

AGENDA MINUTES

Tuesday, October 19, 2010

Legislative Day No. 28

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)

Council Chair Thomas E. Dernoga commenced the Presentation of Proclamations/Commendations at 10:54 A.M.

CERTIFICATES presented to **North Forestville Elementary School, Phyllis E. Williams Elementary School, and Ernest Just Middle School Students** as the “*District 6 Stakeholder’s Unite for Education (Understanding Gender Differences-FOCUS ON MALES-5As Awards)*” in Prince George’s County. (Council Member Samuel H. Dean, Council Chair Thomas E. Dernoga and Council Members Bland and Harrison)

PRESENTED

Council Member Samuel H. Dean, Council Chair Thomas E. Dernoga and Council Members Bland and Harrison presented certificates to North Forestville Elementary School, Phyllis E. Williams Elementary School and Ernest Just Middle School Students as the “District 6 Stakeholder’s Unite for Education (Understanding Gender Differences-FOCUS ON MALES-5As Awards)” in Prince George’s County.

PROCLAMATION presented to **the Southern Prince George’s Business & Professional Women’s Clubs** recognizing October 17-23, 2010, as “*National Business Women’s Week*” in Prince George’s County. (Council Chair Thomas E. Dernoga, Council Vice Chair Andrea C. Harrison and Council Members Dean, Bland, Turner, and Knotts) PRESENTED

Council Chair Thomas E. Dernoga, Council Vice Chair Andrea C. Harrison and Council Members Dean, Bland, Turner, and Knotts presented a proclamation to the Southern Prince George’s Business & Professional Women’s Clubs recognizing October 17-23, as “National Business Women’s Week” in Prince George’s County.

PROCLAMATION presented to **Joyce Gladstone, Agent**, recognizing State Farm Insurance Agency as Business & Professional Women’s “*Employer of the Year*” in Prince George’s County. (Council Chair Thomas E. Dernoga, Council Vice Chair Andrea C. Harrison and Council Members Dean, Bland, Turner and Knotts) PRESENTED

Council Chair Thomas E. Dernoga, Council Vice Chair Andrea C. Harrison and Council Members Dean, Bland, Turner and Knotts presented a proclamation to Joyce Gladstone, Agent, recognizing State Farm Insurance Agency as Business & Professional Women’s “Employer of the Year” in Prince George’s County.

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM) – (CONTINUED)

PROCLAMATION presented to **Thelma Doswell**, recognizing her “**Outstanding Contributions to Education**” in Prince George’s County. (Council Member Marilynn M. Bland, Council Chair Thomas E. Dernoga and Council Members Dean. Harrison, Turner and Knotts) **PRESENTED**

Council Member Marilynn M. Bland, Council Chair Thomas E. Dernoga and Council Members Dean. Harrison, Turner and Knotts presented a proclamation to Thelma Doswell, recognizing her “Outstanding Contributions to Education” in Prince George’s County.

PROCLAMATION presented to **Reverends Brenda Cardwell and Judy Bowles, Pilgrimage Christian Church**, recognizing their “**Outstanding Contributions**” to under-privileged youth and families in Prince George’s County. (Council Member Marilynn M. Bland, Council Chair Thomas E. Dernoga and Council Members Dean and Turner) **PRESENTED**

Council Member Marilynn M. Bland, Council Chair Thomas E. Dernoga and Council Members Dean and Turner presented a proclamation to Reverends Brenda Cardwell and Judy Bowles, Pilgrimage Christian Church, recognizing their “Outstanding Contributions” to under-privileged youth and families in Prince George’s County.

PROCLAMATION presented to **Robert Asprilla**, recognizing his “**Exceptional Leadership**” in Prince George’s County. (Council Member Marilynn M. Bland, Council Chair Thomas E. Dernoga and Council Members Dean, Knotts and Turner) **PRESENTED**

Council Member Marilynn M. Bland, Council Chair Thomas E. Dernoga and Council Members Dean, Knotts and Turner presented a proclamation to Robert Asprilla, recognizing his “Exceptional Leadership” in Prince George’s County.

