

AGENDA MINUTES

Tuesday, July 18, 2006

Legislative Day No. 22

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

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

COMMITTEE OF THE WHOLE – (ROOM 2027)

CB-61-2006 - AN ACT CONCERNING ADULT ENTERTAINMENT CLUBS for the purpose of regulating the adult entertainment premises, entertainers, and managers by establishing license requirements and penalties for violators and amending the provisions of the Code to clarify the use of the terms “public place” and “place open to the public.” - **NO ACTION TAKEN**

CR-60-2006 – A RESOLUTION CONCERNING TAXABILITY OF COUNTY OBLIGATIONS for the purpose of repealing CR-78-1991, effective upon the date of adoption of this Resolution by the County Council and signature by the Chair of the County Council and the County Executive of this Resolution, and requiring that this Resolution shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any County debt issued prior to the effective date of this Resolution.

- **FAVORABLE RECOMMENDATION**

Council Member Harrington moved favorable recommendation; seconded by Council Member Dean. The motion carried 8-0. (Absent: Council Member Exum).

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)

Proclamation presented to Thomas E. Stommel recognizing the many years service of the “District Heights Volunteer Fire Chief ” in Prince George’s County. (Council Chairman Thomas E. Dernoga, Council Vice Chair Camille A. Exum and Council Members Marilynn M. Bland, David C. Harrington, Will Campos, Douglas J.J. Peters, Thomas R. Hendershot)

- **PRESENTED**

Council Chairman Thomas E. Dernoga, Council Vice Chair Camille A. Exum, Council Members Marilynn M. Bland, David C. Harrington, Will Campos, Douglas J.J. Peters, Samuel H. Dean, Tony Knotts and Thomas R. Hendershot presented a Proclamation to Thomas E. Stommel recognizing the many years of service as the District Heights Volunteer Fire Chief in Prince George’s County.

Proclamation **recognizing Eric Aiken as the “World Featherweight Champion” in Prince George’s County.** (Council Chairman Thomas E. Dernoga and Council Member Samuel H. Dean) - **PRESENTED**

Council Chairman Thomas E. Dernoga and Council Member Samuel H. Dean presented a Proclamation recognizing Eric Aiken as the “World Featherweight Champion” in Prince George’s County.

Proclamation **presented to Amanda Browne recognizing the outstanding community service as a “Bladensburg High School Volunteer” in Prince George’s County.** (Council Chairman Thomas E. Dernoga and Council Members David C. Harrington, Marilynn M. Bland, Will Campos, Douglas J.J. Peters, Thomas R. Hendershot, Samuel H. Dean, Tony Knotts and Camille A. Exum) - **PRESENTED**

Council Chairman Thomas E. Dernoga, Council Members David C. Harrington, Marilynn M. Bland, Will Campos, Douglas J.J. Peters, Thomas R. Hendershot, Samuel H. Dean, Tony Knotts and Camille A. Exum presented a Proclamation to Amanda Browne recognizing the outstanding community service as a “Bladensburg High School Volunteer” in Prince George’s County.

Proclamation **presented to Erwin Cabrera recognizing the outstanding community service as a “Bladensburg High School Volunteer” in Prince George’s County.** (Council Chairman Thomas E. Dernoga and Council Members David C. Harrington, Marilynn M. Bland, Will Campos, Douglas J.J. Peters, Thomas R. Hendershot, Samuel H. Dean, Tony Knotts and Camille A. Exum) - **PRESENTED**

Council Chairman Thomas E. Dernoga, Council Members David C. Harrington, Marilynn M. Bland, Will Campos, Douglas J.J. Peters, Thomas R. Hendershot, Samuel H. Dean, Tony Knotts and Camille A. Exum presented a Proclamation to Erwin Cabrera recognizing the outstanding community service as a “Bladensburg High School Volunteer” in Prince George’s County.

Proclamation **presented to Joshua Wing recognizing the outstanding community service as a “Bladensburg High School Volunteer” in Prince George’s County.** (Council Chairman Thomas E. Dernoga and Council Members David C. Harrington, Marilynn M. Bland, Will Campos, Douglas J.J. Peters, Thomas R. Hendershot, Samuel H. Dean and Camille A. Exum) - **PRESENTED**

Council Chairman Thomas E. Dernoga, Council Members David C. Harrington, Marilynn M. Bland, Will Campos, Douglas J.J. Peters, Thomas R. Hendershot, Samuel H. Dean, Tony Knotts and Camille A. Exum presented a Proclamation to Joshua Wing recognizing the outstanding community service as a “Bladensburg High School Volunteer” in Prince George’s County.

Proclamation **presented to William M. Griffin, Owner, Sargent I Cleaners, LTD., recognizing the outstanding contributions of a “Prince George’s County Entrepreneur” in Prince George’s County.** (Council Chairman Thomas E. Dernoga and Council Members Will Campos, Tony Knotts, Marilynn M. Bland, Douglas J.J. Peters, Thomas R. Hendershot, Samuel H. Dean, David C. Harrington and Camille A. Exum) - **PRESENTED**

Council Chairman Thomas E. Dernoga, Council Members Will Campos, Tony Knotts, Marilynn M. Bland, Douglas J.J. Peters, Thomas R. Hendershot, Samuel H. Dean, David C. Harrington and

Camille A. Exum presented a Proclamation to William M. Griffin, Owner, Sargent I Cleaners, LTD., recognizing the outstanding contributions of a "Prince George's County Entrepreneur" in Prince George's County.

CALL TO ORDER: - - *Chairman Dernoga called to order at 11:00 a.m. with the following Council Members present:*

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

Others Present:

*Craig S. Price, Council Administrator
Robert Williams Jr., Deputy Council Administrator
Ralph Grutzmacher, Legislative Officer
Karen Zavakos, Legislative Officer
Collette Gresham, Legislative Officer
Carmen Jackson-Brown, Legislative Officer
Adrian J. Howell, County Council Liaison, Office of the County Executive
Kathy Canning, Associate County Attorney
Frank Porter, Committee Director (PSFM)
Hawi Sanu, Acting Committee Director (THE)
Sandra Eubanks, Committee Director (HEHS)
Jackie Brown, Committee Director (PZED)
Larry Cain, (A & I)
Bill Hunt, (A & I)
Alan Hirsch, M-NCPPC*

INVOCATION: - - *The Invocation was led by Reverend Ronnie Stanley, First Baptist Church of Suitland, Suitland, Maryland. Council Member Campos requested special prayers for William Griffin in his fight against lung cancer and for the family of Cynthia Vailes killed by a drunk driver.*

PLEDGE OF ALLEGIANCE: - - *The pledge of allegiance was led by Council Member Harrington.*

CONSENT AGENDA -- CR-69-2006 ADDED (SEE PAGE 23); 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-67-2006 – AN ACT CONCERNING MOBILE FOOD VENDING IN URBAN AREAS

for the purpose of enhancing Livable Communities by authorizing the sale of certain food items by mobile food vendors and providing a licensing standard and definition for mobile food vendors.

