

AGENDA MINUTES

Tuesday, June 5, 2012

Legislative Day No. 16

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

CALL TO ORDER- *Council Chair Harrison called to order at 10:07 a.m. with the following Council Members present:*

*Andrea Harrison
Will Campos
Derrick Davis
Mel Franklin (arrived at 10:23a.m.)
Mary Lehman (arrived at 10:12 a.m.)
Eric Olson
Obie Patterson
Karen Toles
Ingrid Turner*

Others Present:

*Robert Williams, Jr., Council Administrator
William Hunt, Deputy Council Administrator
Theresa Myers, LIS Coordinator
Donna Brown, Deputy Clerk of the Council
Leroy Maddox, Legislative Officer
Karen Zavakos, Legislative Officer
Kerry Watson, County Executive's Liaison to the Council
Joseph Hamlin, Office of Law
Sandra Eubanks, Director of Health Education and Human Services Committee
Frank Porter, Director of Public Safety and Fiscal Management*

INVOCATION- *The Invocation was provided by Rabbi Doug Heifetz, Oseh Shalom, Laurel, Maryland.*

SPECIAL INTENTIONS

- *Council Member Toles requested prayer for Robert Wiggins and the Prince George's Police Department.*
- *Council Member Campos requested prayer for Natalie Hernandez and her family in her passing.*
- *Council Member Turner requested prayer for Shanea Hargrove.*

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

1. **CONSENT AGENDA -- ADOPTED AND ALL ACTIONS APPROVED**

All items listed under the consent agenda have been distributed to each member of the Council for review, are considered to be routine and will be acted upon by motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

- (a) Approval of County Council Minutes dated February 28, 2012 and March 6, 2012.
APPROVED

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

CB-39-2012 – AN ACT CONCERNING TOWING REGULATIONS for the purpose of amending provisions of the County Code relations to towing regulations and procedures for providing notice of vehicle impoundment from private property.
PRESENTED

Council Bill 39 was presented by the Chair by request of County Executive and referred to the Transportation, Housing and the Environment Committee (THE).

CB-40-2012 – AN ACT CONCERNING STORMWATER MANAGEMENT RETROFIT PROGRAM for the purpose of establishing the Stormwater Management Retrofit Program, providing for eligibility requirements for the Program, providing for rebates, providing for funding of the Program, establishing reporting requirements, and generally relating to stormwater management. **PRESENTED**

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

CB-41-2012 – AN ACT CONCERNING ANIMAL CONTROL - EAR TIPPED CATS for the purpose of defining an ear tipped cat; imposing conditions on the trapping and release of ear tipped cats; and generally relating to ear tipped cats.
PRESENTED

Council Bill 41 was presented by Council Member Lehman and referred to the Transportation Housing and the Environment Committee (THE).

(c) **Introduction of Resolutions**

CR-37-2012 – 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, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND DEPARTMENT OF FAMILY SERVICES), 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, AFSCME Locals 1170, 2462, 2735 and 3389. **INTRODUCED**

Council Resolution 37 as proposed by the Chair by request of the County Executive, amends 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, AFSCME Locals 1170, 2462, 2735 and 3389. Council Resolution 37 was introduced by Council Members Harrison, Davis, Patterson, Toles and Turner and referred to the Public Safety and Fiscal Management Committee (PSFM).

CR-38-2012 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL 241 (SCHOOL CROSSING GUARDS) – SALARY SCHEDULE X 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, AFL-CIO, Local 241 (School Crossing Guards). **INTRODUCED**

Council Resolution 38 as proposed by the Chair by request of the County Executive, amends 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, AFL-CIO, Local 241 (School Crossing Guards). Council Resolution 38 was introduced by Council Members Harrison, Davis, Lehman, Patterson, Toles and Turner and referred to the Public Safety and Fiscal Management Committee (PSFM).

***Council Member Davis moved to accept additions to the agenda; seconded by Council Member Olson. The motion carried by voice vote. (Absent Council Member Franklin).*

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

No items were considered.

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

There were none.