PROCLAMATION presented to **Barbara Reynolds** recognizing as an “**Exceptional Writer**” in Prince George’s County. (Council Member Marilynn M. Bland, Council Chair Thomas E. Dernoga and Council Members Dean and Knotts) **PRESENTED**

Council Member Marilynn M. Bland, Council Chair Thomas E. Dernoga and Council Members Dean and Knotts presented a proclamation to Barbara Reynolds recognizing as an “Exceptional Writer” in Prince George’s County.

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM) – (CONTINUED)

PROCLAMATION presented to **the Upper Marlboro Young Marines** recognizing their **“Red Ribbon Week”** in Prince George’s County. (Council Chair Thomas E. Dernoga, Council Vice Chair Andrea C. Harrison and Council Members Dean, Bland, Knotts and Olson) **PRESENTED**

Council Chair Thomas E. Dernoga, Council Vice Chair Andrea C. Harrison and Council Members Dean, Bland, Knotts, Olson and Exum presented a proclamation to the Upper Marlboro Young Marines recognizing their “Red Ribbon Week” in Prince George’s County.

PROCLAMATION presented to **Kwasi Holman and Howard Stone**, recognizing the **“Neighbors In Need”** in Prince George’s County. (Council Chair Thomas E. Dernoga, Council Vice Chair Andrea C. Harrison and Council Members Bland, Olson, Exum and Campos) **PRESENTED**

Council Chair Thomas E. Dernoga, Council Vice Chair Andrea C. Harrison and Council Members Bland, Dean, Olson, Exum and Campos presented a proclamation to Kwasi Holman and Howard Stone, recognizing the “Neighbors In Need” in Prince George’s County.

PROCLAMATION presented to **Council Member Marilyn M. Bland** recognizing her vision to establish the **“Youth Commission”** for Prince George’s County. (Minister Justin Barlow, Youth Commission Alumni and Council Members Dernoga, Olson, Harrison, Exum, Campos Dean and Knotts). **PRESENTED**

Minister Justin Barlow, Youth Commission Alumni and Council Chair Dernoga, and Council Members Olson, Harrison, Exum, Campos Dean and Knotts presented a proclamation to Council Member Marilyn M. Bland recognizing her vision to establish the “Youth Commission” for Prince George’s County.

CALL TO ORDER-Chair Dernoga called to order at 12:12 P.M. with the following Council Members present:

*Marilynn B. Bland
Will Campos
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
Andrea C. Harrison
Tony Knotts
Eric. C. Olson
Ingrid M. Turner*

*Others Present:**Robert J. Williams, Jr., Deputy Council Administrator**Carmen Jackson-Brown, Legislative Officer**Todd Turner, Legislative Officer**Josh Hamlin, Office of Law**Marcus Jackson, County Council Liaison, Office of the County Executive**Karen Zavakos, Legislative Officer**Hawi Sanu, THE Committee Director**Colette Gresham, Legislative Officer**Frank Porter, PSFM Committee Director*

INVOCATION: *The Invocation was provided by Brian K. Madison, County Employee. Council Member Bland requested prayer for Dr. Billings, Chief of Staff District 9.*

PLEDGE OF ALLEGIANCE-*The Pledge of Allegiance was led by Council Member Campos.*

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) Approval of County Council Minutes dated July 13, 2010. **APPROVED**

Council Member Dean moved adoption of the consent agenda; seconded by Council Member Knotts. The motion carried by voice vote.

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

No items were considered.

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

- (a) Joint signature letter to Dr. David Lever, R.A., D.A., Executive Director, Interagency Committee on State School Construction, endorsing the Board of Education's FY 2012 capital budget request and to identify the projects that the administration considers most critical. **C.O.W. WAS HELD; NO RECOMMENDATION; DEFERRED TO 10/26/10.**

The Chair (by request – County Executive)

COUNCIL SHOULD CONVENE AS COMMITTEE OF THE WHOLE PRIOR TO APPROVAL

Chair Turner, on behalf of the County Executive proposed that a letter be sent to Dr. David Lever, regarding the Board of Education's FY 2010 capital budget request. While sitting as the Committee of the Whole, Carmen Jackson Brown, Legislative Officer provided an overview of the proposed joint signature letter to Dr. David Lever. The Committee took no action.