- **PRESENTED**

Council Bill 67 was presented by Council Member Campos and referred to Health, Education and Human Services (HEHS) Committee.

CB-68-2006 – AN ORDINANCE CONCERNING INDUSTRIAL ZONES for the purpose of defining a Commercial Fuel Depot and permitting this use in the I-1 Zone. - **PRESENTED**

Council Bill 68 was presented by Council Member Harrington and referred to Planning, Zoning and Economic Development (PZED) Committee.

CB-69-2006 - AN ACT CONCERNING THE ISSUANCE AND SALE OF SPECIAL OBLIGATION BONDS

for the purpose of providing that one or more series of special obligation bonds may be issued from time to time under the provisions of this Act, Article 41, Sections 14-201 through 14-214 of the Annotated Code of Maryland, as amended (2003 Replacement Volume and 2005 Supplement) (the "Tax Increment Act"), and pursuant to Section 10-269 of the Prince George's County Code, as amended (2003 Edition, 2005 Supplement) and Section 9-1301 of Article 24 of the Annotated Code of Maryland, as amended (2005 Replacement Volume) (collectively, the "Special Taxing District Act") and Resolution CR-65-2006 of the County Council of Prince George's County, Maryland (the "Formation Resolution") in an amount not to exceed the aggregate principal amount of One Hundred Ninety Million Dollars (\$190,000,000) in order for the County to finance the construction of the parking improvements and infrastructure improvements as more particularly described herein; making certain findings and determinations, among others, concerning the public benefit and purpose of such special obligation bonds; providing that such special obligation bonds authorized to be issued hereby shall be payable, from the amounts levied and deposited in the Tax Increment Fund (as defined in the Formation Resolution) and any other tax revenues deposited therein 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 (as defined in the Formation Resolution); 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 issued hereunder and any other matters necessary or desirable in connection with the authorization, issuance, sale and payment of such special obligation bonds and make certain commitments on behalf of the County in connection with the issuance, sale and delivery of such special obligation bonds; authorizing the execution and

delivery of such special obligation bonds and such other documents as may be necessary and desirable to effectuate the financing of the infrastructure improvements and 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. - **PRESENTED**

Council Bill 69 was presented by Council Member Dernoga and referred to Public Safety and Fiscal Management (PSFM) Committee.

Introduction of Resolutions

CR-63-2006 – A RESOLUTION CONCERNING THE ISSUANCE OF SPECIAL OBLIGATION BONDS OR OTHER OBLIGATIONS TO REFINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS RELATING TO THE SPECIAL TAXING DISTRICT KNOWN AS THE WOODVIEW VILLAGE PHASE II SUBDISTRICT for the purpose of authorizing and empowering Prince George's County, Maryland (the "County") to issue and sell in one or more series, pursuant to Section 10-269 of the Prince George's County Code, as amended (2003 Edition and 2005 Supplement) and Section 9-1301 of Article 24 of the Annotated Code of Maryland, as amended (2005 Replacement volume) (collectively, the "Special Taxing District Act") and Section 24 of Article 31 of the Annotated Code of Maryland, as amended (2003 Replacement Volume) ("the "refunding Act"), its special obligation bonds, revenue bonds, notes or other similar instruments in an aggregate principal amount not to exceed Eight Million Six Hundred Thousand Dollars (\$8,600,000) (the "Bonds") in order to refinance the cost of infrastructure improvements relating to the special taxing district known as the "Woodview Village Phase II Subdistrict), Series 2002 (the "Refunded Bonds"); making certain findings and determinations concerning the special fund created with respect to the Woodview Village Phase II Subdistrict and the respective use of such fund; determining or providing for various matters relating to the authorization, issuance, forms, terms security, sale and payment for the Bonds; authorizing the approval, execution and delivery on behalf of the County of certain documents, agreements, instruments and certificates contemplated herein with respect to the Woodview Village Phase II Subdistrict, the Woodview Village Phase II Special Assessment (defined below) and the Bonds; and generally providing for the issuance of the bonds in accordance with the Special Taxing District Act and the Refunding Act.

- **INTRODUCED**

Council Resolution 63 was introduced at the request of the County Executive and referred to Public Safety and Fiscal Management (PSFM) Committee. Council Resolution 63 was introduced by Council Members Knotts, Dean, Harrington and Bland.

PUBLIC HEARING SCHEDULED FOR SEPTEMBER 19, 2006 AT 10:00 A.M.

CR-64-2006 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN (APRIL 2006 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan. - **INTRODUCED**

Council Resolution 64 was introduced at the request of the County Executive and referred to Transportation, Housing and the Environment (THE) Committee. Council Resolution 63 was introduced by Council Member Dernoga.

PUBLIC HEARING SCHEDULED FOR SEPTEMBER 19, 2006 AT 10:00 A.M.

CR-65-2006 – A RESOLUTION CONCERNING GREENBELT STATION SPECIAL TAXING DISTRICT AND GREENBELT STATION DEVELOPMENT DISTRICT FOR THE CREATION OF RETAIL, COMMERCIAL AND RESIDENTIAL AREA for the

purpose of designating a contiguous area within Prince George's County, Maryland (the "County") as a "development district" as that term is used in Sections 14-201 through 14-214, inclusive of Article 41 of the Annotated Code of Maryland, as amended (2003 Replacement Volume, 2005 Supplement) (the "Tax Increment Act"), as well as for the purpose of designating a contiguous area within the County that would be coincident with the development district as a "special taxing district" as that term is used in Section 10-269 of the Prince George's County Code, as amended (2003 Edition, 2005 Supplement) and as that term is used in Section 9-1301 of Article 24 of the Annotated Code of Maryland, as amended (2005 Replacement Volume) (collectively, the "Special Taxing District Act") such development district and special taxing district to be located in the City of Greenbelt, Maryland and in an unincorporated area of the County known as Branchville, Maryland, adjacent to the Capital Beltway as shown on CSP 01008 and to be known as the "Greenbelt Station Special Taxing District" and the "Greenbelt Station Development District"; providing for, and determining, various matters in connection with the establishment of a development district and a special taxing district, creating a tax increment fund with respect to the development district and a special fund with respect to the special taxing district, allocating certain property taxes with respect to the development district to be paid over to the tax increment fund as provided in the Tax Increment Act; providing for the levy of a special tax and the allocation of the special tax with respect to the special taxing district to be paid over to the special fund as provided in the Special Taxing District Act; making certain findings and determinations with respect to the tax increment fund and the special fund and the respective uses of such funds; providing that special obligation bonds may be issued from time to time pursuant to an ordinance or ordinances enacted in accordance with the Tax Increment Act and the Special Taxing District Act and secured by the tax increment fund and the special fund; and generally relating to the Greenbelt Special Taxing District. - **INTRODUCED**

Council Resolution 65 concerns the creation of the Greenbelt Station Special Taxing District and the Greenbelt Station Development District to create a tax increment fund and special fund to finance the construction of parking and other infrastructure facilities associated with the Greenbelt Station project. Council Resolution 65 was introduced by Council Members Dernoga, Hendershot and Peters. Council Resolution 65 was referred to Public Safety and Fiscal Management (PSFM) Committee.

