

AGENDA MINUTES

Tuesday, October 26, 2010

Business Meeting

(Legislative Day No. 29 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

CALL TO ORDER-Council Chair Dernoga called to order at 10:05 A.M. with the following Council Members present:

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

Others Present:

*Robert J. Williams, Jr., Deputy Council Administrator
Colette Gresham, Legislative Officer
Carmen Jackson-Brown, Legislative Officer
Josh Hamlin, Office of Law
Marcus Jackson, County Council Liaison, Office of the County Executive
Todd Turner, Legislative Officer
Hawi Sanu, THE Committee Director
Jackie Brown, PZED Committee Director
Sandra Eubanks, HEHS Committee Director
Karen Zavakos, Legislative Officer
Frank Porter, PSFM Committee Director
Steve Gilbert, Principal Counsel to District Council
William M. Hunt, Audits and Investigations*

INVOCATION: *The Invocation was provided by Pastor Darryl E. Walker, Turner Memorial AME Church, Hyattsville, MD. Special prayer was requested for Theodore Roosevelt Budd, Brian Madison, Bill Frasier, the citizens of Haiti, Dr. David Billings and Sofie Alemu.*

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

**DESIGNATION OF OCTOBER 26, 2010 AS LEGISLATIVE DAY NO. 29 –
DESIGNATED**

Council Char Dernoga designated October 26, 2010 as Legislative Day number twenty-nine.

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 September 7 and September 21, 2010.

APPROVED

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

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

None

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

- (a) Joint signature letter to Dr. David Lever, R.A., D.A., Executive Director, Interagency Committee on State School Construction, endorsing the Board of Education's FY 2012 capital budget request and to identify the projects that the administration considers most critical. - **C.O.W HELD; FAVORABLE RECOMMENDATION; CHAIR AUTHORIZED TO SIGN**

The Chair (by request – County Executive

(Council briefed in C.O.W. on 10/19/2010)

While convened as the Committee of the Whole, Carmen Jackson Brown provided a brief staff report and responded to questions raised by Council Members Dean, Knotts and Bland. Council Member Dean moved favorable recommendation; seconded by Council Member Olson. The motion carried 9-0.

Council Member Harrison moved to authorize the Chair's signature; seconded by Council Member Olson. The motion carried 9-0.

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

CR-66-2010 (DR-2) - A RESOLUTION CONCERNING PUBLIC FACILITIES FINANCING AND IMPLEMENTATION PROGRAM DISTRICT – WESTPHALIA CENTER for the purpose of designating a contiguous area within Prince George's County, Maryland, as a "PFFIP District" such development district to be located in an unincorporated area of the County known as Westphalia, Maryland, and to be known as "The Westphalia PFFIP District". - **DR-2 SUBSTITUTED; TECHNICAL AMENDMENT; DR-3 ADOPTED**

(Introduced by Council Member Dean on 7/13/2010; public hearing held 9/7/2010; favorably reported out of PZED on 10/20/2010 with amendments)

MOTION REQUIRED TO SUBSTITUTE DR-2 IN LIEU OF DR-1 PRIOR TO ADOPTION

Jackie Brown, Committee Director for Planning Zoning and Economic Development (PZED) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Member Dean moved to substitute DR-2 for Council Resolution 66 in lieu of DR-1; seconded by Council Member Knotts. The motion carried by voice vote. Council Member Dean moved adoption of Council Resolution 66 (DR-3) as technically amended; seconded by Council Member Knotts the motion carried by 8-0 (Absent: Council Member Exum).

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

CR-101-2010 - A RESOLUTION CONCERNING PILOT AGREEMENT FOR PARKVIEW AT LAUREL SENIOR RESIDENTIAL RENTAL PROJECT for the purpose of approving the terms and conditions of a Negotiated Payments in Lieu of Taxes (“PILOT”) Agreement between Prince George’s County, Maryland and Laurel, LLLP. - **ADOPTED**

(Introduced by Council Member Dernoga on 10/12/2010; favorably reported out of THE on 10/14/2010)

Council Member Olson, Chair of the Transportation, Housing and Environment (THE) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Member Olson moved adoption of Council Resolution 101; seconded by Council Member Dean. The motion carried 9-0.

CR-102-2010 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT PARKVIEW AT LAUREL for the purpose of approving the financing of the Parkview at Laurel project through the Community Development Administration (“CDA”) of the Maryland Department of Housing and Community Development. - **ADOPTED**

(Introduced by Council Member Dernoga on 10/12/2010; favorably reported out of THE on 10/14/2010)

Council Member Olson, Chair of the Transportation, Housing and Environment (THE) Committee, provided a verbal report of the actions and recommendations from the Committee to the Council. Council Member Olson moved adoption of Council Resolution 102; seconded by Council Member Dean. The motion carried 8-0 (Absent: Council member Knotts).

5. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-104-2010 - A RESOLUTION CONCERNING PREPARATION OF A SECTIONAL MAP AMENDMENT FOR THE TAKOMA/LANGLEY CROSSROADS SECTOR PLAN AREA for the purpose of initiating a Sectional Map Amendment for the Takoma/Langley Crossroads Sector Plan area to provide a strong interrelationship between the Sector Plan and zoning of land as a tool to implement land use recommendations. - **RULES SUSPENDED; ADOPTED**

The Chair (by request – Planning Board)

(Introduced by Council Member Campos on 10/19/2010)

Council Member Campos moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 104; seconded by Council Member Turner. The motion carried by voice vote (Absent: Council Member Knotts). Council Member Campos moved adoption of Council Resolution 104; seconded by Council Member Olson. The motion carried 8-0 (Absent: Council Member Knotts).

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

CR-106-2010 – A RESOLUTION CONCERNING EQUINE INDUSTRY TASK FORCE for the purpose of extending and expanding the mission of the Equine Industry Task Force. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 106 extends and expands the mission of Esquine Industry Task Force. Council Resolution 106 was introduced by Council Members Dean, Bland and Dernoga. Council Member Dean moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 106; seconded by Council Member Turner. The motion carried by voice vote (Absent: Council Member Knotts). Council Member Dean moved adoption of Council Resolution 106; seconded by Council Member Bland. The motion carried 8-0 (Absent: Council Member Knotts).

CR-107-2010 – A RESOLUTION CONCERNING AGRICULTURAL PRESERVATION WORK GROUP for the purpose of expanding the mission of the Agricultural Preservation Work Group to review, evaluate and recommend “low impact development” technologies and other measures to improve agricultural operations as recommended by the 2010 Equine Industry Task Force, and amending the composition of the workgroup. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 107 expands the mission of the Agricultural Preservation Work Group to review, evaluate and recommend “low impact development” technologies and other measures to improve agricultural operations as recommended by the 2010 Equine Industry Task Force, and amending the composition of the workgroup. Council Resolution 107 was introduced by Council Members Dean and Bland. Council Member Dean moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 107; seconded by Council Member Turner. The motion carried by voice vote. Council Member Bland moved adoption of Council Resolution 107; seconded by Council Member Knotts. The motion carried 9-0.

4. **BILLS ELIGIBLE FOR FINAL READING - (ENACTMENT)**

CB-75-2010 - AN ACT CONCERNING CHESAPEAKE BAY CRITICAL AREA ORDINANCE for the purpose of updating Subtitle 5B, the Chesapeake Bay Critical Area Ordinance.- **AMENDED; DR-2 ENACTED**

(Introduced by Council Member Dernoga and discharged from PZED Committee on 9/7/2010; public hearing held on 10/19/2010)

AMENDMENT #1 TO CB-75-2010

Council Member Olson moved to included Amendment number one; seconded by Council Member Campos. The motion carried by voice vote. Council Member Olson moved to enact Council Bill 75 (DR-2); seconded by Council Member Exum. The motion carried 9-0.

BILLS ELIGIBLE FOR FINAL READING - (ENACTMENT) – (CONTINUED)**CB-76-2010 - AN ORDINANCE CONCERNING CHESAPEAKE BAY CRITICAL AREA**

for the purpose of making revisions to zoning requirements related to the Chesapeake Bay Critical Area. - **AMENDED; DR-2 ENACTED**

(Introduced by Council Member Dernoga and discharged from PZED Committee on 9/7/2010; public hearing held on 10/19/2010)

AMENDMENT #1 TO CB-76-2010

Council Member Olson moved to include Amendment number one; seconded by Council Member Harrison. The motion carried by voice vote. Council Member Olson moved to enact Council Bill 76 (DR-2); seconded by Council Member Harrison; The motion carried 9-0.

CB-77-2010 (SUBDIVISION BILL) - AN ACT CONCERNING CHESAPEAKE BAY

CRITICAL AREA for the purpose of making revisions to Subdivision requirements for the Chesapeake Bay Critical Area. - **AMENDED; DR-2 ENACTED**

(Introduced by Council Member Dernoga and discharged from PZED Committee on 9/7/2010; public hearing held on 10/19/2010)

AMENDMENT #1 TO CB-77-2010

Council Member Olson moved to include Amendment number one; seconded by Council Member Campos. The motion carried by voice vote. Council Member Olson moved to enact as amended; seconded by Council Member Turner. The motion carried 9-0.

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

CB-80-2010 (DR-3) - AN ACT CONCERNING WATER QUALITY RESOURCES AND GRADING CODE FOR THE PURPOSE of enacting Subtitle 32, the Water Quality Resources and Grading Code, concerning grading, drainage and pollution control; erosion and sediment control; storm water management; and accessibility for the disabled; and for the purpose of repealing certain provisions of Subtitle 4, the Building Code, and codifying them within Subtitle 32. - **PUBLIC HEARING HELD; RECOMMENDED TO THE**

(Favorably reported out of THE on 9/28/2010 with amendments; introduced by Council Members Dernoga and Olson on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 80(DR-3). Twenty-eight persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Olson moved to enact Council Bill 80(DR-3); seconded by Council Member Tuner. Under discussion, Council Member Campos requested that the bill be tabled and considered in the 2011 legislative year. No vote was taken. After considering other agenda items, the Chairman returned to Council Bill 80(DR-3). Council Member Olson moved to enact Council Bill 80(DR-3); seconded by Council Member Bland. Under discussion concerns were raised by Council Members Dean, Exum, Knotts, Olson, Bland and Harrison. Todd Turner, Legislative Officer, provided clarification of the proposed amendment. Council Member Campos moved a substitute motion to re-commit Council Bill 80(DR-3) to the Transportation, Housing and the Environment Committee; seconded by Council Member Exum. The motion carried 6-3 (Opposed: Council Members Dernoga, Olson and Turner).