- (b) Transmittal letter to the Ms. Suzanne Hill, NEPA Program Specialist, U.S. General Services Administration, National Capital Region, providing comments on the Draft Environmental Assessment on the lease consolidation of the U.S. Department of Health and Human Services in Suburban Maryland. **C.O.W. WAS HELD; FAVORABLE RECOMMENDATION, CHAIRMAN AUTHORIZED TO SIGN**

COUNCIL SHOULD CONVENE AS COMMITTEE OF THE WHOLE PRIOR TO APPROVAL

Todd Turner provided an overview of the transmittal letter proposed to be sent to Ms. Suzanne Hill, NEPA Program Specialist, U.S. General Services Administration, National Capital Region, providing comments on the Draft Environmental Assessment on the lease consolidation of the U.S. Department of Health and Human Services in Suburban Maryland. Council Member Dean moved favorable recommendation; seconded by Council Member Olson. The motion carried 8-0 (Absent: Council Member Exum).

Council Member Dean moved to authorize the Chair's signature; seconded by Council Member Olson. The motion carried 8-0 (Absent: Council Member Exum).

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

CB-75-2010 - AN ACT CONCERNING CHESAPEAKE BAY CRITICAL AREA ORDINANCE for the purpose of updating Subtitle 5B, the Chesapeake Bay Critical Area Ordinance. **THE PUBLIC HEARING WAS HELD; DEFERRED TO 10/26/10.**

(Introduced by Council Member Dernoga and discharged from PZED Committee on 9/7/2010)

Pursuant to proper notice, the public hearing was held on CB-75. No persons wishing to speak, the public hearing was declared held. Final action on this item was deferred to October 26, 2010.

CB-76-2010 - AN ORDINANCE CONCERNING CHESAPEAKE BAY CRITICAL AREA for the purpose of making revisions to zoning requirements related to the Chesapeake Bay Critical Area. **PUBLIC HEARING HELD; DEFERRED TO 10/26/10.**

(Introduced by Council Member Dernoga and discharged from PZED Committee on 9/7/2010)

Pursuant to proper notice, the public hearing was held on CB-76. No persons wishing to speak, the public hearing was declared held. Final action on this item was deferred to October 26, 2010.

CB-77-2010 (SUBDIVISION BILL) - AN ACT CONCERNING CHESAPEAKE BAY CRITICAL AREA for the purpose of making revisions to Subdivision requirements for the Chesapeake Bay Critical Area. **PUBLIC HEARING HELD; DEFERRED TO 10/26/10.**

(Introduced by Council Member Dernoga and discharged from PZED Committee on 9/7/2010)

Pursuant to proper notice, the public hearing was held on CB-77. No persons wishing to speak, the public hearing was declared held. Final action on this item was deferred to October 26, 2010.

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

CR-81-2010 – A RESOLUTION CONCERNING DEDICATION PLAQUES for the purpose of establishing the County's policy on dedication plaques placed on County facilities and buildings. **ADOPTED**

(Introduced by Council Members Turner, Dean and Harrison on 9/21/2010; favorably reported out of PSFM on 10/12/2010)

Council Member Exum, Chair of the Public Safety Fiscal Management Committee, provided a verbal report of the action and recommendations from the Committee to the Council. Council Member Turner moved adoption of Council Resolution 81; seconded by Council Member Exum. The motion carried 9-0.

CR-85-2010 – A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$2,713,131 to the Police Department, Office of Homeland Security, Office of the Sheriff, Health Department and Department of Public Works and Transportation. **ADOPTED**

(Introduced by Council Member Harrison on 9/21/2010; favorably reported out of PSFM on 10/12/2010)

Council Member Exum, Chair of the Public Safety Fiscal Management Committee, provided a verbal report of the action and recommendations from the Committee to the Council. Council Member Exum moved adoption of Council Resolution 85; seconded by Council Member Knotts. The motion carried 9-0.

CR-86-2010 (DR-2) - A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$4,615,713 to the Department of Family Services, Health Department, Office of State's Attorney and the Fire/EMS Department. **DR-2 SUBSTITUTED; ADOPTED**

(Introduced by Council Members Turner and Harrison on 9/21/2010; favorably reported out of PSFM on 10/12/2010 with amendments)

Council Member Exum, Chair of the Public Safety & Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Member Exum moved to substitute (DR-2) in lieu of (DR-1) of Council Resolution 86; seconded by Council Member Harrison the motion carried by a voice vote. Council Member Exum moved adoption of Council Resolution 86 (DR-2); seconded by Council Member Knotts. The motion carried 9-0.