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

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

No items were considered

PUBLIC HEARINGS: -- PUBLIC HEARINGS HELD

Appointment of the following individuals to the Commission for Children, Youth and Families for Prince George's County: - **CONFIRMED**

Council Member Knotts, Chair, of Health, Education and Human Services Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Pursuant to proper notice, the public hearing convened on the appointment of the below listed individuals to the Commission for Children, Youth and Families for Prince George's County. Mr. Michael Herman, County Executive Representative, introduced each appointee to the Council. Ms. Shirley Jackson was unable to attend and Mr. Chairto Santos's appointment was withdrawn by the County Executive. The other appointees were present and spoke on their own behalf. Council Member Exum moved confirmation of all (except Santos) for the terms as listed; seconded by Council Member Harrington. The motion carried 9-0.

Ms. Shirley Jackson
(unable to attend)

Appointment: Citizen Member (Chair)
Replacing: Carolyn Billingsley
Term Expiring: 12/1/2007

Mr. Charito Santos
(Withdrawn by County Executive)

Appointment: Citizen Member
Replacing: Darilyn E. Marinelli
Term Expiring: 12/1/2008

Ms. Margaret Stephen-Aliendre

Appointment: Citizen Member
Replacing: Maralita L. Freeny
Term Expiring: 12/1/2007

Captain Norma J. Hatot

Appointment: Citizen Member
Replacing: Walter L. Howell
Term Expiring: 12/1/2006

Ms. Rhonda Hanson

Appointment: Citizen Member
Replacing: Joseph T. Pulalla
Term Expiring: 12/1/2006

Reverend Robert E. Lee, Jr.

Appointment: Citizen Member
Replacing: Jacqueline B. Woody
Term Expiring: 12/1/2006

Ms. Khadijah A. Tribble

Appointment: Citizen Member
Replacing: Patricia J. Jamison
Term Expiring: 12/1/2008

Ms. Tamara J. Fingal

Appointment: Citizen Member
Replacing: Neidra N. Wilson
Term Expiring: 12/1/2008

Reverend John H. Coursey

Reappointment: Citizen Member
Term Expiring: 12/1/2007

PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

Proposed letter to Beatrice P. Tignor, Ed.D., Chairman, Board of Education, requesting a transfer between major expenditure categories within the FY 2007 Operating Budget.

- **CHAIRMAN AUTHORIZED TO SIGN**

Council Member Knotts, Chair, of the Health, Education and Human Services Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. A letter was proposed to be sent to Beatrice P. Tignor, Ed.D., Chairman, Board of Education requesting a transfer between major expenditure categories within the FY2007 Operating Budget. Council Member Exum moved to authorize the Chairman's signature; seconded by Council Member Harrington. The motion carried 9-0.

**SECOND READING OF BILLS – (INTRODUCTION) -- CB-70, 71, 72, 73, 74-2006
ADDED**

CB-46-2006 (SUBDIVISION BILL) – AN ACT CONCERNING ELEEMOSYNARY OR PHILANTHROPIC INSTITUTIONS IN THE O-S ZONE for the purpose of exempting existing Eleemosynary or Philanthropic Institutions in the O-S Zone from the requirement of filing a subdivision plat under certain circumstances. - **INTRODUCED**

Jackie Brown, Committee Director, of Planning, Zoning and Economic Development Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Bill 46 serves the purpose of exempting Eleemosynary or Philanthropic Institutions from filing a subdivision plat under certain circumstances. Council Bill 46 was introduced by Council Members Bland and Peters.

CB-54-2006 - AN ACT CONCERNING THE HOMESTEAD PROPERTY TAX CREDIT for the purpose of establishing the homestead property tax credit for the County property tax for the taxable year beginning July 1, 2007. - **INTRODUCED**

Craig Price, County Administrator, provided a verbal report of the actions and recommendations of the Committee of the Whole to the Council. Council Bill 54 establishes the homestead property tax credit for the County property tax for the taxable year beginning July 1, 2007, as required by State law. Council Bill 54 was introduced by Council Member Dernoga.

CB-62-2006 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT COUNCIL 67 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) AFL-CIO, AND ITS AFFILIATED LOCALS 2462, 2735, 3389 AND 1170 for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Council 67 American Federation of State, County and Municipal Employees (AFSCME) AFL-CIO, and its Affiliated Locals 24, 62, 2735, 3389 and 1170, 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.

- **RULES SUSPENDED; INTRODUCED**

Council Bill 62 amends the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME) AFL-CIO, and its affiliated Locals 2462, 2735, 3389 and 1170 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. Council Member Exum moved to suspend the Council Rules of Procedure to allow for the immediate introduction of Council Bill 62; seconded by Council Member Hendershot. The motion carried by voice vote. Council Bill 62 was introduced by Council Members Dernoga, Peters, Knotts, Dean, Harrington, Campos, Bland and Exum.

CB-63-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE'S COUNTY for the purpose of adding new classes to the collective bargaining agreement between the County and AFSCME Council 67, Salary Schedule A and abolishing existing classes of work in Salary Schedules C-Local 3279, J-Local 3389; and U-Local 1170.

- **RULES SUSPENDED; INTRODUCED**

Council Bill 63 amends the classification plan by eliminating the C, U, and J salary schedule and amending the A salary schedule for AFSCME Local 67 and its Affiliated Locals 2462, 2735, 3389 and 1170. Council Member Exum moved to suspend the Council Rules of Procedure to allow for the immediate introduction of Council Bill 63; seconded by Council Member Harrington. The motion carried by voice vote. Council Bill 63 was introduced by Council Members Dernoga, Peters, Knotts, Exum, Harrington, Campos, Bland and Dean.

**** DUE TO VOLUME OF PUBLIC HEARINGS DELAYS ARE EXPECTED ****

PUBLIC HEARINGS/RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

CR-32-2006 (DR-4) – A RESOLUTION CONCERNING COUNTY REAL PROPERTY for the purpose of declaring certain parcels of County-Owned Real Property as surplus, and approving the County Executive's plan for disposal of such parcels. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Resolution 32(DR-4). No person wishing to speak, the public hearing was declared held. Council Member Exum moved adoption of Council Resolution 32(DR-4); seconded by Council Member Dean. The motion carried 9-0.