CB-83-2010 – AN ACT CONCERNING REVITALIZATION TAX CREDITS for the purpose of increasing the maximum amount of eligible improvements per dwelling unit for residential improvements. - **PUBLIC HEARING HELD; ENACTED**

(Reported out of C.O.W. on 9/28/2010 with no recommendation; introduced by Council Member Olson on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 83. No persons wishing to speak, the public hearing was declared held. Council Member Olson moved to enact Council Bill 83; seconded by Council Member Campos. The motion carried 7-0 (Absent: Council Members Bland and Exum).

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

CB-69-2010 (DR-2) - AN ORDINANCE CONCERNING THE R-R ZONE for the purpose of modifying development requirements for commercial uses, institutional uses, and multifamily dwellings and permitting certain commercial uses, institutional uses and multi-family dwellings in the R-R Zone, subject to Detailed Site Plan under certain circumstances. - **PUBLIC HEARING HELD; RECOMMITTED TO PZED**

(Favorably reported out of PZED on 9/20/2010 with amendments; introduced by Council Member Knotts on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 69(DR-2). Sixteen persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Knotts moved to recommit Council Bill 69(DR-2) to the Planning, Zoning and Economic Development Committee; seconded by Council Member Olson. The motion carried 9-0.

CB-71-2010 - AN ACT CONCERNING VACANT COMMERCIAL PROPERTY REGISTRATION for the purpose of adding the registration requirement provisions of vacant or unoccupied commercial structures with the Department of Environmental Resources. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of THE on 9/23/2010; introduced by Council Members Dean, Exum, Turner, Olson, Bland and Dernoga on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 71. No persons wishing to speak, the public hearing was declared held. Council Member Turner moved to enact Council Bill 71; seconded by Council Member Campos. The motion carried 9-0.

CB-59-2010 (DR-2) – AN ORDINANCE CONCERNING PRIVATE AUTOMOBILE AND OTHER MOTOR VEHICLE AUCTIONS for the purpose of defining Private Automobile and Other Motor Vehicle Auctions; permitting the use in the I-1 and I-2 Zones with certain improvements; and making related amendments to the Zoning Ordinance. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PZED on 9/16/2010 with amendments; introduced by Council Member Knotts on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 59(DR-2). Two persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Knotts moved to enact; seconded by Council Member Dean. The motion carried 9-0.

POINT OF PERSONAL PRIVILEGE – Council Member Dean announced that the wife of Mr. Bill Humphries was in critical condition and requested that she be kept in prayer.

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

CB-65-2010 - AN ORDINANCE CONCERNING LANDSCAPE MANUAL REGULATIONS for the purpose of adopting the Comprehensive Update to the Prince George's County Landscape Manual and repealing redundant or obsolete provisions of the Zoning Ordinance relating to the Landscape Manual. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PZED on 9/16/2010; introduced by Council Member Dernoga on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 65. One person spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Olson moved to enact Council Bill 65; seconded by Council Member Turner. The motion carried 8-0 (Absent: Council Member Knotts).

CB-66-2010 – AN ORDINANCE CONCERNING DEPARTURES FROM DESIGN STANDARDS for the purpose of amending the requirements for departures from design standards as it relates to the Alternative Compliance process. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PZED on 9/16/2010; Introduced by Council Member Dernoga on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 66. No persons wishing to speak, the public hearing was declared held. Council Member Olson moved to enact Council Bill 66; seconded by Council Member Harrison. The motion carried 6-0 (Absent: Council Members Bland, Dean and Exum).

CB-67-2010 (DR-2) – AN ORDINANCE CONCERNING OFF-STREET PARKING AND LOADING for the purpose of making amendments to the off-street parking requirements in order to fulfill the requirements of internal green areas within parking lots on redevelopment sites. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PZED on 9/20/2010 with amendments; introduced by Council Member Dernoga on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 67(DR-2). No persons wishing to speak, the public hearing was declared held. Council Member Harrison moved to enact Council Bill 67(DR-2); seconded by Council Member Olson. The motion carried 8-0(Absent: Council Member Bland).