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (CONTINUED)**CR-87-2010 (DR-2) - A RESOLUTION CONCERNING REVITALIZATION TAX**

CREDIT for the purpose of establishing that a multifamily unit development known as Jericho Senior Living, LLC located in census tract number 8035, qualifies for a revitalization/redevelopment tax credit pursuant to Section 10-235.02 and Section 10-235.03 of the Prince George's County Code. **DR-2 SUBSTITUTED; ADOPTED**

(Introduced by Council Members Harrison and Dean on 9/21/2010; favorably reported out of PSFM on 10/12/2010 with amendments)

Council Member Exum, Chair of the Public Safety & Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Member Exum moved to substitute (DR-2) in lieu of (DR-1) of Council Resolution 87; seconded by Council Member Harrison. The motion carried by a voice vote. Council Member Harrison moved adoption of Council Resolution 87 (DR-2); seconded by Council Member Bland. The motion carried 8-0-1 (Abstained: Council Member Exum).

CR-90-2010 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY

DEVELOPMENT GLENARDEN WOODS APARTMENTS PROJECT for the purpose of approving the financing of the Glenarden Woods Apartment project through the Community Development Administration (“CDA”) of the Maryland Department of Housing and Community Development. **ADOPTED**

(Introduced by Council Member Harrison on 9/28/2010; favorably reported out of THE on 10/14/2010)

Council Member Olson, Chair of the Transportation, Housing and the Environment (THE) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Member Harrison moved to adoption of Council Resolution 90; seconded by Council Member Campos. The motion carried 9-0.

CR-93-2010 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY

DEVELOPMENT GLENREED APARTMENTS PROJECT for the purpose of approving the financing of the Glenreed Apartments project through the Community Development Administration (“CDA”) of the Maryland Department of Housing and Community Development.

(Introduced by Council Member Harrison on 9/28/2010; favorably reported out of THE on 10/14/2010)

ADOPTED

Council Member Olson, Chair of the Transportation, Housing and the Environment (THE) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Member Harrison moved to adoption of Council Resolution 93; seconded by Council Member Olson. The motion carried 9-0.

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

CR-95-2010 (DR-2) - 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 Community Investment Tax Credit Program. **DR-2**
SUBSTITUTED; ADOPTED

(Introduced by Council Member Dernoga on 9/28/2010; favorably reported out of THE on 10/14/2010 with amendments)

Council Member Olson, Chair of the Transportation, Housing and the Environment (THE) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Member Dean moved to substitute (DR-2) in lieu of (DR-1) of Council Resolution 95; seconded by Council Member Harrison. The motion carried by a voice vote. Council Member Dean moved adoption of Council Resolution 95 (DR-2); seconded by Council Member Olson the motion carried 8-0 (Absent: Council Member Knotts).

CR-94-2010 - 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 Member Dernoga on 9/28/2010)

DISCHARGED FROM THE COMMITTEE; CONVENED AS C.O.W.; FAVORABLE RECOMMENDATION; ADOPTED

Council Member Olson moved to discharge CR-94 from the THE Committee; seconded by Council Member Campos. The motion carried 9-0. The Council convened as Committee of the Whole (COW). Council Member Campos moved favorable recommendation; seconded by Council Member Olson. The motion carried 9-0. Council Member Harrison moved adoption of Council Resolution 94; seconded by Council Member Olson. The motion carried 9-0.

7. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-104-2010 - A RESOLUTION CONCERNING PREPARATION OF A SECTIONAL MAP AMENDMENT FOR THE TAKOMA/LANGLEY CROSSROADS SECTOR PLAN AREA

for the purpose of initiating a Sectional Map Amendment for the Takoma/Langley Crossroads Sector Plan area to provide a strong interrelationship between the Sector Plan and zoning of land as a tool to implement land use recommendations.