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

CB-31-2006 – AN ORDINANCE CONCERNING USE AND OCCUPANCY PERMITS for the purpose of authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when a use and occupancy permit has not been issued; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when a use and occupancy permit has been issued and is not in compliance with the provisions of the Zoning Ordinance; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a use and occupancy permit when the activity is found to present an imminent danger and threat to the health, safety, and welfare of the public by not doing so, that there are no other mitigating circumstances to be taken to resolve the imminent danger and threat to the health, safety, and welfare of the public, and that there are no other reasonable means of preventing further danger and threat to the health, safety, and welfare of the public resulting from the continuation of the activity; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when a temporary use and occupancy permit has not been issued; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when a temporary use and occupancy permit has been issued and is not in compliance with the provisions of the Zoning Ordinance; authorizing all immediate reasonable and necessary action to cease and desist the operation of any activity requiring a temporary use and occupancy permit when the activity is found to present an imminent danger and threat to the health, safety, and welfare of the public by not doing so, that there are no other mitigating circumstances to be taken to resolve the imminent danger and threat to the health, safety, and welfare of the public, and that there are no other reasonable means of preventing further danger and threat to the health, safety, and welfare of the public resulting from the continuation of the activity; authorizing all immediate reasonable and necessary action to implement this Act for the health, safety and welfare of the public; providing for the designation of certain public officials to enforce this Act; providing for enforcement procedures to implement this Act; providing for establishing policies, rules, and procedures to implement this Act; providing for a hearing before the Zoning Hearing Examiner from a violation of this Act; providing for an appeal from the decision of the Zoning Hearing Examiner to the Circuit Court of Maryland; providing for the computation of time pursuant to this Act; and generally relating to use and occupancy permits. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 31. Leigh Williams, Esq., and Sarah Cavitt spoke on Council Bill 31. All persons wishing to speak having done so, the public hearing was declared held. Council Member Exum moved enactment of Council Bill 31; seconded by Council Member Hendershot. The motion carried 9-0.

CB-4-2006 (DR-2) (SUBDIVISION BILL) – AN ACT CONCERNING SUBDIVISIONS for the purpose of establishing requirements, procedures and standards for conservation subdivisions, deleting the subdivision options of the use of clusters, lot size averaging and flag lots, and grandfathering those approved as of a certain date. - **PUBLIC HEARING HELD; AMENDED; DR-3 ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 4(DR-2). Nineteen persons spoke on Council Bill 4(DR-2). All persons wishing to speak having done so, the public hearing was declared held. Council Member Dean moved amendment number 1; seconded by Council Member Hendershot. The motion carried 8-0. (Absent: Council Member Exum). Council Member Dean moved enactment as amended to Council Bill 4(DR-3); seconded by Council Member Knotts. The motion carried 8-0. (Absent: Council Member Exum).

CB-6-2006 (DR-2) – AN ORDINANCE CONCERNING RESIDENTIAL ZONES for the purpose of permitting conservation subdivisions, establishing bulk regulations for conservation subdivisions, deleting the Subdivision option of the use of lot size averaging and varying lot sizes, grandfathering those approved as of a certain date, and deleting the provisions for agricultural preservation development. - **PUBLIC HEARING HELD; AMENDED; DR-3 ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 6. Twenty-one persons spoke on Council Bill 6(DR-2). All persons wishing to speak having done so, the public hearing was declared held. Council Member Dernoga moved amendment number 1; seconded by Council Member Harrington. The motion carried by voice vote. Council Member Harrington moved enactment as amended to Council Bill 6(DR-3); seconded by Council Member Knotts. The motion carried 8-0. (Absent: Council Member Exum).

CB-41-2006 – AN ORDINANCE CONCERNING O-S ZONE for the purpose of developing new development standards and procedures, including the establishment and imposition of temporary zoning regulations restricting development on properties classified in the O-S Zone and located within the Rural Tier for a period of time to expire on December 31, 2006. This Ordinance provides for a limited validity period for building permits, creates additional requirements for granting extensions to the validity periods of expired building permits, and establishes interim guidelines for residential development. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 41. Twenty-two persons spoke on Council Bill 41. All persons wishing to speak having done so, the public hearing was declared held. Council Member Knotts moved enactment of Council Bill 41; seconded by Council Member Peters. The motion carried 6-1. (Opposed: Council Member Hendershot; Absent: Council Member Exum and Harrington).

CB-42-2006 (SUBDIVISION BILL) – AN ACT CONCERNING SUBDIVISIONS – O-S ZONE for the purpose of temporarily precluding the filing of new applications for Preliminary Plans of Subdivision for properties in the O-S Zone in the Rural Tier until new development standards can be established to implement growth management and preservation policies within the O-S Zone. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 42. No person wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 42; seconded by Council Member Knotts. The motion carried 6-1. (Opposed: Council Member Hendershot; Absent: Council Members Exum and Harrington).

CB-64-2006 – AN ORDINANCE CONCERNING CHESAPEAKE BAY CRITICAL AREA for the purpose of amending the restriction on growth allocation approved in the Resource Conservation Overlay Zone, to conform the County Chesapeake Bay Critical Area Program to requirements of the Chesapeake Bay Critical Area Commission.
- **PUBLIC HEARING HELD; RECOMMITTED TO PZED**

Pursuant to proper notice, the public hearing convened on Council Bill 64. Sarah Cavitt, Dawn Davit, Jerry J. Mathis, Norma Merritt, Kelly Canavan, Amy McPherson and Thomas Haller spoke on Council Bill 64. All persons wishing to speak having done so, the public hearing was declared held. Council Member Knotts moved to recommit to Planning, Zoning and Economic Development (PZED) Committee; seconded by Council Member Harrington. The motion carried 8-0. (Absent: Council Member Campos).

CB-47-2006 (DR-2) - AN ACT CONCERNING PURCHASE OF DEVELOPMENT RIGHTS for the purpose of establishing a Purchase of Development Rights Program in Prince George's County to permit the acquisition of conservation easements.
- **PUBLIC HEARING HELD; DR-2 SUBSTITUTED; AMENDED; DR-2 ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 47(DR-2). Seventeen persons spoke on Council Bill 47(DR-2). All persons wishing to speak having done so, the public hearing was declared held. Council Member Knotts moved to substitute (DR-2); seconded by Council Member Dean. The motion carried by voice vote. Council Member Dean moved technical amendment; seconded by Council Member Peters. The motion carried by voice vote. Council Member Knotts moved enactment of Council Bill 47(DR-3) as amended; seconded by Council Member Dean. The motion carried 6-1 (Opposed: Council Member Hendershot; Absent: Council Members Exum and Harrington).

POINT OF PERSONAL PRIVILEGE:

Council Member Exum recognized her Aunts Marie Beverly and Sandra Exum who were visiting from Memphis.

Council Member Harrington stated his support for CB-41-2006; he missed the vote.

CB-21-2006 (DR-2) - AN ORDINANCE CONCERNING INDUSTRIAL ZONES for the purpose of defining a MARC Planned Community and permitting this use in the I-1, I-2 and I-3 Zones, in accordance with certain requirements. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 21(DR-2). Thomas Haller spoke on Council Bill 21(DR-2). All persons wishing to speak having done so, the public hearing was declared held. Council Member Dernoga moved enactment of Council Bill 21(DR-2); seconded by Council Member Hendershot. The motion carried 8-0. (Absent: Council Member Knotts.)

CB-23-2006 - AN ORDINANCE CONCERNING CONVEYANCES OF LAND BY THE STATE OF MARYLAND for the purpose of restating and clarifying the process for reclassifying property conveyed by the State for the University of Maryland as previously enacted by CB-31-2005 and CB-50-2005. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 23. Mr. Calahan spoke on Council Bill 23. All persons wishing to speak having done so, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 23; seconded by Council Member Harrington. The motion carried 8-0. (Absent: Council Member Knotts.)

