

AGENDA MINUTES

Tuesday, September 29, 2009

Business Meeting

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027)

BRIEFING HELD

CALL TO ORDER: - Chairperson Bland called to order at 1:45 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:

Craig S. Price, Council Administrator

Robert J. Williams, Jr., Deputy Council Administrator

Karen Zavakos, Legislative Officer

Hawi Sanu, THE Committee Director

Frank Porter, PSFM Committee Director

Josh Hamlin, Associate County Attorney

Marcus Jackson, County Council Liaison, Office of the County Executive

INVOCATION: - The Invocation was led by Pastor Paul Mathenia, Faith Baptist Church of Laurel, Maryland. Council Member Bland requested special prayers for Mr. Faith Jones in the passing of his wife and for his brother who became ill at the funeral. Council Member Harrison for Pastor Jeff Simmons of Zion Church, recovering from a stroke and Council Member Exum for Ted Budd who was recently hospitalized.

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

PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM) - PRESENTED

Chairperson Bland presented a Proclamation to Marilyn Kingman-Price on her retirement and thirty-four years of service in the Legislative Branch of Prince George's County Government.

POINT OF PERSONAL PRIVILEGE:

Council Member Turner acknowledged Mr. Alvin Butler, Executive Officer, for "Safety Drivers" a program to advocate safe teen driving.

ACKNOWLEDGEMENTS:

Chairperson Bland acknowledged that October is:

- **NATIONAL SICKLE CELL DISEASE MONTH**

DESIGNATION OF SEPTEMBER 29, 2009 AS LEGISLATIVE DAY NO. 26

Chairperson Bland designated September 29, 2009 as Legislative Day number 26.

1. **CONSENT AGENDA -- CB-43, 44, 45, 46, 47, 48-2009 AND CR-69-2009 ADDED; ADOPTED AND ALL ACTIONS APPROVED (PAGE 5)**

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 September 9 and 15, 2009.
- **APPROVED**

- (b) **First Reading of Bills (Presentation)**

CB-38-2009 - AN ACT CONCERNING SECONDHAND AND PAWN DEALERS for the purpose of clarifying the definition of tangible personal property; requiring the display of licenses and ordinances; and making related clarifying amendments.- **PRESENTED**

Council Bill 38 was presented by Council Member Olson and referred to the Transportation, Housing and the Environment (THE) Committee.

CB-39-2009 – AN ORDINANCE CONCERNING AGRITOURISM AND BED-AND-BREAKFAST INN for the purpose of defining agritourism and bed-and-breakfast inn and permitting these uses in certain residential zones. - **PRESENTED**

Council Bill 39 was presented by Council Member Dernoga and referred to the Planning, Zoning and Economic Development (PZED) Committee.

CB-40-2009 - AN ACT CONCERNING TOWING REGULATIONS for the purpose of amending provisions of the Code relating to towing regulations and towing of vehicles from private property, establishing license fees and penalties, and transferring certain responsibilities regarding towing regulations from the Police Department to the Department of Environmental Resources. - **PRESENTED**

Council Bill 40 was presented by Council Member Exum and Dernoga. Council Bill 40 was referred to the Transportation, Housing and the Environment (THE) Committee.

CB-41-2009 – AN ORDINANCE CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION – PRINCE GEORGE’S COUNTY DISTRICT COUNCIL – DELEGATION OF POWERS for the purpose of allowing the governing body of a municipal corporation to exercise certain powers of the district council, subject to certain limitations. - **PRESENTED**

Council Bill 41 was presented by Council Member Dernoga and referred to the Planning, Zoning and Economic Development (PZED) Committee.

CB-42-2009 – AN ACT CONCERNING SUBPOENAS for the purpose of authorizing the Personnel Board to issue subpoenas regarding the subject of any appeal before the Personnel Board; and generally relating to the Personnel Board. - **PRESENTED**

Council Bill 42 was presented by Council Member Bland and referred to the Committee of the Whole (COW).

(c) **Introduction of Resolutions**

CR-67-2009 – A RESOLUTION CONCERNING ENCOURAGING RECYCLING AT COUNTY SPONSORED EVENTS AND ACTIVITIES for the purpose of expressing the Prince George’s County Council’s support for encouraging Prince George’s County departments and agencies to provide for recycling opportunities at all County sponsored events and activities. - **INTRODUCED**

Council Resolution 67 concerns encouraging Prince George’s County departments and agencies to provide for recycling opportunities at all County sponsored events and activities. Council Resolution 67 was introduced by Council Members Turner, Dernoga, Harrison, Campos, Olson, Knotts, Bland and Dean. Council Resolution 67 was referred to the Transportation, Housing and the Environment (THE) Committee.

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

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

No items were considered.