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

CB-68-2010 – AN ORDINANCE CONCERNING SPECIAL EXCEPTION

LANDSCAPING for the purpose of amending the Special Exception requirements to change the exemptions referenced to the Landscape Manual. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PZED on 9/16/2010; introduced by Council Member Dernoga on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 68. No persons wishing to speak, the public hearing was declared held. Council Member Olson moved to enact Council Bill 68; seconded by Council Member Harrison. The motion carried 8-0(Absent: Council Member Bland).

CB-72-2010 (DR-2) - AN ORDINANCE CONCERNING INDUSTRIAL USES for the purpose of revising certain provisions of the Table of Uses for the I-3 Zone and creating a definition for a new use entitled “University Research and Development Park”. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PZED on 9/20/2010 with amendments; introduced by Council Members Dernoga, Exum, Turner, Bland and Dean on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 72(DR-2). No persons wishing to speak having done so, the public hearing was declared held. Council Member Exum moved to enact Council Bill 72(DR-2); seconded by Council Member Knotts. The motion carried 8-0(Absent: Council Member Bland).

CB-73-2010 (DR-2) - AN ORDINANCE CONCERNING ACCESSORY USES for the purpose of clarifying the definition of Accessory Uses and making associated changes to the Zoning Ordinance related thereto. - **PUBLIC HEARING HELD; RECOMMITTED TO PZED**

(Favorably reported out of PZED on 9/20/2010 with amendments; introduced by Council Member Dernoga on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 73. One person spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Knotts moved to recommit Council Bill 73(DR-2) to the Planning Zoning and Economic Development Committee; seconded by Council Member Turner. The motion carried 9-0.

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

CB-74-2010 (DR-2) - AN ORDINANCE CONCERNING POSTPONEMENT OF COUNCIL ACTIONS for the purpose of making a clarifying amendment to the time within which the District Council is required to take action and providing for its retroactive application to February 1, 2010. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PZED on 9/20/2010 with amendments; introduced by Council Members Dernoga, Exum, Bland and Dean on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 74(DR-2). One person spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Exum moved to enact; seconded by Council Member Knotts. The motion carried 8-0 (Absent: Council Member Bland).

CB-92-2010 (DR-3) - AN ORDINANCE CONCERNING AGRICULTURE, AGRITOURISM, EQUINE ACTIVITIES AND EQUINE FACILITY for the purpose of amending the definitions of agriculture and agritourism; adding definitions for equine activities and equine facility; and permitting these uses in certain residential zones and generally relating to these uses. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of C.O.W. on 9/22/2010 with amendments; introduced by Council Members Dean, Bland, Knotts, Exum and Dernoga on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 92. Two persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Bland moved to enact; seconded by Council Member Dean. The motion carried 8-0 (Absent: Council Member Harrison).

CB-85-2010 (DR-2) – AN ACT CONCERNING ANIMAL CONTROL for the purpose of amending the definitions of farm animal and livestock and generally relating to animal control. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of C.O.W. on 9/22/2010 with amendments; introduced by Council Members Dean and Dernoga on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 85. One person spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Dean moved to enact; seconded by Council Member Olson. The motion carried 6-0 (Absent: Council Members Bland, Harrison and Knotts).

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

CB-93-2010 – AN ORDINANCE CONCERNING M-X-T for the purpose of amending the regulations for townhouses in the M-X-T Zone under certain circumstances. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Member Turner on 9/28/2010; favorably reported out of PZED on 10/6/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 93. One person spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Turner moved to enact Council Bill 93; seconded by Council Member Bland. The motion carried 8-0 (Absent: Council Member Harrison).

CB-94-2010 - AN ORDINANCE CONCERNING THE L-A-C ZONE for the purpose of permitting a Country Inn in the L-A-C Zone under certain circumstances. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Member Dean on 9/28/2010; favorably reported out of PZED on 10/6/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 94. No persons wishing to speak, the public hearing was declared held. Council Member Dean moved to enact Council Bill 94; seconded by Council Member Olson. The motion carried 7-0 (Absent: Council Members Exum and Harrison).

CB-70-2010 (DR-2) - AN ACT CONCERNING MOBILE UNITS for the purpose of clarifying the definition and general operation of Mobile Units in the Prince George's County Health Code. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of HEHS on 9/22/2010; introduced by Council Members Olson and Turner on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 70(DR-2). No persons wishing to speak, the public hearing was declared held. Council Member Olson moved to enact Council bill 70(DR-2); seconded by Council Member Turner. The motion carried 6-0 (Absent: Council Members Exum, Harrison and Knotts).

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

CB-96-2010 - AN ACT CONCERNING YOUTH COMMISSION for the purpose of amending the provisions of the County Code relating to the composition and membership of the Youth Commission. - **PUBLIC HEARING HELD; ENACTED**

(Introduced by Council Members Bland, Turner and Olson on 9/28/2010; favorably reported out of HEHS on 10/12/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 96. Two persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Bland moved to enact Council Bill 96; seconded by Council Member Turner. The motion carried 7-0 (Absent: Council Members Exum and Knotts).