CB-36-2006 (DR-2) – AN ORDINANCE CONCERNING DETAILED SITE PLANS AND PROPERTY ADJACENT TO A HISTORIC DISTRICT for the purpose of requiring approval of a Detailed Site Plan for development of property adjacent to a Historic District and making stylistic changes concerning Detailed Site Plans. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 36(DR-2). Sarah Cavitt, Dawn Davit and Edward Gibbs spoke on Council Bill 36 (DR-2). All persons wishing to speak having done so, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 36(DR-2); seconded by Council Member Hendershot. The motion carried 7-0. (Absent: Council Members Exum and Knotts).

CB-37-2006 (DR-2) – AN ORDINANCE CONCERNING R-T ZONE for the purpose of allowing rezoning to R-T Zone, under certain circumstances, and to make changes to the R-T Zone regulations. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 37(DR-2). Sarah Cavitt, Dawn Davit, Michael Nagy, Esq., and Jay Hellman spoke on Council Bill 37 (DR-2). All persons wishing to speak having done so, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 37(DR-2); seconded by Council Member Peters. The motion carried 6-0. (Absent: Council Members Exum, Harrington and Knotts).

CB-14-2006 (DR-3) – AN ACT CONCERNING THE AUTHORIZATION, ISSUANCE AND DELIVERY OF SPECIAL OBLIGATION BONDS for the purpose of providing that special obligation bonds may be issued under the provisions of this Act, in an amount equal to the aggregate principal amount of Fifty Million Dollars (\$50,000,000) for the County to finance or reimburse additional 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 obligation bonds authorized to be issued hereby shall be payable, on a subordinate basis with respect to the special obligations bonds previously issued by the County as more specifically provided for in this Act, from the amounts levied and deposited in the Tax Increment Fund including the Hotel Tax and from the Special Hotel Rental Tax 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 for taxing power other than the County's pledge, on a subordinate basis, of the taxes representing the levy on the Tax Increment, the Hotel Tax and the Special Hotel Rental Tax; authorizing the County Executive to take certain actions, to execute documents and make certain commitments on behalf of the County in connection with the issuance and delivery of such special obligation bonds; authorizing the execution and delivery of such special obligation bonds and such other documents as may be necessary and desirable to effectuate the financing or reimbursement of a portion of the costs of the convention center and the issuance and delivery of such special obligation bonds; and generally providing for, and determining various matters in connection with, the issuance, delivery and payment of such special obligation bonds. - **PUBLIC HEARING HELD; AMENDED; DR-4 ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 14(DR-3). Thirty-two persons spoke on Council Bill 14(DR-3). All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrington moved amendment number 1; seconded by Council Member Hendershot. The motion carried by voice vote. Council Member Harrington moved enactment of Council Bill 14 (DR-4) as amended; seconded by Council Member Peters. The motion carried 8-0 (Absent: Council Member Knotts).

CB-61-2006 - AN ACT CONCERNING ADULT ENTERTAINMENT CLUBS for the purpose of regulating the adult entertainment premises, entertainers, and managers by establishing license requirements and penalties for violators and amending the provisions of the Code to clarify the use of the terms "public place" and "place open to the public."
- **PUBLIC HEARING HELD; AMENDED; DR-2 ENACTED**

Ralph Grutzmacher, Legislative Officer, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Pursuant to proper notice, the public hearing convened on Council Bill 61. Ten persons spoke on Council Bill 61. All persons wishing to speak having done so, the public hearing was declared held. Council Member Hendershot moved amendment number 1; seconded by Council Member Peters. The motion carried by voice vote. Council Member Hendershot moved enactment of Council Bill 61(DR-2) as amended; seconded by Council Member Peters. The motion carried 8-0. (Absent: Council Member Knotts).

CB-38-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of adding certain classes of work to the International Association of Fire Fighters, Local 1619, AFL-CIO (Civilians) Salary Schedule “H” in accordance with Public Employee Relations Board (PERB) Representation Petition/Amendment #16 39 00280 90S. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 38. No person wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 38; seconded by Council Member Hendershot. The motion carried 6-0. (Absent: Council Members Exum, Harrington and Knotts).

CB-39-2006 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1619, AFL-CIO (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, AFL-CIO (Civilians) 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. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 39. Jim Brinkley spoke on Council Bill 39. All persons wishing to speak having done so, the public hearing was declared held. Council Member Peters moved enactment of Council Bill 39; seconded by Council Member Hendershot. The motion carried 7-0. (Absent: Council Members Harrington and Knotts).

CB-43-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of adding certain classes of work to the Deputy Sheriff’s Association of Prince George’s County, Inc. (DSA) (Civilian Units) Salary Schedule “Z”. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 43. No person wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 43; seconded by Council Member Campos. The motion carried 8-0. (Absent: Council Member Knotts.)

CB-44-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of eliminating and adding certain classes of work and establishing a new Y Salary Schedule to the bargaining unit represented by the International Association of Fire Fighters, AFL-CIO, Local 1619. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 44. No person wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 44; seconded by Council Member Harrington. The motion carried 8-0. (Absent: Council Member Knotts).

CB-45-2006 – 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. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 45. No person wishing to speak, the public hearing was declared held. Council Member Hendershot moved enactment of Council Bill 45; seconded by Council Member Exum. The motion carried 8-0. (Absent: Council Member Knotts).

CR-46-2006 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1619, AFL-CIO (CIVILIANS) SALARY SCHEDULE “H” for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George’s County and the International Association of Fire Fighters, Local 1619, AFL-CIO (Civilians). - **ADOPTED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Member Peters moved adoption of Council Resolution 46; seconded by Council Member Dean. The motion carried 7-0. (Absent: Council Members Hendershot and Knotts).

CR-51-2006 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO, LOCAL 1619 (FIRE FIGHTERS, PARAMEDICS, EMERGENCY RESPONSE TECHNICIANS AND FIRE FIGHTER/MEDICS) SALARY SCHEDULES S, M, R, AND Y SCHEDULE OF PAY GRADES for the purpose of amending the Salary Plan of the County to reflect the terms of 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, Emergency Response Technicians and Fire Fighter/Medics) - **ADOPTED**

Council Member Peters, Chair, of the Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Member Peters moved adoption of Council Resolution 51; seconded by Council Member Exum. The motion carried 8-0. (Absent: Council Member Knotts).

CR-52-2006 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, SHERIFF OFFICIALS, SALARY SCHEDULE S-O for the purpose of amending the Salary Plan of the County to reflect wage and benefit modifications of Sheriff Officials.
- **ADOPTED**

Council Member Peters, Chair, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Member Peters moved adoption of Council Resolution 52; seconded by Council Member Hendershot. The motion carried 8-0. (Absent: Council Member Knotts).