3. **ADMINISTRATIVE OFFICER'S REPORT -- (SEE ADDITIONS TO THE AGENDA (PAGE 6))**

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

CR-63-2009 – A RESOLUTION CONCERNING SCHOOL FACILITIES

SURCHARGE for the purpose of adjusting the school facilities surcharge for Fiscal year 2010, beginning July 1, 2009, as required by County law. - **ADOPTED**

Council Member Exum, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Resolution 63 was introduced by Council Member Bland on 9/15/2009 and was favorably reported out of the Public Safety and Fiscal Management (PSFM) Committee on 9/16/2009. Council Member Exum moved adoption of Council Resolution 63; seconded by Council Member Turner. The motion carried 9-0.

CR-64-2009 – A RESOLUTION CONCERNING PUBLIC SAFETY SURCHARGE for the purpose of adjusting the Public Safety surcharge for Fiscal Year 2010, beginning July 1, 2009, as required by State and County law. - **ADOPTED**

Council Member Exum, Chair of the Public Safety and Fiscal Management (PSFM) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Resolution 64 was introduced by Council Member Bland on 9/15/2009 and was favorably reported out of the Public Safety and Fiscal Management (PSFM) Committee on 9/16/2009. Council Member Exum moved adoption of Council Resolution 64; seconded by Council Member Dean. The motion carried 9-0.

CR-45-2009 – A RESOLUTION CONCERNING REVITALIZATION TAX CREDIT

for the purpose of establishing that a multifamily unit development known as Renaissance Square, located in census tract number 8063, 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. - **ADOPTED**

Council Member Dernoga, 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 Resolution 45 was introduced by Council Member Campos on 7/7/2009 and was favorably reported out of the Transportation, Housing and the Environment (THE) Committee on 9/24/2009. Council Member Campos moved adoption of Council Resolution 45; seconded by Council Member Harrison. The motion carried 9-0.

CR-46-2009 (DR-2) – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLANS: FY 2005, FY 2006, FY 2007, FY 2008 AND FY 2009

for the purpose of amending the Prince George's County FY 2005, FY 2006, FY 2007, FY 2008 and FY 2009 Annual Action Plans for Housing and Community Development to restructure and reprogram, and approve Community Development Block Grant ("CDBG") activities generally related to housing and community development. - **DR-2 SUBSTITUTED; ADOPTED**

Council Member Dernoga, 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 Resolution 46 was introduced by Council Members Bland and Campos on 7/7/2009. The Public Hearing was held on 9/9/2009. On 9/24/2009 Council Resolution 46 was favorably reported out of the Transportation, Housing and the Environment (THE) Committee with amendments. Council Member Dernoga moved to substitute (DR-2) in lieu of (DR-1); seconded by Council Member Harrison. The motion carried by voice vote. Council Member Dernoga moved adoption of Council Resolution 46 (DR-2) as amended; seconded by Council Member Harrison. The motion carried 9-0.

CR-52-2009 – A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (APRIL 2009 CYCLE OF AMENDMENTS)

for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan.

- **ADOPTED**

Council Member Dernoga, 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 Resolution 52 was introduced by Council Member Bland on 7/21/2009. The Public Hearing was held on 9/9/2009. Council Resolution 52 reported out of the Transportation, Housing and the Environment (THE) on 9/24/2009 with no recommendation. Council Member Dean moved adoption of Council Resolution 52; seconded by Council Member Harrison. The motion carried 9-0.

5. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-68-2009 – A RESOLUTION CONCERNING NATIONAL TEEN DRIVER SAFETY WEEK

for the purpose of observing the National Teen Safety Driver Week established to raise awareness about the tragedy of teen vehicle crashes, the leading cause of death for young people in the United States.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 68 concerns National Teen Safety Driver Week for the purpose of observing the National Teen Safety Driver Week from October 18th to 24th 2009 established to raise awareness about the tragedy of teen vehicle crashes the leading cause of death for young people in the United States. Council Resolution 68 was introduced by Council Members Turner, Bland, Dean, Harrison, Dernoga, Olson and Campos. Council Member Turner moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 68; seconded by Council Member Harrison. The motion carried by voice vote. Council Member Turner moved adoption of Council Resolution 68; seconded by Council Member Campos. The motion carried 9-0.

ADDITIONS TO THE AGENDA**POINT OF PERSONAL PRIVILEGE**

Council Member Bland read a statement into the record declaring an establishment of a Taxi Cab Task Force that will be addressed by legislation at an upcoming date.

1. **CONSENT AGENDA – (page 2)**

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.

(b) **First Reading of Bills (Presentation)**

CB-43-2009 – AN ORDINANCE CONCERNING R-R ZONE for the purpose of modifying the minimum lot size requirements of certain lots in the R-R Zone recorded prior to November 29, 1949. - **PRESENTED**

Council Bill 43 was presented by Council Member Olson and referred to the Planning, Zoning and Economic Development (PZED) Committee.

