLE – (ROOM 2027) -- COMMITTEE MEETING HELD

DISCUSSION OF NEWSPAPERS OF RECORD

See General file "Newspapers of Record" for definition.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No Persons wished to address the Council.

ADJOURNED: - *Chairman Knotts adjourned the meeting at 9:10 p.m.*

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council