CR-58-2006 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – COUNCIL 67 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AND ITS AFFILIATED LOCALS 1170 (HEALTH DEPARTMENT), 2462 (DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION AND DEPARTMENT OF ENVIRONMENTAL RESOURCES), 2735 (DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND OFFICE OF CENTRAL SERVICES) AND 3389 (DEPARTMENT OF FAMILY SERVICES AND HEALTH DEPARTMENT) – SALARY SCHEDULE A for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME) Locals 1170, 2462, 2735 and 3389. - **DEFERRED TO A LATER DATE**

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

CB-49-2006 – AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR PUBLIC WORKS AND TRANSPORTATION FACILITIES for the purpose of authorizing Prince George's County, Maryland to borrow money upon its full faith and credit at any time and from time to time, in an aggregate principal amount not exceeding Sixty-two Million Three Hundred Twenty-seven Thousand Dollars (\$62,327,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public Works and Transportation Facilities, including the acquisition of sites therefore, prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

- **PUBLIC HEARING HELD; ENACTED**

Frank Porter, Committee Director, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Pursuant to proper notice, the public hearing convened on Council Bill 49. No person wishing to speak, the public hearing was declared held. Council Member Harrington moved enactment of Council Bill 49; seconded by Council Member Dean. The motion carried 8-0. (Absent: Council Member Knotts).

CB-50-2006 – AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR LIBRARY FACILITIES

for the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full faith and credit at any time and from time to time, in an aggregate principal amount not exceeding Eleven Million Two Hundred Eighty-eight Thousand Dollars (\$11,288,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Library Facilities including the acquisition of sites therefore; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

- **PUBLIC HEARING HELD; ENACTED**

Frank Porter, Committee Director, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Pursuant to proper notice, the public hearing convened on Council Bill 50. No person wishing to speak, the public hearing was declared held. Council Member Harrington moved enactment of Council Bill 50; seconded by Council Member Peters. The motion carried 8-0. (Absent: Council Member Knotts).

CB-51-2006 - AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR PUBLIC SAFETY FACILITIES

for the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full faith and credit at any time and from time to time, in an aggregate principal amount not exceeding Nine Million Two Hundred Fifty-nine Thousand Dollars (\$9,259,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public Safety Facilities (including Fire Department Facilities), including the acquisition of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County. - **PUBLIC HEARING HELD; ENACTED**

Frank Porter, Committee Director, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Pursuant to proper notice, the public hearing convened on Council Bill 51. No person wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 51; seconded by Council Member Campos. The motion carried 7-0. (Absent: Council Members Exum and Knotts).

CB-52-2006 - AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR COUNTY BUILDINGS

for the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full faith and credit at any time and from time to time, in an aggregate principal amount not exceeding Fifteen Million Six Hundred Thousand Dollars (\$15,600,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of County Buildings including the acquisition of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County.

- **PUBLIC HEARING HELD; ENACTED**

Frank Porter, Committee Director, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Pursuant to proper notice, the public hearing convened on Council Bill 52. No person wishing to speak, the public hearing was declared held. Council Members Peters moved enactment of Council Bill 52; seconded by Council Member Harrington. The motion carried 7-0. (Absent: Council Members Exum and Knotts).

CB-53-2006 - AN ACT CONCERNING BORROWING TO FINANCE CAPITAL PROJECTS FOR PRINCE GEORGE'S COMMUNITY COLLEGE

for the purpose of authorizing Prince George's County, Maryland, to borrow money upon its full faith and credit at any time and from time to time, in an aggregate principal amount not exceeding Fifteen Million Four Hundred Ninety-nine Thousand Dollars (\$15,499,000) to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Community College Facilities, including the acquisition of sites therefor; prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; providing generally for the issuance of such bonds and providing for such borrowing to be submitted to a referendum of the legal voters of the County. - **PUBLIC HEARING HELD; ENACTED**

Frank Porter, Committee Director, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Pursuant to proper notice, the public hearing convened on Council Bill 53. No person wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 53; seconded by Council Member Harrington. The motion carried 7-0. (Absent Council Members Exum and Knotts).

CB-55-2006 – AN ACT CONCERNING BORROWING TO FINANCE SCHOOL PROJECTS

for the purpose of authorizing Prince George's County, Maryland to borrow money upon its full faith and credit, at any time and from time to time, in an aggregate principal amount not exceeding One Hundred Thirty-one Million Six Hundred Two Thousand Dollars (\$131,602,000), to finance the construction, including the design, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, repair or modernization, of school buildings in the County, prescribing terms and conditions upon which bonds issued pursuant to this Act shall be issued and sold and other incidental details with respect thereto; and providing generally for the issuance of such bonds.

- **PUBLIC HEARING HELD; ENACTED**

Frank Porter, Committee Director, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Pursuant to proper notice, the public hearing convened on Council Bill 55. No person wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 55; seconded by Council Member Campos. The motion carried 7-0. (Absent: Council Members Exum and Knotts).

CB-56-2006 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Two Hundred Thirty-nine Million Forty-three Thousand Dollars (\$239,043,000) in aggregate principal amount of general obligation bonds with serial maturities, including mandatory sinking fund installments in lieu of serial maturities, for the purpose of providing funds for financing in whole or in part costs of the planning, construction, reconstruction, establishment, extension, enlargement, demolition, improvement or acquisition of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2007, or usable portions thereof, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs and probable useful lives thereof; prescribing or providing for the procedures for the issuance and sale of such bonds at public sale; declaring the County's official intent to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; showing compliance with the power of the County to incur indebtedness; directing the application of the proceeds of such bonds; pledging the full faith and credit and taxing power of the County to the payment of such bonds and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; authorizing and empowering the County to issue and sell an amount not to exceed Two Hundred Thirty-nine Million Forty-three Thousand Dollars (\$239,043,000) in general obligation bond anticipation notes in anticipation of the issuance and sale of the bonds authorized hereby; . . .

- **PUBLIC HEARING HELD; ENACTED**

Frank Porter, Committee Director, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Pursuant to proper notice, the public hearing convened on Council Bill 56. No person wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 56; seconded by Council Member Campos. The motion carried 7-0. (Absent: Council Member Exum and Knotts).

CB-57-2006 - AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL OBLIGATION STORMWATER MANAGEMENT BONDS for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Nine Million Seven Hundred One Thousand Dollars (\$9,701,000) in aggregate principal amount of general obligation stormwater management bonds for the purpose of providing funds for financing in whole or in part costs of the planning, acquisition, construction, reconstruction, establishment, extension, enlargement, demolition or purchase of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2007, constituting facilities (including without limitation any land, interest in land or equipment) for the control and

disposition of storm and surface waters, including floodproofing, flood control or navigation programs and other stormwater programs and systems, environmental restoration and/or wetlands construction, and the protection, conservation, creation and acquisition of certain property described in the Maryland Annotated Code Environment Article consistent with federal and Maryland laws and regulations on the subject of nontidal and private wetlands, as applicable, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs thereof; prescribing or providing for the procedures for the issuance and sale of such bonds, including at private (negotiated) sale or public sale; declaring the County's official intent to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; directing the application of the proceeds of such bonds; providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; authorizing and empowering the County to issue and sell an amount not to exceed Nine Million Seven Hundred One Thousand Dollars (\$9,701,000) in general obligation stormwater management bond anticipation notes in anticipation of the issuance and sale of the bonds authorized hereby; . . . - **PUBLIC HEARING HELD; ENACTED**

Frank Porter, Committee Director, of Public Safety and Fiscal Management Committee, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Pursuant to proper notice, the public hearing convened on Council Bill 57. No person wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 57; seconded by Council Member Campos. The motion carried 6-0. (Absent; Council Members Exum, Hendershot and Knotts).