CB-61-2010 (DR-2) – AN ACT CONCERNING HIGH PERFORMANCE BUILDING TAX CREDIT for the purpose of establishing a tax credit for real property meeting certain Leadership in Energy and Environmental Design (LEED) green building rating system certifications. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PSFM on 9/22/2010 with amendments; introduced by Council Members Turner, Harrison and Dernoga on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 61(DR-2). No persons wishing to speak, the public hearing was declared held. Council Member Turner moved to enact Council Bill 61(DR-2); seconded by Council Member Bland. The motion carried 7-0 (Absent: Council Members Exum and Knotts).

CB-64-2010 (DR-2) - AN ACT CONCERNING THE BUSINESS INCUBATOR REAL PROPERTY TAX CREDIT for the purpose of amending the tax credit for real property used for publicly supported business incubator programs. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PSFM on 9/22/2010 with amendments; introduced by Council Member Knotts and Dernoga)

Pursuant to proper notice, the public hearing convened on Council Bill 64(DR-2). No persons wishing to speak, the public hearing was declared held. Council Member Knotts moved to enact Council Bill 64(DR-2); seconded by Council Member Turner. The motion carried 8-0 (Absent: Council Member Exum).

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

CB-81-2010 - AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE'S COUNTY for the purpose of eliminating certain obsolete classes of work. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PSFM on 9/22/2010; introduced by Council Member Dernoga on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 81. No persons wishing to speak, the public hearing was declared held. Council Member Olson moved to enact Council Bill 81; seconded by Council Member Harrison. The motion carried 8-0 (Absent: Council Member Exum).

CB-84-2010 – AN ACT CONCERNING 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, 2011. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PSFM on 9/22/2010; introduced by Council Members Dernoga and Exum on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 84. No persons wishing to speak, the public hearing was declared held. Council Member Bland moved to enact Council Bill 84; seconded by Council Member Turner. The motion carried 8-0 (Absent: Council Member Exum).

CB-88-2010 – 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 Thirty-Eight Million Nine Hundred Sixty Thousand Dollars (\$38,960,000) . . . - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PSFM on 9/22/2010; introduced by Council Member Exum on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 88. No persons wishing to speak, the public hearing was declared held. Council Member Olson moved to enact Council Bill 88; seconded by Council Member Bland. The motion carried 7-0 (Absent: Council Members Exum and Knotts).

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

CB-89-2010 - AN ACT CONCERNING CONTRACT APPROVALS for the purpose of approving a multi-year Lease Financing Agreement for the lease/purchase of Snow Removal Equipment and Fire/EMS Ambulances. - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PSFM on 9/22/2010; introduced by Council Members Exum, Turner, Bland, Dernoga, Dean and Olson on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 89. No persons wishing to speak, the public hearing was declared held. Council Member Olson moved to enact Council Bill 89; seconded by Council Member Harrison. The motion carried 8-0 (Absent: Council Member Exum).

CB-90-2010 (DR-2) - 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 Seventy-Six Million Fifty-Six Thousand (\$76,056,000) . . . - **PUBLIC HEARING HELD; ENACTED**

(Favorably reported out of PSFM on 9/22/2010 with amendments introduced by Council Member Exum on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 90(DR-2). No persons wishing to speak, the public hearing was declared held. Council Member Harrison moved to enact Council Bill 90(DR-2); seconded by Council Member Olson. The motion carried 8-0 (Absent: Council Member Exum).

CB-78-2010 (DR-2) AN ACT CONCERNING THE ISSUANCE OF SPECIAL OBLIGATION TAX INCREMENT FINANCING BONDS FOR BRANDYWINE CROSSING DEVELOPMENT DISTRICT for the purpose of providing that special obligation tax increment financing bonds may be issued under the provisions of this Act and Sections 12-201 through 12-213 of the Economic Development Article of the Annotated Code of Maryland, as amended (the "Tax Increment Financing Act") in an aggregate principal amount of Four Million Five Hundred Thousand Dollars (\$4,500,000) . . . - **PUBLIC HEARING HELD; AMENDED; DR-3 ENACTED**

(Reported out of C.O.W. on 9/28/2010 with no recommendation; introduced by Council Member Bland on 9/28/2010)

Pursuant to proper notice, the public hearing convened on Council Bill 78(DR-2). Two persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrison moved to include Amendment number one; seconded by Council Member Bland. The motion carried by voice vote. Council Member Bland moved to enact Council Bill 78(DR-3); seconded by Council Member Knotts; The motion carried 6-1-1 (Absent: Council Member Exum; Opposed: Council Member Olson; Abstained: Council Member Dernoga).

