

ACTION MINUTES

Tuesday, March 4, 2003

Legislative Day No. 6

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- BRIEFING HELD

CALL TO ORDER– *Chairman Peter A. Shapiro called to order at 10:05 a.m. with the following Council Members present:*

*Peter A. Shapiro
Marilynn M. Bland
Samuel H. Dean
Thomas E. Dernoga
Camille A. Exum
David C. Harrington
Tony Knotts
Douglas J. J. Peters*

Absent at roll call: Thomas R. Hendershot (representing the Council before the State Legislature; arrived at 11: 29 a.m.)

Others Present:

*Barbara Holtz, Council Administrator
Craig Price, Deputy Council Administrator
Robert Williams, Jr., Associate Council Administrator
Ralph Grutzmacher, Legislative Officer
Steve Gilbert, Principal Counsel to the District Council
Jackie Brown, Committee Director, PZED
Aisha N. Braveboy, County Council Liaison, Office of the County Executive
Kathy Canning, Associate County Attorney*

INVOCATION – *The Invocation was provided by Pastor Christopher McMillan, First Assembly of God, Laurel, Maryland.*

PLEDGE OF ALLEGIANCE – *The pledge was led by Council Member Harrington.*

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

CB-13-2003 – AN ACT CONCERNING OFFICE OF THE SHERIFF AND DEPARTMENT OF CORRECTIONS for the purpose of repealing various obsolete provisions of Subtitle 18 pertaining to the Office of the Sheriff and the Department of Corrections. - **PRESENTED**

Council Bill 13 was presented by Council Member Hendershot and referred to the Public Safety, and Fiscal Management Committee.

** *Council Member Dean moved to adopt the Consent Agenda; seconded by Council Member Dernoga; carried by voice vote.*

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

No items were removed.

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

No items were considered.

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

CB-2-2003 – AN ORDINANCE CONCERNING PRIVATE SCHOOL OR STUDIO FOR ARTISTIC OR TECHNICAL INSTRUCTION for the purpose of permitting a private school or studio for artistic or technical instruction in the L-A-C Zone. - **AMENDED; DR-2 INTRODUCED**

Council Member Harrington, as Chairman of the Planning, Zoning and Economic Development Committee provided the Council Members with a verbal report of the Committee's actions and recommendations. Council Bill 2 permits a private school or studio for artistic or technical instruction in the L-A-C (Local Activity Center) Zone. Council Bill 2 was favorably reported out of PZED on 2/12/2003.

Council Member Dean moved amendment number one; seconded by Council Member Peters; carried by roll call vote 8-0. (Absent: Council Member Hendershot) Council Bill 2, Draft 2 was introduced by Council Members Dean, Harrington and Peters.

5. **PUBLIC HEARING:**

Appointment of the following individual to the Washington Suburban Transit Commission for Prince George's County: - PUBLIC HEARING HELD; CONFIRMED

Marcell Solomon, Esquire

Appointment/Replacing John Davey
Citizen Representative
Term Expiration: 5/31/2004

Pursuant to proper notice, the public hearing convened on the appointment of Mr. Marcell Solomon, Esquire to the Washington Suburban Transit Commission for Prince George's County. County Executive Jack Johnson introduced Mr. Solomon emphasizing his educational and professional experience, work ethic and commitment to transit issues. Mr. Solomon was present and spoke on his own behalf. Mr. Michael Arrington, Dr. Wilbert Wilson and Dr. Alicia Darnesbourg, on behalf of The Honorable Obie Patterson, Delegate and President of the Legislative Black Caucus, spoke in support of confirmation. All persons wishing to speak having done so, the public hearing was declared held. Council Member Exum moved confirmation of the appointment, term as listed; seconded by Council Member Dernoga; carried by roll call vote 8-0. (Absent: Council Member Hendershot)

RECESS – *Chairman Shapiro recessed the meeting at 10: 48 a.m. and reconved at 11:10 a.m.*

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

CR-6-2003 (DR-2) – A RESOLUTION CONCERNING THE REVIEW PROCESS FOR SCHOOL FACILITIES AGREEMENTS for the purpose of establishing procedures for the District Council and Planning Board to review and for the Council to act on school facilities agreements for residential subdivisions, to advance school construction in clusters where elementary, middle, or high schools are over capacity. - **DR-2 SUBSTITUTED; ADOPTED**

(Introduced by Council Members Shapiro and Hendershot on 2/25/2003)

Council Member Harrington, as Chairman of the Planning, Zoning and Economic Development Committee provided the Council Members with a verbal report of the Committee's actions and recommendations. Council Resolution 6 was favorably reported out of PZED on 2/26/2003 with amendments. Council Member Harrington moved to substitute Draft 2 in lieu of Draft 1; seconded by Council Member Dean; carried by voice vote. Council Member Harrington moved adoption of Council Resolution 6, Draft 2; seconded by Council Member Dean; carried by roll call vote 8-0. (Absent: Council Member Hendershot)

BRIEFING – (COUNCIL HEARING ROOM) -- BRIEFING HELD – Chairman Shapiro convened the briefing at 11:12 a.m.