INTRODUCED; DEFERRED TO 10/26/2010

The Chair (by request – Planning Board)

Council Resolution 104, which initiates a sectional Map Amendment for the Takoma/Langley Crossroads Section Plan area, was introduced by Council Member Campos. Final action of Council Resolution 104 was deferred to 10/26/2010.

CR-105-2010 - A RESOLUTION CONCERNING COMPENSATION OF ELECTED OFFICIALS for the purpose of amending the compensation of the County Executive and members of the County Council **INTRODUCED; RULES SUSPENDED; MOTION TO ADOPT FAILED**

(Introduced by Council Members Olson and Dernoga)

Council Resolution 105 amends the compensation of the County Executive and members of the County Council. Council Resolution 105 was introduced by Council Members Olson and Dernoga. Council Member Olson moved to suspend Council Rules of Procedure to allow for immediate adoption of Council Resolution 105; seconded by Council Member Exum. The motion carried by voice vote. Council Member Olson moved adoption of Council Resolution 105; seconded by Council Member Campos. The motion to adopt failed 3-4 (Opposed: Council Members Bland, Dean, Exum and Knotts; Abstained: Council Members Harrison and Turner).

CR-108-2010 - A RESOLUTION CONCERNING SPENDING AFFORDABILITY LIMITS for the Washington Suburban Sanitary Commission for the purpose of establishing spending control limits on the Fiscal Year 2012 Water and Sewer Operating and Capital Budgets of the Washington Suburban Sanitary Commission (WSSC). **INTRODUCED; ADOPTED**

(Favorably reported out of THE on 10/14/2010)

(Introduced by Council Members Dernoga and Exum)

Council Resolution 108 establishes spending control limits for Fiscal Year 2012 Water and Sewer Operation and Capital Budgets of the Washington sanitary Commission (WSSC). Council Resolution 108 was introduced by Council Members Dernoga and Exum. Council Member Knotts moved adoption of Council Resolution 108; seconded by Council Member Exum. The motion carried 9-0.

ADDITIONS TO THE AGENDA

Council Member Dean moved to accept additions; seconded by Council Member Knotts. The motion carried by voice vote.

6. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (PAGE 4)**

CR-98-2010 (DR-2) – A RESOLUTION CONCERNING ECONOMIC DEVELOPMENT for the purpose of revising CR-89-2006 and the County's policy for the use of Tax Increment Financing and other financial tools and incentives to fund economic and community development projects and initiatives in Prince George's County.

(Introduced by Council Members Dean and Exum on 9/28/2010; favorably reported out of PSFM on 10/12/2010 with amendments) **ADOPTED**

DR-2 SUBSTITUTED; AMENDED; DR-3 ADOPTED

Council Member Exum, Chair of the Public Safety & Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Member Dean moved to substitute (DR-2 for Council Resolution 98 in lieu of DR-1); seconded by Council Member Exum. The motion carried by a voice vote. Council Member Exum moved to include amendment number one for Council Resolution 98 (DR-2); seconded by Council Member Knotts. The motion carried by voice vote. Council Member Dean moved adoption of Council Resolution 98 (DR-3) as amended; seconded by Council Member Bland. The motion carried 7-0.

DISTRICT COUNCIL ITEMS

(See Separate Action Agenda)

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

ADJOURN: - Chair Dernoga adjourned the meeting at 2:09 P.M.

BRIEFINGS - (ROOM 2027) – BRIEFINGS HELD

■ **TELECOMMUNICATIONS TRANSMISSION FACILITIES COORDINATING COMMITTEE (TTFCC)**

2010-2011 Master Plan and Interim 2010 Annual Report

Mr. Stan Wildesen, Department of Environmental Resources, provided introductory remarks and spoke to the contents of the Telecommunications Transmission Facilities Master Plan and Interim Annual Report. He responded to questions posed by Council Members (See Administrative Day File for detailed Clerk's notes).

■ **COUNTY FISCAL STATUS**

Jonathan R. Seeman, Director, Office of Management and Budget

Mr. Jonathan Seeman, Director of the Office of Management and Budget, facilitated a power-point presentation on the County's Fiscal Status (See File Copy) and responded to questions posed by Council Members (See Administrative Day File for detailed Clerk's notes).

Prepared By:

Submitted By:

Sherry Bias, Administrative Aide

Redis C. Floyd, Clerk of the Council