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

CB-95-2010 - AN ACT CONCERNING THE ISSUANCE OF SPECIAL OBLIGATION TAX INCREMENT FINANCING BONDS FOR WOODMORE TOWNE CENTRE DEVELOPMENT DISTRICT

for the purpose of providing that special obligation tax increment financing bonds may be issued under the provisions of this Act, Sections 12-201 through 12-213 of the Economic Development Article of the Annotated Code of Maryland, as amended (the “Tax Increment Financing Act”), and CR-085-2009 of the County Council of Prince George’s County, Maryland (the “Formation Resolution”) in an aggregate principal amount of Seventeen Million Dollars (\$17,000,000) . . . - **PUBLIC HEARING HELD; AMENDED; DR-2 ENACTED**

(Introduced by Council Member Harrison on 9/28/2010; reported out of PSFM on 10/20/2010 with no recommendation)

Pursuant to proper notice, the public hearing convened on Council Bill 95. Two persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrison moved to include Amendment numbers one and two; seconded by Council Member Dean. The motion carried by voice vote. Council Member Harrison moved to enact Council Bill 95(DR-2); seconded by Council Member Bland. The motion carried 5-0-2 (Absent: Council Member Exum; Abstained: Council Members Dernoga and Campos).

CB-98-2010 - AN ACT CONCERNING THE ISSUANCE OF SPECIAL OBLIGATION BONDS FOR THE KINGDOM SQUARE DEVELOPMENT DISTRICT AND KINGDOM SQUARE SPECIAL TAXING DISTRICT

For the purpose of ratifying the designation of a contiguous area within Prince George’s County, Maryland (the “County”) that would be coincident with the Kingdom Square 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, and as that term is used in Section 9-1301 of Article 24 of the Annotated Code of Maryland, as amended (collectively, the “Special Taxing District Act”); amending, ratifying and confirming CR-76-2010 adopted by the County Council of Prince George’s County, Maryland (the “County Council”) on July 13, 2010 (the “Formation Resolution”); providing that special obligation bonds may be issued under the provisions of this Act, Sections 12-201 through 12-213 of the Economic Development Article of the Annotated Code of Maryland, as amended (the “Tax Increment Financing Act”), and the Special Taxing District Act in an aggregate principal amount not to exceed Sixteen Million One Hundred Thousand Dollars (\$16,100,000) . . . - **PUBLIC HEARING HELD; AMENDED; DR-2 ENACTED**

(Introduced by Council Members Dernoga, Exum and Dean on 9/28/2010; reported out of PSFM on 10/20/2010 with no recommendation)

Pursuant to proper notice, the public hearing convened on Council Bill 98. One person spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Dean moved to include Amendment number one; seconded by Council Member Turner. The motion carried by voice vote. Council Member Dean moved to enact Council Bill 98(DR-2); seconded by Council Member Knotts; The motion carried 6-0-1 (Absent: Council Members Exum and Olson; Abstained: Council Member Dernoga).

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

CB-97-2010 (DR-2) – AN EMERGENCY ACT CONCERNING CONTRACT

APPROVAL for the purpose of approving the lease or sale of the County's interest in certain real property and the subsequent leaseback or installment purchase of said real property for purposes of financing a new emergency operations center that shall be named in honor of slain State Trooper Wesley Brown and Fallen First Responders. - **PUBLIC HEARING HELD; AMENDED; DR-3 ENACTED**

(Introduced by Council Members Dernoga, Bland, Dean, Exum, Harrison, Knotts, Olson and Turner on 9/28/2010; reported out of PSFM on 10/20/2010 with no recommendation)

A public emergency exists affecting the public health, safety, or welfare of the citizens and residents of Prince George's County, said emergency being the County's immediate need to finance a new emergency operations center housing the Office of Homeland Security and a new 9-1-1 emergency dispatch center at 17321 Melford Boulevard, Bowie, Maryland 20715 to provide enhanced essential public safety services in Prince George's County.

Pursuant to proper notice, the public hearing convened on Council Bill 97(DR-2). Two persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Harrison moved to include Amendment number one; seconded by Council Member Bland. The motion carried by voice vote. Council Member Exum moved to enact Council Bill 97(DR-3); seconded by Council Member Turner. The motion carried 9-0.

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

CR-82-2010 – A RESOLUTION CONCERNING THE 2008 WATER AND SEWER

PLAN (APRIL 2010 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan. - **PUBLIC HEARING HELD; DISCHARGED FROM THE; CONVENED AS C.O.W.; FAVORABLE WITH AMENDMENTS; DR-2 ADOPTED**

(Introduced by Council Member Dernoga on 9/21/2010)

Council Members Turner moved to discharge Council Resolution 82 from the Transportation, Housing and the Environment (THE) Committee; seconded by Council Member Bland. The motion carried 6-3 (Opposed: Council Members Dernoga, Harrison and Olson). Pursuant to proper notice, the public hearing convened on Council Resolution 82. Seven persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held.. While sitting as the Committee of the Whole. Hawi Sanu, Director of the THE Committee provided an overview of the legislative proposal. Council Member Turner moved to include Amendment number one; seconded by Council Member Exum. The motion carried 8-0-1 (Opposed: Council Member Dernoga). Council Member Bland moved to include Amendment number two; seconded by Council Member Turner. The motion carried 7-2 (Opposed: Council Members Dernoga and Olson). Council Member Bland moved a recommendation of favorable with amendments; seconded by Council Member Turner. The motion carried 8-1 (Opposed: Council Member Dernoga). Council Member Bland moved adoption of Council Resolution 82(DR-2); seconded by Council Member Exum. The motion carried 8-1(Opposed: Council Member Dernoga).

