

ACTION AGENDA

Tuesday, March 5, 2013

Legislative Day No. 5

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

AGENDA BRIEFING – (ROOM 2027) -- AGENDA BRIEFING HELD

CALL TO ORDER - Council Chair Harrison called to order at 10:29 a.m. with the following Council Members present:

*Andrea Harrison
Will Campos
Derrick Davis
Mel Franklin
Mary Lehman
Eric Olson
Obie Patterson
Karen Toles
Ingrid Turner*

Others Present:

*Robert Williams, Jr., Council Administrator
William Hunt, Deputy Council Administrator
Redis Floyd, Clerk of the Council
Donna Brown, Deputy Clerk of the Council
Kerry Watson, Office of the County Executive
LaKeecia Allen, Office of Law
Todd Turner, Legislative Officer
Karen Zavakos, Legislative Officer
Jacqueline Brown, Director, PZED Committee
Hawi Sanu, Director, THE Committee*

INVOCATION: - *The Invocation was provided by Johnie L. Higgs, County Employee.*

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

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 October 16, 2012. - **APPROVED**
- (b) **First Reading of Bills (Presentation)**

CB-7-2013 - AN ACT CONCERNING THE PRINCE GEORGE'S COUNTY CODE (2011 EDITION) for the purpose of adopting and publishing the 2011 Edition of the Prince George's County Code. - **PRESENTED**

Council Bill 7 was presented by Council Member Harrison and referred to the Committee of the Whole (C.O.W.).

CB-8-2013 - AN ACT CONCERNING SUBTITLE 24, SUBDIVISIONS for the purpose of adopting and publishing Subtitle 24, Subdivisions, of the 2011 Edition of the Prince George's County Code. - **PRESENTED**

Council Bill 8 was presented by Council Member Harrison and referred to the Committee of the Whole (C.O.W.).

CB-9-2013 - AN ORDINANCE CONCERNING SUBTITLE 27 – THE ZONING ORDINANCE for the purpose of adopting and publishing the 2011 Edition of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code. - **PRESENTED**

Council Bill 9 was presented by Council Member Harrison and referred to the Committee of the Whole (C.O.W.).

CB-10-2013 - AN ORDINANCE CONCERNING SUBTITLE 27A – URBAN CENTERS AND CORRIDOR NODES DEVELOPMENT AND ZONING CODE OF PRINCE GEORGE'S COUNTY, MARYLAND for the purpose of adopting and publishing the 2011 Edition of the Urban Centers and Corridor Nodes Development and Zoning Code of Prince George's County, Maryland, being also Subtitle 27A of the Prince George's County Code. - **PRESENTED**

Council Bill 10 was presented by Council Member Harrison and referred to the Committee of the Whole (C.O.W.).

CONSENT AGENDA – (CONTINUED)

CB-11-2013 – AN ACT CONCERNING PRINCE GEORGE’S COUNTY HUMAN RELATIONS COMMISSION for the purpose of establishing additional methods to effectuate service of subpoenas by the Human Relations Commission. - **PRESENTED**

Council Bill 11 was presented by the Chair by request County Executive and referred to the Public Safety and Fiscal Management Committee (PSFM).

CB-12-2013 – AN ORDINANCE CONCERNING EXPEDITED TRANSIT-ORIENTED DEVELOPMENT for the purpose of defining Expedited Transit-Oriented Development and amending the approval requirements for certain transit-oriented development projects in order to incentivize transit-oriented development in Prince George’s County. - **PRESENTED**

Council Bill 12 was presented by Council Members Franklin, Campos, Davis, Harrison, Toles and Turner and referred to the Planning, Zoning and Economic Development Committee (PZED).

(c) **Introduction of Resolutions**

CR-13-2013 – A RESOLUTION CONCERNING NEIGHBORHOOD BUSINESS WORKS PROGRAM for the purpose of supporting the financing for Shankra, LLC, under the Neighborhood Business Works Program of the Maryland Department of Housing and Community Development.

Council Resolution 13, as proposed by the Chair by request of the County Executive, supports the financing for Shankra, LLC, under the Neighborhood Business Works Program of the Maryland Department of Housing and Community Development. Council Resolution 13 was introduced by Council Members Harrison, Campos, Davis, Franklin, Patterson, and Turner and referred to the Transportation, Housing and the Environment Committee (THE).