Lieutenant Governor Michael S. Steele
James King, Special Assistant to the Lieutenant Governor
Paul Ellington, Deputy Chief of Staff

The Honorable Michael S. Steele, Lieutenant Governor of the State of Maryland, provided the Council Members with a briefing on various issues being considered by the State legislature. Topics of discussion included the installation of slot machines at the Laurel and Rosecroft Raceways, economic development, funding for education and new schools, scholastic aptitude of students and greater resources for schools, revitalization of Port Towns, the Arts District, affordable housing and funding for the Peace Cross Railroad Project. Mr. Steele expressed concern about the Council's vote to impose a one-year moratorium on the inception of slots in Prince George's County. He indicated that the decision could jeopardize the level of funding Prince George's would receive and requested reconsideration of the issue. Mr. Steele thanked the Chairman for the invitation and requested an opportunity to tour the Arts District, speak with the Council regarding the Greenbelt Metro project and regional housing, healthcare and social service issues.

Chairman Shapiro opened the floor for discussion and questions by Council Members. Due to time constraints, he asked that members limit the length and number of questions.

Council Member Dean commented that the Maryland Lottery had originally been

instituted to provide funding for education and questioned whether there was an assurance that
BRIEFING – (COUNCIL HEARING ROOM) - (CONTINUED)

Lieutenant Governor Michael S. Steele

funds from slots would be solely used for education. He requested State funding for use of the Arena drive interchanges year-round and funding for the increased transit costs related to providing affordable housing opportunities in all areas of the County. Additionally, he suggested an agreement between HUD (the Housing and Urban Development Commission) and local governments to help solve this regional concern.

Council Member Dernoga requested State assistance in solving tax revenue issues, suggesting restructuring the tax base as a consideration in discussions of economic development for Prince George's. He expressed his concerns about plans for slots at Laurel Raceway and the lack of compensation for local jurisdictions to use to address related impacts on crime, traffic and the surrounding community.

Council Member Harrington thanked Mr. Steele for his expressed support of funding for the Peace Cross Railroad Project. He inquired about the Administrations position on Senate Bill 003-2003, which would eliminate the State Historic Tax Credit and another measure to modify the Community Legacy Program. Council Member Harrington also expressed concerns about the impacts of slots in Prince George's and questioned whether other sources of revenue were being considered to fund the recommendations of the Thornton Commission.

Council Member Peters requested acceleration of funding for Route 301 to address traffic congestion and safety issues.

Council Member Hendershot commented that Prince Georgians voted against slots in a 1998 referendum and that current representatives should consider that position. He mentioned the efforts of the Education Funding Task Force, formed to address expansion of the tax-base under former Council Member Audrey Scott, and suggested the Administration review its recommendations. Council Member Hendershot requested information on how much revenue is projected to be paid by Prince Georgians as a result of slots and how much of that revenue would be returned to Prince George's County based on current formulas. He also stated his opposition to a plan to cut education funding for local jurisdictions.

Council Member Exum expressed her concerns regarding slots in Prince George's and suggested that the administration consider having slots controlled by a State Agency, as is the structure of the Maryland Lottery, and have that agency allocate funding to the appropriate entities. She requested the administration consider community colleges and public libraries in Prince George's when discussing infrastructure and school resources. Council Member Exum also indicated concern regarding the absence of a public health care system and mental health services and requested a dialogue about project "Exile".

Council Member Knotts stated his concern about the impact of slots on communities surrounding Rosecroft Raceway. He suggested that the administration explore allocation of funds to local jurisdictions for education from lottery proceeds, as originally intended. Council Member Knotts also requested that education funding be allocated from gross earnings rather than net in the formula used for distribution to local jurisdictions.

Chairman Shapiro pointed out the impact of slots on zoning in Prince George's County and the ability of local governments to address resulting issues through the zoning process. He requested that the administration include local zoning authority in future discussions.

BRIEFING – (COUNCIL HEARING ROOM) - (CONTINUED)**Lieutenant Governor Michael S. Steele**

Mr. Steele responded to each of the Council Member's questions. Below is a summation of the responses:

- 1. There is a mechanism in the slot legislation to create a line item for the funds, which will serve as a "lock box" to prevent the funds for education from being reallocated;*
- 2. State and local governments will need to work together to address the various issues related to affordable housing;*
- 3. He is committed to helping Prince George's County, the county in which he resides, to improve schools and the community colleges, which will in turn attract businesses and increase the tax base;*
- 4. Funding for the mentioned capital projects is under consideration;*
- 5. Various sources of funding have been considered to offset the budget shortfall and fund the Thornton Commission, however income and sales taxes are not viable options for this administration;*
- 6. Prince George's County would receive a substantial portion of the revenue derived from slots; and that*
- 7. Monies have been proposed in the budget to address public and mental health issues for juveniles and senior citizens of the State.*

Mr. Steele indicated that he would provide information to the Council on other issues raised during the briefing. Chairman Shapiro and other Council Members thanked Mr. Steele for his willingness to come and expressed their appreciation for his honesty and candor.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

ADJOURN – *Chairman Shapiro adjourned the meeting at 12:15 p.m.*

Prepared by:

Submitted by:

Donna J. Brown, Office Manager

Redis C. Floyd, Clerk of the Council