

ACTION AGENDA

Tuesday, June 17, 2003

Legislative Day No. 22

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

9:00 A.M. AGENDA BRIEFING – (ROOM 2027)

9:45 A.M. PRESENTATION OF PROCLAMATIONS/COMMENDATIONS

Presented Joint Proclamation presented to Donna M.P. Wilson, Esquire, Acting Director, Department of Environmental Resources, recognizing the month of June 2003 as “Flood Awareness Month” in Prince George’s County. (Council Chair Peter A. Shapiro and County Executive Jack B. Johnson)

Presented Proclamation recognizing Dwight L. Williams as the recipient of the “Young Engineer of the Year Award” in Prince George’s County. (Council Chair Peter A. Shapiro and Council Member Thomas E. Dernoga)

10:08 A.M. CALL TO ORDER

INVOCATION: Reverend Cynthia Snavely, Bowie Unitarian Universalist Fellowship, Columbia, Maryland

PLEDGE OF ALLEGIANCE

1. **CONSENT AGENDA -- CB-40, 41, 42 & CR-34 ADDED (SEE PAGE 7);
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) **First Reading of Bills (Presentation)**

Presented

CB-37-2003 – AN ORDINANCE CONCERNING I-2 ZONE for the purpose of amending the requirements for churches in the I-2 Zone.

Council Member Harrington; referral to PZED

Presented

**CB-38-2003 - AN ACT CONCERNING SUPPLEMENTARY
APPROPRIATIONS AND INTERDEPARTMENTAL TRANSFER OF
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 FY 2002-2003 budget for various agencies and to transfer surplus appropriations reflecting savings from various County Departments.

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

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

None

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

*Chairman
authorized to sign*

- (a) Proposed letter to Mr. Neil J. Pedersen, Administrator, Maryland Department of Transportation, State Highway Administration, regarding the final project planning for the MD 3 Transportation Corridor Study.

(Favorably reported out of THE on 6/12/2003)

*Chairman
authorized to sign*

- (b) Proposed letter to Mr. Neil J. Pedersen, Administrator, Maryland Department of Transportation, State Highway Administration, regarding full-time operation of the I-95/Arena Drive Interchange.

(Favorably reported out of THE on 6/12/2003)

4. **PUBLIC HEARINGS:**

*Public hearing
held; confirmed*

- ◆ **Appointment of the following individual as Director of Environmental Resources for Prince George's County:**

Donna M.P. Wilson, Esquire

*Public hearing
held; confirmed*

- ◆ **Appointment of the following individual as Director of Finance for Prince George's County:**

J. Michael Dougherty, Jr., Esquire

*Public hearing
held; confirmed*

- ◆ **Appointment of the following individual to the Board of Supervisors for the Soil Conservation District:**

Pastor Robert E. Slade

5. **PUBLIC HEARINGS:**

Appointment of the following individuals to the Cable Television Commission for Prince George's County:

*Public hearing
held; confirmed*

Mr. Christopher O. Akinduro

Appointment/Replacing Katherine Grice
Certified Public Accountant
Term Expiring: 12/4/2006

*Public hearing
held; confirmed*

Mr. Edilberto M. Atienza
(unable to attend)

Appointment/Replacing Theresa Slater
Public at Large Member
Term Expiring: 12/4/2006

*Public hearing
held; confirmed*

Mayor Eugene F. Kennedy

Appointment
Replacing the Honorable Vivian Dodson
Municipal Representative
Term Expiring: 12/4/2006

PUBLIC HEARINGS: - (CONTINUED)*Public hearing
held; confirmed*

Mr. Thomas M. Renahan, Jr.

Appointment/Replacing Patrick Messam
Public at Large Member
Term Expiring: 12/4/2006*Public hearing
held; confirmed*

Mr. William C. Simpson, Sr.