PUBLIC HEARINGS/RESOLUTIONS ELIGIBLE FOR FINAL READING –

(ADOPTION) – (CONTINUED)

CR-89-2010 - A RESOLUTION CONCERNING FY 2002 – 2011 TEN YEAR SOLID WASTE MANAGEMENT PLAN for the purpose of amending the Prince George's County 2002 – 2011 Ten Year Solid Waste Management Plan by adding the Recycle One Center located at 4700 Lawrence Street, Hyattsville, Maryland. - **PUBLIC HEARING HELD; DISCHARGED FROM THE; CONVENED AS C.O.W.; FAVORABLE RECOMMENDATION; ADOPTED**

(Introduced by Council Members Harrison and Exum on 9/21/2010)

Council Member Knotts moved to discharge Council Resolution 89 from the Transportation, Housing and the Environment (THE) Committee; seconded by Council Member Harrison. The motion carried 9-0. Pursuant to proper notice, the public hearing convened on Council Resolution 89. One person spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. While sitting as the Committee of the Whole. Hawi Sanu, Director of the THE Committee provided an overview of the legislative proposal. Council Member Bland moved a favorable recommendation; seconded by Council Member Turner. The motion carried 9-0. Council Member Harrison moved adoption of Council Resolution 89; seconded by Council Member Knotts. The motion carried 9-0.

CR-91-2010 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2011 for the purpose of approving the amendment of the FY 2011 Annual Action Plan to include the Glenarden Woods Apartments project and the reprogramming of \$900,000 in HOME Investment Partnerships (“HOME”) funds from FY 2007, 2008, and 2009 to the project. - **PUBLIC HEARING HELD; DISCHARGED FROM THE; CONVENED AS C.O.W.; FAVORABLE RECOMMENDATION; ADOPTED**

(Introduced by Council Member Harrison on 9/28/2010)

Council Member Olson moved to discharge Council Resolution 91 from the Transportation, Housing and the Environment (THE) Committee; seconded by Council Member Harrison. The motion carried 9-0. Pursuant to proper notice, the public hearing convened on Council Resolution 91. One person spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. While sitting as the Committee of the Whole. Hawi Sanu, Director of the THE Committee provided an overview of the legislative proposal. Council Member Knotts moved a favorable recommendation; seconded by Council Member Harrison. The motion carried 9-0. Council Member Harrison moved adoption of Council Resolution 91; seconded by Council Member Olson. The motion carried 9-0.

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

CR-92-2010 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2011 for the purpose of approving the amendment of the FY 2011 Annual Action Plan to include the Glenreed Apartments project and the reprogramming of \$1,200,000 in HOME Investment Partnerships funds (“HOME”) from FY 2005, 2006, and 2007 to the project. - **PUBLIC HEARING HELD; DISCHARGED FROM THE; CONVENED AS C.O.W.; FAVORABLE RECOMMENDATION; ADOPTED**

(Introduced by Council Member Harrison on 9/28/2010)

Council Member Harrison moved to discharge Council Resolution 92 from the Transportation, Housing and the Environment (THE) Committee; seconded by Council Member Olson. The motion carried 9-0. Pursuant to proper notice, the public hearing convened on Council Resolution 92. One person spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. While sitting as the Committee of the Whole. Hawi Sanu, Director of the THE Committee provided an overview of the legislative proposal. Council Member Harrison moved favorable recommendation; seconded by Council Member Olson. The motion carried 8-0 (Absent: Council Member Exum). Council Member Harrison moved adoption of Council Resolution 92; seconded by Council Member Bland. The motion carried 9-0.

CR-96-2010 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2011 for the purpose of amending the Prince George’s County FY 2011 Annual Action Plan for Housing and Community Development to reprogram, restructure and approve Community Development Block Grant (“CDBG”) and Community Development Block Grant Recovery (“CDBG-R”) activities related to housing and community development. - **PUBLIC HEARING HELD; DISCHARGED FROM THE; CONVENED AS C.O.W.; FAVORABLE RECOMMENDATION; ADOPTED**

(Introduced by Council Member Dernoga on 9/28/2010)

Council Member Bland moved to discharge Council Resolution 96 from the Transportation, Housing and the Environment (THE) Committee; seconded by Council Member Harrison. The motion carried 9-0. Pursuant to proper notice, the public hearing convened on Council Resolution 96. Two persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. While sitting as the Committee of the Whole. Hawi Sanu, Director of the THE Committee provided an overview of the legislative proposal. Council Member Olson moved favorable recommendation; seconded by Council Member Campos. The motion carried 9-0. Council Member Campos moved adoption of Council Resolution 96; seconded by Council Member Bland. The motion carried 9-0.