CB-58-2006 (CHARTER AMENDMENT) – AN ACT CONCERNING SECTIONS 402, 607, 804, AND 806, CHARTER OF PRINCE GEORGE’S COUNTY for the purpose of proposing a new Section 607 and amendments to Sections 402, 804 and 806 of the Charter of Prince George’s County to provide a statement of the County’s policy to encourage and support local and minority business in the County; to amend the time for Council consideration of the proposed County budget; to provide that the annual budget document contain forecasts of goods and services that would necessitate competitive bidding; and to provide that reports of certain positions in the exempt service be submitted semi-annually.

- **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 58. No person wishing to speak, the public hearing was declared held. Council Member Campos moved enactment of Council Bill 58; seconded by Council Member Exum. The motion carried 7-0. (Absent: Council Members Hendershot and Knotts).

CB-59-2006 (CHARTER AMENDMENT) – AN ACT CONCERNING SECTIONS 317 AND 411, CHARTER OF PRINCE GEORGE’S COUNTY for the purpose of proposing amendments to Sections 317 and 411 of the Charter of Prince George’s County to amend the prescribed scheduling and notice periods for legislation by the Clerk of the Council; to amend the time for presentation of enacted bills to the County Executive; and to authorize amendments to the County legislative process during an emergency declared by the Governor for matters relating to and responsive to the emergency. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 59. No person wishing to speak, the public hearing was declared held. Council Member Exum moved enactment of Council Bill 59; seconded by Council Member Harrington. The motion carried 6-0. (Absent: Council Members Dean, Hendershot and Knotts).

CB-60-2006 (CHARTER AMENDMENT) – AN ACT CONCERNING SECTION 313, CHARTER OF PRINCE GEORGE’S COUNTY for the purpose of proposing amendments to Section 313 of the Charter of Prince George’s County to increase the powers of the County Auditor to perform investigations; and to provide protection to County employees for providing information to the County Auditor during an investigation.
- **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 60. No person wishing to speak, the public hearing was declared held. Council Member Exum moved enactment of Council Bill 60; seconded by Council Member Harrington. The motion carried 8-0. (Absent: Council Member Knotts).

CB-24-2006 (DR-3) – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of appropriating to the General Fund revenue in excess of budget estimates to provide funds for costs that were not anticipated in the Approved Fiscal Year 2005-2006 Budget. (\$78,769,400) - **PUBLIC HEARING HELD; ENACTED**

Pursuant to public notice, the public hearing convened on Council Bill 24(DR-3). No person wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 24(DR-3); seconded by Council Member Peters. The motion carried 8-0. (Absent: Council Member Knotts).

CB-26-2006 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATION IN THE APPROVED FISCAL YEAR 2006 CAPITAL BUDGET for the purpose of providing a supplementary appropriation to the County Revitalization and Restoration capital project in the amount of \$750,000 and a supplementary appropriation to the African-American Museum capital project in the amount of \$1,000,000. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to public notice, the public hearing convened on Council Bill 26. No person wishing to speak, the public hearing was declared held. Council Member Exum moved enactment of Council Bill 26; seconded by Council Member Harrington. The motion carried 7-0. (Absent: Council Members Dean and Knotts).

CB-32-2006 – AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of appropriating to the General Fund revenue in excess of budget estimates to provide funds for costs that were not anticipated in the Approved Fiscal Year 2005-2006 Budget. (\$30,125,000) - **PUBLIC HEARING HELD; ENACTED**

Pursuant to public notice, the public hearing convened on Council Bill 32. No person wishing to speak, the public hearing was declared held. Council Member Exum moved enactment of Council Bill 32; seconded by Council Member Harrington. The motion carried 8-0. (Absent: Council Member Knotts).

CB-33-2006 – AN ACT CONCERNING AN INTER PROJECT TRANSFER OF APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2006 CAPITAL BUDGET for the purpose of transferring appropriations between capital projects in the amount of \$2,220,000 from the Contingency Fund to the following capital projects: Brown Station Road Landfill for \$1,820,000 and County Buildings Major Renovations for \$400,000. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to public notice, the public hearing convened on Council Bill 33. No person wishing to speak, the public hearing was declared held. Council Member Peters moved enactment of Council Bill 33; seconded by Council Member Campos. The motion carried 6-0. (Absent: Council Members Dean, Exum and Knotts).

CR-59-2006 - A RESOLUTION CONCERNING THE TRANSIT DISTRICT OVERLAY ZONE AND TRANSIT DISTRICT DEVELOPMENT PLAN FOR THE WEST HYATTSVILLE AREA AND SECTIONAL MAP AMENDMENT for the purpose of approving amendments to the Transit District Overlay Zone and Transit District Development Plan for the West Hyattsville Area and SMA, as proposed in the SMA Revisory Petition adopted in CR-57-2006. - **PUBLIC HEARING HELD; ADOPTED**

Karen Zavakos, Legislative Officer, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Pursuant to proper notice, the public hearing convened on Council Resolution 59. No person wishing to speak, the public hearing was declared held. Council Member Campos moved adoption of Council Resolution 59; seconded by Council Member Harrington. The motion carried 6-0. (Absent: Council Member Dean, Exum and Knotts).

CR-41-2006 (DR-2) – A RESOLUTION CONCERNING THE 2001 WATER AND SEWER PLAN SCHEIG/KYLE PROPERTIES for the purpose of changing a water and sewer category designation of property within the 2001 Water and Sewer Plan.

- **DR-2 SUBSTITUTED; AMENDED; DR-3 ADOPTED**

Council Member Harrington, Chair, of Transportation, Housing and the Environment Committee, provided a verbal report of the actions and recommendations of the Committee to the Council. Council Member Peters moved to substitute Draft 2 in lieu of Draft 1; seconded by Council Member Campos. The motion carried by voice vote. Council Member Peters moved amendment number 1; seconded by Council Member Hendershot. The motion carried by voice vote. Council Member Peters moved adoption of Council Resolution 41(DR-3); seconded by Council Member Hendershot. The motion carried 7-0. (Absent: Council Members Exum and Knotts).

CR-60-2006 – A RESOLUTION CONCERNING TAXABILITY OF COUNTY OBLIGATIONS for the purpose of repealing CR-78-1991, effective upon the date of adoption of this Resolution by the County Council and signature by the Chair of the County Council and the County Executive of this Resolution, and requiring that this Resolution shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any County debt issued prior to the effective date of this Resolution. - **ADOPTED**

Craig Price, Council Administrator, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Council Member Peters moved adoption of Council Resolution 60; seconded by Council Member Campos. The motion carried 6-0. (Absent: Council Members Exum, Harrington and Knotts).