Appointment/Replacing Beverly Silverberg
Cable Television Experience
Term Expiring: 12/4/20066. **PUBLIC HEARINGS:****Appointment of the following individuals to the Housing Authority for Prince George's County:***Public hearing
held; confirmed*

Ms. Mary G. Jones Reid

Reappointment
Term Expiring: 10/24/2007*Nomination
withdrawn*Ms. Elise I. Akinbobola
(**withdrawn by County Executive**)Appointment/Replacing: Muriel Mathis Lyles
Term Expiring: 10/24/2003*Public hearing
held; confirmed*

Ms. Shirley M. Anglin

Appointment/Replacing: Patricia Bendross
Term Expiring: 10/24/2004*Public hearing
held; confirmed*

Mr. LeRoy E. Brown

Appointment/Replacing: Otis Ducker
Term Expiring: 10/24/2004*Public hearing
held; confirmed*

Mr. Okey Mbonu

Appointment/Replacing: Clara Bean
Term Expiring: 10/24/2007*Public hearing
held; confirmed*Mr. Avner Young
(**unable to attend**)Appointment/Replacing: William Shipp
Term Expiring: 10/24/2006

7. **SECOND READING OF BILLS (INTRODUCTION)**

Introduced

CB-19-2003 (DR-2) – AN ORDINANCE CONCERNING PEOPLE’S ZONING COUNSEL for the purpose of amending the powers and duties of the People’s Zoning Counsel and amending the qualifications and term of office.

(Favorably reported out of PZED on 6/4/2003 with amendments)

Introduced by Council Members Harrington, Dernoga, Knotts, Peters, Shapiro and Dean

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

*Amended;
DR-2 enacted;
reconsidered;
public hearing
held;
amended;
DR-2 enacted*

CB-30-2003 (SUBDIVISION BILL) - AN ACT CONCERNING ADEQUATE SCHOOL FACILITIES for the purpose of eliminating the provisions for payment of a per-dwelling unit fee in conjunction with a school facilities adequacy test.

(Introduced by Council Members Harrington, Shapiro, Dean, and Knotts on 5/6/2003; favorably reported out of PZED on 6/11/2003 with recommended amendments)

AMENDMENT #1 TO CB-30-2003

*Public hearing
held; amended;
DR-2 enacted*

CB-31-2003 – AN ACT CONCERNING SCHOOL FACILITY SURCHARGE for the purpose of increasing the amount of the School Facility Surcharge, providing for partial credits of amounts required to be paid pursuant to an adequate public facility agreement, and making other amendments concerning the School Facility Surcharge in accordance with State law.

(Introduced by Council Members Shapiro, Dean, Knotts and Harrington on 5/6/2003; favorably reported out of PZED on 6/11/2003 with recommended amendments)

AMENDMENT #1 TO CB-31-2003

9. **BILL ELIGIBLE FOR FINAL READING (ENACTMENT)***Enacted*

CB-15-2003 (DR-2) – AN ACT CONCERNING GENERAL AVIATION AIRPORT ENVIRONMENT DISCLOSURE NOTICE for the purpose of amending the Consumer Protection laws of the County to require disclosure in real estate contracts of proximity of certain airports and to provide certain remedies to purchasers for the failure to provide the required notice.

(Public hearing held 6/10/2003; introduced by Council Members Dean, Knotts and Peters on 5/13/2003; favorably reported out of THE on 5/5/2003 with amendments)

10. **RESOLUTION ELIGIBLE FOR FINAL READING (ADOPTION)**

*Amended;
DR-2 adopted*

CR-23-2003 – A RESOLUTION CONCERNING SCHOOLS FACILITIES ADEQUACY TEST for the purpose of stating the County Council's intention to revise the criteria for the school facilities adequacy test in accordance with the General Plan for Prince George's County.