*** Council Member Davis moved to adopt the Consent Agenda; seconded by Council Member Olson. The motion carried by voice vote.*

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

There were no items considered.

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

- (a) Proposed correspondence to the Honorable Douglas J.J. Peters, Chair of the Prince George's County Senate Delegation, the Honorable Jolene Ivey, Chair of the Prince George's County House Delegation, the Honorable Brian E. Frosh, Chair, Senate Judicial Proceedings Committee, and the Honorable Maggie L. McIntosh, Chair, House Environmental Matters Committee, expressing the positions of the Prince George's County Council on proposed State legislation. **AMENDED;**
CHAIR AUTHORIZED TO SIGN

A letter was proposed to be sent to the above named recipients expressing the positions of the Prince George's County Council on proposed State legislation Council Member Toles moved to authorize the Chair's signature; seconded by Council Member Davis. Under discussion, Council Member Harrison proffered a substitute motion to amend the letter as related to House Bill 1454; seconded by Council Member Campos. The motion carried 9-0. The main motion carried 9-0.

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

CB-2-2013 (DR-2) – AN ORDINANCE CONCERNING DAY CARE CENTERS FOR CHILDREN for the purpose of amending the regulations for certain day care centers for children. - **INTRODUCED**

Council Member Franklin, as Chair of the Planning, Zoning and Economic Development Committee (PZED), provided a verbal report of the actions and recommendations of the Committee. Council Bill 2, which amends the regulations for certain day care centers for children to allow the use in a church on property less than two acres, was favorably reported out of PZED on 2/20/2013 with amendments. Council Bill 2, Draft 2 was Introduced by Council Members Davis, Franklin, Harrison and Toles.

CB-3-2013 – AN ORDINANCE CONCERNING TRANSIT DISTRICT OVERLAY ZONE for the purpose of reconciling Planning Board procedures and regulatory timeframes for the preparation of Transit District Overlay Zoning Map Amendments and Transit District Development Plans. - **INTRODUCED**

Council Member Franklin, as Chair of the Planning, Zoning and Economic Development Committee (PZED), provided a verbal report of the actions and recommendations of the Committee. Council Bill 3, which corrects a timing conflict between Planning Board general procedures and notice regulations for preparation of proposed Transit District Overlay Zone Map Amendments and Transit District Development Plans, was favorably reported out of PZED on 2/20/2013. Council Bill 3 was Introduced by Council Members Harrison, Davis, Olson and Turner.

SECOND READING OF BILLS (INTRODUCTION) – (CONTINUED)

CB-4-2013 - AN ORDINANCE CONCERNING PLANNED RETIREMENT COMMUNITIES for the purpose of amending the regulations for planned retirement communities in the R-E Zone. - **INTRODUCED**

Council Member Franklin, as Chair of the Planning, Zoning and Economic Development Committee (PZED), provided a verbal report of the actions and recommendations of the Committee. Council Bill 4, which amends the residential zones use table to remove a footnote which provides an exemption in certain circumstances, was favorably reported out of PZED on 2/20/2013. Council Bill 4 was Introduced by Council Members Franklin, Davis, Toles and Turner.

5 INTRODUCTION AND ADOPTION OF RESOLUTIONS

CR-15-2013 - A RESOLUTION CONCERNING THE GREENBELT METRO AREA AND MD 193 CORRIDOR ENDORSED SECTOR PLAN for the purpose of approving with amendments and revisions as an Act of the County Council of Prince George's County, Maryland, sitting as the District Council, the Greenbelt Metro Area and MD 193 Corridor Sector Plan, thereby defining long-range land use and development policies in Planning Area 67 for the area generally comprised of the properties bounded by the Capital Beltway (I-95/I-495), Henry A. Wallace Beltsville Agricultural Research Center, and the historic center of Greenbelt to the north; the city boundaries of College Park to the west; the residential portion of the Town of Berwyn Heights, Greenbelt National Park, and the Hunting Ridge apartment complex to the south; and the Windsor Green and Greenbrook residential communities to the east. - **INTRODUCED; RULES SUSPENDED; AMENDED; DR-2 ADOPTED**

Council Resolution 15, which approves with amendments and revisions the Greenbelt Metro Area and MD 193 Corridor Sector Plan, was introduced by Council Members Turner and Patterson. Council Member Davis moved to suspend the Council Rules of Procedure to allow immediate adoption of Council Resolution 15; seconded by Council Member Olson. The motion carried 9-0. Council Member Davis moved to include Amendment #1; seconded by Council Member Turner. The motion carried 9-0. Council Member Turner moved to adopt Council Resolution 15 2013 (DR-2); seconded by Council Member Davis. The motion carried 9-0.