CB-44-2009 – AN ACT CONCERNING ROADS AND SIDEWALKS for the purpose of clarifying that the placement of portable storage containers in road rights-of-way is prohibited. - **PRESENTED**

Council Bill 44 was presented by Council Member Exum and referred to the Transportation, Housing and the Environment (THE) Committee.

CB-45-2009 – AN ACT CONCERNING CONSUMPTION AND POSSESSION OF ALCOHOLIC BEVERAGES IN PUBLIC for the purpose of amending provisions of the County Code to revise the penalty for the consumption and possession of alcoholic beverages. - **PRESENTED**

Council Bill 45 was presented by Council Member Campos and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CB-46-2009 – AN ACT CONCERNING ELECTRICAL CODE for the purpose of amending the Prince George's County Electrical Code, adopting certain amendments to the 2008 Edition of the National Electrical Code and amending certain sections as it relates to building standards. - **PRESENTED**

Council Bill 46 was presented by the Chairperson at the request of the County Executive and referred to the Transportation, Housing and the Environment (THE) Committee.

CB-47-2009 – AN ORDINANCE CONCERNING O-S ZONE for the purpose of amending the net lot area for certain one-family detached dwellings in the O-S Zone. - **PRESENTED**

Council Bill 47 was presented by Council Member Dernoga and referred to the Planning, Zoning and Economic Development (PZED) Committee.

CB-48-2009 – AN ACT CONCERNING TAXICABS AND LIMOUSINES for the purpose of amending provisions of the Code regulating taxicabs, amending certain definitions and requirements for certificates of registration, increasing rates and otherwise relating to the regulation of taxicabs. - **PRESENTED**

Council Bill 48 was presented by Council Members Dernoga and Knotts. Council Bill 48 was referred to the Public Safety and Fiscal Management (PSFM) Committee.

CB-50-2009 – AN ORDINANCE CONCERNING R-L ZONE (RESIDENTIAL LOW DEVELOPMENT) for the purpose of modifying the regulations applicable to development of open space in the R-L Zone. - **PRESENTED**

Council Bill 50 was presented by Council Member Bland and referred to the Planning, Zoning and Economic Development (PZED) Committee.

(c) **Introduction of Resolutions**

CR-69-2009 – A RESOLUTION CONCERNING PRINCE GEORGE'S COUNTY ENTERPRISE ZONE for the purpose of endorsing the redesignation of the Prince George's County Enterprise Zone and Focus Areas of the Enterprise Zone. - **INTRODUCED**

Council Resolution 69 endorses the redesignation of the Prince George's County Enterprise Zone and Focus Areas of the Enterprise Zone. Council Resolution 69 was introduced by Council Members Harrison and Exum. Council Resolution 69 was referred to the Committee of the Whole (COW). The clerk was directed to schedule a Public Hearing.

PUBLIC HEARING SCHEDULED FOR TUESDAY, OCTOBER 13, 2009 AT 10:00 A.M.

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

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT – (page 3)** - **CHAIRMAN AUTHORIZED TO SIGN**

Council Member Dean moved to authorize the Chairperson's signature; seconded by Council Member Dernoga.

Appointment of the following individuals to the Revenue Authority for Prince George's County:

Mr. Gerald J. Smith, DDS

Effective: 9/29/2009

Term Expiring: 9/29/2011

Ms. Mirian L. Torain

Effective: 9/29/2009

Term Expiring: 9/29/2012

6. **SECOND READING OF BILLS – (INTRODUCTION)**

CB-49-2009 (SUBDIVISION BILL) – AN ACT CONCERNING EXEMPTIONS FROM SUBDIVISION REQUIREMENTS for the purpose of amending Subtitle 24 to permit certain intra-family transfers of property without filing a subdivision plat. - **INTRODUCED**

Council Bill 49 was introduced by Council Member Dernoga and referred to the Planning, Zoning and Economic Development (PZED) Committee.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Mr. Alvin Butler addressed the Council regarding Teen Safety; Mr. Abay Gedey regarding taxi cab issues and Ms. Glenda Lamaitre, Yvonne Sneed and Marion Jones raised concerns regarding Cameron Grove Subdivision.

ADJOURN: *Chairperson Bland adjourned the meeting at 2:43 P.M.*

BRIEFING – (ROOM 2027) - BRIEFING HELD @ 2:47 P.M.

WASHINGTON SUBURBAN SANITARY COMMISSION

Mr. Jerry N. Johnson, General Manager, WSSC
Antonio Jones, Commissioner
Joyce Starks, Vice Chair

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council