(Introduced by Council Members Harrington, Shapiro, Dean, Dernoga and Peters on 5/6/2003; favorably reported out of PZED on 6/11/2003 with recommended amendments)

AMENDMENT #1 TO CR-23-2003

11. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced;
rules suspended;
adopted*

CR-31-2003 – A RESOLUTION CONCERNING THE TAX RATES FOR FY 2003-2004 for the purpose of imposing and levying the tax rates and causing to be raised the amount of taxes required by the adopted budget so as to balance the budget as to proposed income and expenditures for the fiscal year beginning July 1, 2003; and to set forth the State tax levy and the Stormwater Management District tax levy.

Council Member Shapiro

Introduced by Council Members Shapiro and Dean

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

*Introduced;
rules suspended;
adopted*

CR-33-2003 – A RESOLUTION CONCERNING PREPARATION OF A NEW MASTER PLAN AND SECTIONAL MAP AMENDMENT FOR HENSON CREEK-SOUTH POTOMAC (PLANNING AREAS 76B AND 80) for the purpose of initiating a new master plan and sectional map amendment for Henson Creek-South Potomac (Planning Areas 76B and 80) in order to develop a comprehensive approach to implementing the recommendations of the approved 2002 General Plan, to address physical changes and to ensure that future development is consistent with County policies.

The Chairman (by request – Planning Board)

Introduced by Council Members Knotts, Dernoga, Harrington and Peters

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO ADOPTION

ADDITIONS TO THE AGENDA

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.

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

Presented

CB-40-2003 - AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of appropriating additional revenue from prior year available and uncommitted fund balance to the Drug Enforcement and Education Special Revenue Fund, to provide funds for costs that were not anticipated in the Approved Fiscal Year 2002-2003 Budget for the Drug Enforcement and Education Special Revenue Fund.

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

CONSENT AGENDA – (CONTINUED)*Presented*

CB-41-2003 (EMERGENCY BILL) – AN EMERGENCY ACT CONCERNING BUILDING CODE for the purpose of amending the Building Code to include a provision authorizing the Building Code Official to abate unsafe conditions.

The Chairman (by request – County Executive); referral to THE

A public emergency exists affecting the public health, safety, or welfare; said emergency being the need to amend the County Building Code to authorize the Building Code Official to cause the demolition of structures deemed to be unsafe, posing an imminent danger or threat to the public safety, health, and human life.

Presented

CB-42-2003 – AN ORDINANCE CONCERNING M-U-I ZONE for the purpose of authorizing the District Council to approve the M-U-I Zone (Mixed Use, Infill) on property owned by a municipality, modifying the M-U-I Zone application and approval requirements, and making related amendments to the Zoning Ordinance.

Council Member Harrington; referral to PZED

(b) **Introduction of Resolutions**

Introduced

CR-34-2003 – A RESOLUTION CONCERNING THE 2001 WATER AND SEWERAGE PLAN (APRIL 2003 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan.

The Chairman (by request – County Executive); referral to THE

Introduced by Council Members Shapiro, Dean and Exum

PUBLIC HEARING SCHEDULED FOR TUESDAY, JULY 22, 2003 AT 10:00 A.M.

7. **SECOND READING OF BILLS (INTRODUCTION) – (page 5)**

Introduced

CB-43-2003 (EMERGENCY BILL) - AN EMERGENCY ACT CONCERNING BUILDING PERMITS for the purpose of limiting the number of building permits that may be issued in the Rural Tier, and of providing for certain exceptions.

Introduced by Council Members Harrington, Dernoga, Shapiro, Dean and Peters; referral to PZED

A public emergency exists affecting the public health, safety, and welfare; said emergency being the need to protect the natural and built environment of the Rural Tier by limiting the construction of dwellings in the Rural Tier in accordance with the Approved General Plan of Prince George's County.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

None

12:30 P.M.

ADJOURN

REMINDER

Wed., June 18, 2003	9:30 a.m.	HEHS Committee Meeting
Tues., June 24, 2003		NO COUNCIL SESSION (MML)
Mon., June 30, 2003	9:30 a.m.	District Council Agenda Briefing
	10:00 a.m.	Call to Order