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

CR-97-2010 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY-2011

for the purpose of approving the commitment of \$900,000 in HOME Investment Partnerships (“HOME”) funds to the Bradbury Heights project. - **PUBLIC HEARING HELD; DISCHARGED FROM THE; CONVENED AS C.O.W.; FAVORABLE RECOMMENDATION; ADOPTED**

(Introduced by Council Member Dernoga on 9/28/2010)

Council Member Harrison moved to discharge Council Resolution 97 from the Transportation, Housing and the Environment (THE) Committee; seconded by Council Member Dean. The motion carried 9-0. Pursuant to proper notice, the public hearing convened on Council Resolution 97. Two persons spoke to the proposal. All persons wishing to speak having done so, the public hearing was declared held. Council Member Campos moved a favorable recommendation; seconded by Council Member Olson. The motion carried 9-0. Council Member Dean moved adoption of Council Resolution 97; seconded by Council Member Olson. The motion carried 9-0.

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

CR-83-2010 (DR-2) – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS GENERAL SCHEDULE EMPLOYEES - SALARY SCHEDULE G

for the purpose of amending the Salary Plan of the County to reflect pay rates and other modified benefits for General Schedule employees. - **DR-2 SUBSTITUTED; MOTION FOR DENIAL CARRIED**

(Introduced by Council Member Dernoga on 9/21/2010; reported out of PSFM on 10/20/2010 with no recommendation as amended)

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 83 was favorably reported out of the PSFM with no recommendations as amended. Council Member Campos moved to substitute DR-2 of Council Resolution 83 in lieu of DR-1; seconded by Council Member Harrison. The motion carried by voice vote. Council Member Turner moved denial of Council Resolution 83(DR-2); seconded by Council Member Olson. Under discussion, Council Member Campos proffered a substitute motion to take no action on Council Resolution 83(DR-2). The motion failed for lack of a second. The main motion carried 8-1 (Opposed: Council Member Campos).

7. **DISTRICT COUNCIL ITEMS:**

(SEE SEPARATE ACTION AGENDA)

District Council Convened at 5:23 P.M.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

None

ADJOURNED: *The County Council session adjourned at 7:40 P.M.*

RECONVENED: *The County Council Session reconvened at 7:52 P.M.*

DESIGNATION AS LEGISLATIVE DAY NO. 30 – DESIGNATED

Council Char Dernoga designated October 26, 2010 as Legislative Day number thirty, due to adjournment of the meeting.

ADDITIONS TO THE AGENDA

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

5. **INTRODUCTION AND ADOPTION OF RESOLUTIONS – (page 3)**

CR-109-2010 - A RESOLUTION CONCERNING TAX INCREMENT FINANCING RELATED TO BRANDYWINE CROSSING DEVELOPMENT DISTRICT for the purpose of approving a TIF proposal and certifications pursuant to CR-98-2010. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council resolution 109 approves the TIF proposal and certificates pursuant to CR-98 -2010. Council Resolution 109 was introduced by Council Members Bland, Dean, Knotts and Harrison. Council Member Dean moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 109; seconded by Council Member Knotts. The motion carried by voice vote (Opposed: Council Member Dernoga). Council Member Bland moved adoption of Council Resolution 109; seconded by Council Member Knotts. The motion carried 6-1-2 (Opposed: Council Member Dernoga; Abstained: Council Members Olson and Turner).

CR-110-2010 - A RESOLUTION CONCERNING FINANCING RELATED TO KINGDOM SQUARE DEVELOPMENT DISTRICT AND KINGDOM SQUARE SPECIAL TAXING DISTRICT for the purpose of approving a TIF proposal and certifications pursuant to CR-98-2010. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council resolution 110 approves the TIF proposal and certificates pursuant to CR-98 -2010. Council Resolution 110 was introduced by Council Members Dean, Knotts, Bland and Harrison. Council Member Dean moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 110; seconded by Council Member Knotts. The motion carried by voice vote (Opposed: Council Member Dernoga). Council Member Knotts moved adoption of Council Resolution 110; seconded by Council Member Bland. The motion carried 5-1-3 (Opposed: Council Member Dernoga; Abstained: Council Members Exum, Olson and Turner).

CR-111-2010 - A RESOLUTION CONCERNING TAX INCREMENT FINANCING RELATED TO WOODMORE TOWNE CENTRE DEVELOPMENT DISTRICT for the purpose of approving a TIF proposal and certifications pursuant to CR-98-2010. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council resolution 111 approves the TIF proposal and certificates pursuant to CR-98 -2010. Council Resolution 111 was introduced by Council Members Harrison, Bland and Dean. Council Member Dean moved to suspend the Council Rules of Procedure to allow for immediate adoption of Council Resolution 111; seconded by Council Member Exum. The motion carried by voice vote (Opposed: Council Member Dernoga). Council Member Dean moved adoption of Council Resolution 111; seconded by Council Member Harrison. The motion carried 5-1-3 (Opposed: Council Member Dernoga; Abstained: Council Members Campos, Olson and Turner).

ADJOURNED-The County Council session adjourned at 8:03 P.M.

Prepared By:

Submitted By:

Sherry Bias, Administrative Aide

Redis C. Floyd, Clerk of the Council