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

CR-14-2013 - A RESOLUTION CONCERNING THE GREENBELT METRO AREA AND MD 193 CORRIDOR SECTIONAL MAP AMENDMENT for the purpose of approving with amendments and revisions, as an Act of the County Council of Prince George's County, Maryland, sitting as the District Council, the Greenbelt Metro Area and MD 193 Corridor Sectional Map Amendment (SMA), thereby setting forth and adopting detailed zoning proposals in Planning Area 67 for the area generally comprised of the properties bounded by the Capital Beltway (I-95/I-495), Henry A. Wallace Beltsville Agricultural Research Center, and the historic center of Greenbelt to the north; the city boundaries of College Park to the west; the residential portion of the Town of Berwyn Heights, Greenbelt National Park, and the Hunting Ridge apartment complex to the south; and the Windsor Green and Greenbrook residential communities to the east. - **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 14, which approves with amendments and revisions the Greenbelt Metro Area and MD 193 Corridor Sectional Map Amendment (SMA), was introduced by Council Members Davis, Turner and Patterson. Council Member Davis moved to suspend the Council Rules of Procedure to allow immediate adoption of Council Resolution 14; seconded by Council Member Patterson. The motion carried 9-0. Council Member Toles moved to adopt Council Resolution 14; seconded by Council Member Davis. The motion carried 9-0.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Mr. Jacques Chevalier addressed the Council regarding violence in Prince George's County schools.

BRIEFING – (COUNCIL HEARING ROOM) -- BRIEFING HELD**REPORT OF THE PRINCE GEORGE'S COUNTY GREEN BUSINESS ADVISORY BOARD**

Eric C. Olson, Chair, Advisory Board
Todd M. Turner, Legislative Officer

Council Member Olson provided an overview of the efforts of the Green Business Tax Credit Advisory Board and its recommendations.

RECESS – *Chair Harrison recessed the meeting at 11:09 a.m. and reconvened at 11:22 a.m.*

BRIEFING – (COUNCIL HEARING ROOM) - BRIEFING HELD**PRINCE GEORGE’S COUNTY DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT (DPIE)**

Carla A. Reid, Deputy Chief Administrative Officer for Economic Development and Public Infrastructure

Haitham A. Hijazi, Director, Department of Public Works and Transportation

Adam Ortiz, Acting Director, Department of Environmental Resources

Ms. Carla Reid provided introductory remarks. She, Haitham Hijazi and Adam Ortiz, facilitated a power-point presentation on the formation of the Prince George’s County Department of Permitting, Inspections and Enforcement and responded to questions posed by Council (See Clerk’s notes for details).

** *Council Member Davis moved to convene into Executive Session in accordance with Sections 10-508(a)(1, 7, 8), State Government, Annotated Code of Maryland; seconded by Council Member Patterson. The motion carried 9-0.*

ADJOURN – Chair Harrison adjourned the meeting at 1:16 p.m.

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

To discuss personnel issues, to discuss pending or potential litigation, and to consult with counsel to seek legal advice in accordance with Sections 10-508(a)(1, 7, 8), State Government, Annotated Code of Maryland. – **EXECUTIVE SESSION HELD**

Topic Discussed:

1. Procedural update for conditional zoning cases.
2. Ex parte procedural considerations and process
3. Consideration of Council appointments to the Prince George’s Revenue Authority, the Spending Affordability Committee, and an update concerning the swearing in of the Council appointees to the Prince George’s Redevelopment Authority.

Prepared by:

Submitted by:

Sherry Bias, Administrative Aide

Redis C. Floyd, Clerk of the Council