4. **PUBLIC HEARINGS: - (COUNCIL HEARING ROOM) -- PUBLIC HEARINGS HELD; ALL CONFIRMED**

Appointment of the following individuals to the Art in Public Places Panel for Prince George's County:

Ms. Dena Crosson	Appointment/Program Expert Representative Replacing: Pat Mote Term Expiration: 12/1/2012
Ms. Rhonda L. Dallas	Appointment/Arts and Humanities Council Representative Replacing: Beverly Taylor Term Expiration: 12/1/2013
Mr. Tewodross Melchishua	Appointment/Citizen Representative Replacing: Marva Jo Camp Term Expiration: 12/1/2012
Mr. Alec Simpson	Appointment/M-NCPPC Representative Replacing: Yvonne T. Johnson Term Expiration: 12/1/2013
Ms. LaVonn Reedy Thomas	Appointment/County Executive Representative Replacing: Ola Hill Term Expiration: 12/1/2014

(Favorably reported out of HEHS of 4/23/2012)

Council Member Davis, as Chair of the Health, Education and Human Services Committee (HEHS), provided a verbal report of the actions and recommendations of the Committee. The above referenced nominations were considered by the HEHS Committee on 4/23/2012. Pursuant to proper notice, the public hearing convened on the appointment of the nominees to the Art in Public Places Panel for Prince George's County. Kerry Watson, representative for the County Executive, introduced the appointees to the Council. All person wishing to speak having done so, the public hearing was declared held. Council Member Davis moved confirmation of all to serve terms as listed; seconded by Council Member Franklin. The motion carried 9-0.

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

CB-14-2012 (DR-2) - AN ACT CONCERNING REGISTRATION OF GUN OFFENDERS for the purpose of requiring gun offenders convicted of a gun offense in the County to register with the Chief of Police. **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Toles, Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson and Turner on 5/1/2012; favorably reported out of PSFM on 4/17/2012 with amendments)

Pursuant to proper notice the public hearing convened on Council Bill 14 (DR-2). There were eight speakers who spoke in support of Council Bill 14 (DR-2). All persons wishing to speak having done so. The public hearing was declared held. Council Member Davis moved enactment of Council Bill 14 (DR-2); seconded by Council Member Toles. The motion carried 9-0.

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

CR-23-2012 – A RESOLUTION CONCERNING “BUY LOCAL WEEK” IN PRINCE GEORGE’S COUNTY for the purpose of establishing the second Sunday to the following Saturday in August of each year as “Buy Local Week” in Prince George’s County, Maryland. **ADOPTED**

(Introduced by Council Members Franklin, Olson, Harrison, Davis, Campos, Toles, Lehman, Patterson and Turner on 4/17/2012; favorably reported out of PSFM on 5/2/2012)

Council Member Campos as Chair of the Public Safety and Fiscal Management Committee (PSFM) provided a verbal report of the actions and recommendations of the Committee. Council Member Franklin moved adoption of Council Resolution 23; seconded by Council Member Campos. The motion carried 9-0.

CR-26-2012 – A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATIONS OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$5,899,114 to the Health Department, Fire/EMS Department, Police Department, Department of Housing and Community Development, Office of the State’s Attorney, Office of the Sheriff, Department of Family Services, Department of Social Services and the Office of Homeland Security. **ADOPTED**

(Introduced by Council Members Harrison and Franklin on 5/8/2012; favorably reported out of PSFM on 5/16/2012)

Council Member Campos, as Chair of the Public Safety and Fiscal Management Committee (PSFM) provided a verbal report of the actions and recommendations of the Committee. Council Member Davis moved adoption of Council Resolution 26; seconded by Council Member Patterson. The motion carried 9-0.

ADDITIONS TO THE AGENDA

1. **CONSENT AGENDA (SEE 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-42-2012 – AN ACT CONCERNING LOITERING for the purpose of amending the Loitering Ordinance and increasing penalties for the first and subsequent offense. **PRESENTED**

Council Bill 42 was presented by Council Member Toles and referred to the Public Safety and Fiscal Management Committee (PSFM).

CB-43-2012 - AN ACT CONCERNING FISCAL YEAR 2012 CURRENT EXPENSE BUDGET for the purpose of revising certain revenue estimates and certain appropriations in the Annual Budget and Appropriation Ordinance for Fiscal Year 2012. **PRESENTED**

Council Bill 43 was presented by the Chair, by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

CB-44-2012 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2012 Budget. **PRESENTED**

Council Bill 44 was presented by the Chair, by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

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

Council Bill 45 was presented by the Chair, by request of the County Executive and referred to the Transportation, Housing and the Environment Committee. (THE)

CB-46-2012 - 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 \$45,150,000 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. **PRESENTED**

Council Bill 46 was presented by the Chair, by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

CB-47-2012 - 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 \$75,823,000 to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of County Buildings, including the acquisition of sites 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. **PRESENTED**