CR-61-2006 – A RESOLUTION CONCERNING THE LISTING OF LOCAL QUESTIONS ON THE 2006 BALLOT for the purpose of designating the order and form in which local questions shall be placed on the 2006 ballot and matters related thereto.
DEFERRED TO 08/10/2006

Craig Price, Council Administrator, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Deferred to August 10, 2006.

CR-66-2006 – A RESOLUTION CONCERNING THE WESTPHALIA SECTOR PLAN AND SECTIONAL MAP AMENDMENT for the purpose of proposing amendments to the Adopted Westphalia Sector Plan and Endorsed Sectional Map Amendment defining long-range land use policy and pertinent zoning within the planning area. - **INTRODUCED; ADOPTED**

Council Resolution 66 concerns the Westphalia Sector Plan and Sectional Map Amendment for the purpose of proposing amendments to the Adopted Westphalia Sector Plan and Endorsed Sectional Map Amendment defining long-range land use policy and pertinent zoning within the planning area. Council Resolution 66 was introduced by Council Members Dean and Bland. Karen Zavakos, Legislative Officer, provided a verbal report of the actions and recommendations

from the Committee of the Whole to the Council. Council Member Dean moved adoption of Council Resolution 66; seconded by Council Member Campos. The motion carried 6-0. (Absent: Council Members Exum, Harrington and Knotts).

CR-67-2006 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – FIRE OFFICIALS – SALARY SCHEDULE F-O for the purpose of amending the Salary Plan of the County to reflect certain wage and benefit modifications of Fire Officials.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 67 was introduced at the request of the County Executive and referred to the Committee of the Whole. Council Resolution 67 amends the Salary Plan for Fire Officials, Salary Schedule F-O, to reflect wage and benefit modifications, effective July 1, 2005 through June 30, 2007. Council Resolution 67 was introduced by Council Members Peters, Dean and Campos. Council Member Dean moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 67; seconded by Council Member Campos. The motion carried by voice vote. Council Member Dean moved adoption of Council Resolution 67; seconded by Council Member Peters. The motion carried 6-0. (Absent: Council Members Exum, Harrington and Knotts).

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

CB-65-2006 – (EXECUTIVE ORDER NO. 7-2006) REORGANIZATIONAL PROPOSAL relating to the Department of Environmental Resources and the Department of Public Works and Transportation. - **APPROVED**

Craig Price, Council Administrator, provided a verbal report of the actions and recommendations from the Committee of the Whole to the Council. Council Member Peters moved enactment of Council Bill 65; seconded by Council Member Campos. The motion carried 5-0. (Absent: Council Members Dean, Exum, Harrington and Knotts.)

DISTRICT COUNCIL ITEMS

(SEE SEPARATE ACTION AGENDA)

ADDITIONS TO THE AGENDA

CONSENT AGENDA – (page 4)

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.

Introduction of Resolutions

CR-69-2006 – A RESOLUTION CONCERNING PUBLIC SAFETY ADEQUATE PUBLIC SAFETY FACILITIES TEST for the purpose of temporarily suspending the staffing requirements of the Adequate Public Safety Facilities Test. - **INTRODUCED**

Council Resolution 69 concerns Public Safety Adequate Public Safety Facilities Test for the purpose of temporarily suspending the staffing requirements of the Adequate Public Safety Facilities Test. Council Resolution 69 was introduced by Council Members Dernoga; Campos and Harrington. Council Resolution 69 was referred to Planning, Zoning and Economic Development (PZED) Committee.

SECOND READING OF BILLS – (INTRODUCTION) – (page 7)

CB-70-2006 (CHARTER AMENDMENT) - AN ACT CONCERNING AMENDMENT OF SECTION 815, CHARTER OF PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 815 of the Charter of Prince George's County to provide that approved staffing complements may not be increased without prior approval of the County Council. - **INTRODUCED**

Council Bill 70 concerns Amendment of Section 815, Charter of Prince George's County for the purpose of proposing an amendment to Section 815 of the Charter of Prince George's County to provide that approved staffing complements may not be increased without prior approval of the County Council. Council Bill 70 was introduced by Council Members Dernoga and Peters.

CB-71-2006 (CHARTER AMENDMENT) - AN ACT CONCERNING - AMENDMENT OF SECTION 322, CHARTER OF PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 322 of the Charter of Prince George's County to allow additional time for holding a public hearing on executive appointments and providing that failure to act within forty-five days shall constitute approval. - **INTRODUCED**

Council Bill 71 concerns Amendment of Section 322, Charter of Prince George's County for the purpose of proposing an amendment to Section 322 of the Charter of Prince George's County to allow additional time for holding a public hearing on executive appointments and providing that failure to act within forty-five days shall constitute approval. Council Bill 71 was introduced by Council Members Dernoga, Dean and Campos.

CB-72-2006 (CHARTER AMENDMENT) - AN ACT CONCERNING AMENDMENT OF SECTION 809, CHARTER OF PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 809 of the Charter of Prince George's County to provide that the Council may adjust the statement of estimated revenue in the proposed operating budget by a certain percentage. - **INTRODUCED**

Council Bill 72 concerns Amendment of Section 809, Charter of Prince George's County for the purpose of proposing an amendment to Section 809 of the Charter of Prince George's County to provide that the Council may adjust the statement of estimated revenue in the proposed operating budget by a certain percentage. Council Bill 72 was introduced by Council Members Dernoga, Hendershot, Campos and Dean.

CB-73-2006 - AN ACT CONCERNING AMENDMENT OF SECTION 814, CHARTER OF PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 814 of the Charter of Prince George's County to provide an approval process for certain intrafund transfers of appropriations within County agencies. - **INTRODUCED**

Council Bill 73 concerns Amendment of Section 814, Charter of Prince George's County for the purpose of proposing an amendment to Section 814 of the Charter of Prince George's County to provide an approval process for certain intrafund transfers of appropriations within County agencies. Council Bill 73 was introduced by Council Members Dernoga, Campos and Dean.

CB-74-2006 - AN ACT CONCERNING AMENDMENT OF SECTION 819, CHARTER OF PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 819 of the Charter of Prince George's County to provide an approval process for the making of certain contracts providing for the payment of funds at a time beyond the fiscal year in which the contract is made. - **INTRODUCED**

Council Bill 74 concerns Amendment of Section 819, Charter of Prince George's County for the purpose of proposing an amendment to Section 819 of the Charter of Prince George's County to provide an approval process for the making of certain contracts providing for the payment of funds at a time beyond the fiscal year in which the contract is made. Council Bill 74 was introduced by Council Members Dernoga, Dean and Campos.

CR-68-2006 - 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; ADOPTED**

Council Resolution 68 amends the compensation of the County Executive and Members of the County Council. Council Resolution 68 was introduced by Council Members Dernoga, Exum, Campos and Bland. Council Member Campos moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 68; seconded by Council Member Bland. The motion carried by voice vote. Council Member Campos moved adoption of Council Resolution 68; seconded by Council Member Bland. The motion carried 6-0. (Absent: Council Members Exum, Harrington and Knotts).

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No person wished to address the Council

ADJOURN: - - *Chairman Dernoga adjourned the meeting at 6:44 p.m.*

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council