Council Bill 47 was presented by the Chair, by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

CB-48-2012 - 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 \$156,354,000 to finance the design, construction, reconstruction, extension, acquisition, improvement, enlargement, alteration, renovation, relocation, rehabilitation, or repair of Public Safety Facilities (including Fire/EMS 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. **PRESENTED**

Council Bill 48 was presented by the Chair, by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

**CB-49-2012 - 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 \$193,383,000 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 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. **PRESENTED**

Council Bill 49 was presented by the Chair, by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

**CB-50-2012 - 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 \$156,047,000 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. **PRESENTED**

Council Bill 50 was presented by the Chair, by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

CB-51-2012 - 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 Fifty-One Million Two Hundred Thirty-Two Thousand Dollars (\$151,232,000), 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. **PRESENTED**

Council Bill 51 was presented by the Chair, by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

CB-52-2012 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - PRINCE GEORGE'S CORRECTIONAL OFFICERS' ASSOCIATION, INC. (CIVILIAN UNIT) for the purpose of approving the labor agreement by and between Prince George's County, Maryland and the Prince George's Correctional Officers' Association, Inc. (Civilian Unit) to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. **PRESENTED**

Council Bill 52 was presented by the Chair, by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

CB-53-2012 - AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - PRINCE GEORGE'S CORRECTIONAL OFFICERS' ASSOCIATION, INC. (CORRECTIONAL OFFICERS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Prince George's Correctional Officers' Association, Inc. (Correctional Officers) to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employee Relations Board. **PRESENTED**

Council Bill 53 was presented by the Chair, by request of the County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

(c) **Introduction of Resolutions**

CR-39-2012 A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN, AS AMENDED: FY 2009 for the purpose of amending the Prince George's County FY 2009 Annual Action Plan for Housing and Community Development to restructure, reprogram and approve Community Development Block Grant Recovery ("CDBG-R") and Homelessness Prevention and Rapid Re-Housing Program Grant ("HPRP") activities related to housing and community development. **INTRODUCED**

THIS RESOLUTION REQUIRES A PUBLIC HEARING

Council Resolution 39, as proposed by the Chair by request of the County Executive, amends the Prince George's County FY 2009 Annual Action Plan for Housing and Community Development to restructure, reprogram and approve Community Development Block Grant Recovery ("CDBG-R") and Homelessness Prevention and Rapid Re-Housing Program Grant ("HPRP") activities related to housing and community development. Council Resolution 39 was introduced by Council Member Harrison and referred to the Transportation Housing and the Environment Committee (THE).

CR-40-2012 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS - PRINCE GEORGE'S CORRECTIONAL OFFICERS' ASSOCIATION, INC. (CIVILIAN UNIT) SALARY SCHEDULE Q for the purpose of amending the Salary Plan of the County to reflect the terms of the labor agreement for a unit of civilian employees of the Prince George's County Department of Corrections by and between Prince George's County, Maryland and the Prince George's Correctional Officers' Association, Inc. (Civilian Unit). **INTRODUCED**

Council Resolution 40, as proposed by the Chair by request of the County Executive, amends the Salary Plan of the County to reflect the terms of the labor agreement for a unit of civilian employees of the Prince George's County Department of Corrections by and between Prince George's County, Maryland and the Prince George's Correctional Officers' Association, Inc. (Civilian Unit). Council Resolution 40 was introduced by Council Members Harrison, Davis, Franklin, Lehman, Toles and Turner and referred to the Public Safety and Fiscal Management Committee (PSFM).

CR-41-2012 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, PRINCE GEORGE’S CORRECTIONAL OFFICERS’ ASSOCIATION, INC. (CORRECTIONAL OFFICERS) SALARY SCHEDULE D, 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 Prince George’s Correctional Officers’ Association, Inc. (Correctional Officers). **INTRODUCED**

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

Council Resolution 41, as proposed by the Chair by request of the County Executive amends the Salary Plan of the County to reflect the terms of the labor agreement by and between Prince George’s County, Maryland and the Prince George’s Correctional Officers’ Association, Inc. (Correctional Officers). Council Resolution 41 was introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Patterson, Toles and Turner and referred to the Public Safety and Fiscal Management Committee (PSFM).

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

ADJOURN-*The meeting was adjourned at 11:26 a.m.*

Prepared by:

Sherry Bias, Administrative, Aide

Submitted by:

Redis C. Floyd, Clerk of the Council