

AGENDA MINUTES

Tuesday, June 1, 2010

Legislative Day No. 16

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

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

COMMITTEE OF THE WHOLE – (ROOM 2027) - **DEFERRED**

- **THE REGULATING PLAN FOR ADDISON ROAD METRO STATION AND VICINITY AS A PROPOSED AMENDMENT TO THE ADOPTED SUBREGION 4 MASTER PLAN AND ENDORSED SECTIONAL MAP AMENDMENT (PLANNING AREAS 72, 75A AND 75B)**

(DIGEST OF TESTIMONY)

Sonja Ewing, Planner/Project Coordinator

CALL TO ORDER: - *Chair Dernoga called to order at 10:31 A.M. with the following Council Members present:*

*Marilynn B. 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:

*Craig S. Price, Council Administrator
Robert J. Williams, Jr., Deputy Council Administrator
Karen Zavakos, Legislative Officer
Russell King, Office of Law
Marcus Jackson, County Council Liaison, Office of the County Executive*

INVOCATION: - *The Invocation was led by Edwin H. Brown, Jr., County Employee. Council Member Bland requested special prayers for Joseph Pollard, staff member in the hospital.*

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

CB-45-2010 – AN ACT CONCERNING TRANSPORTATION DEMAND MANAGEMENT DISTRICTS for the purpose of revising the definitions, requirements, establishment and composition of transportation demand management districts to include a pedestrian access and safety focus. - **PRESENTED**
Council Bill 45 was presented by Council Member Campos and referred to the Transportation, Housing and the Environment (THE) Committee.

CB-46-2010 – AN ORDINANCE CONCERNING COMMERCIAL USES for the purpose of amending the definitions, requirements, and enforcement procedures for certain commercial uses. - **PRESENTED**
Council Bill 46 was presented by Council Member Dean and referred to the Planning, Zoning and Economic Development (PZED) Committee.

CB-47-2010 – AN ACT CONCERNING FIRE SAFETY CODE for the purpose of amending the Prince George's Fire Safety Code to adopt the standards of the National Fire Protection Association, to increase administrative fees, and to make other technical amendments related to the Fire Safety Code. - **PRESENTED**
Council Bill 47 was presented by Council Member Dernoga and referred to the Public Safety and Fiscal Management (PSFM) Committee.

CB-48-2010 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES AFL-CIO AND ITS AFFILIATED LOCAL 241 (SCHOOL CROSSING GUARDS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees, AFL-CIO and its affiliated Local 241 to provide for wages and certain other terms and conditions of employment for personnel classifications certified by the Prince George's County Public Employees Relations Board. - **PRESENTED**
Council Bill 48 was presented by Council Member Dernoga and referred to the Public Safety and Fiscal Management (PSFM) Committee.

(b) **Introduction of Resolutions**

CR-42-2010 – A RESOLUTION CONCERNING FIRE PREVENTION CODE for the purpose of adopting individual codes and standards of the National Fire Protection Association in accordance with Section 11-253 of the County Code. - **INTRODUCED**

Council Resolution 42 adopts individual codes and standards of the National Fire Protection Association in accordance with Section 11-253 of the Prince George's County Code. Council Resolution 42 was introduced by Council Members Dernoga and Harrison. Council Resolution 42 was referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-43-2010 – A RESOLUTION CONCERNING SUPPLEMENTARY APPROPRIATION OF FEDERAL, STATE AND OTHER FUNDS for the purpose of appropriating funding from grants in the amount of \$7,694,403 to the Fire/EMS Department, Police Department, Office of Homeland Security, Office of the State's Attorney, Department of Corrections, Department of Environmental Resources, Department of Family Services, Health Department, Department of Social Services, Department of Housing and Community Development and Non Departmental. - **INTRODUCED**

Council Resolution 43 concerns Supplementary Appropriations of Federal, State and other funds in the amount of \$8,541,857 for the Fire/EMS Department, Police Department, Office of Homeland Security, Office of the State's Attorney, Department of Corrections, Department of Environmental Resources, Department of Family Services, Health Department, Department of Social Services, Department of Housing and Community Development, Department of Public Works and Transportation and Non-Departmental. Council Resolution 43 was introduced by Council Members Dernoga, Harrison, Olson, Turner and Dean. Council Resolution 43 was referred to the Public Safety and Fiscal Management (PSFM) Committee.

PUBLIC HEARING SCHEDULED TUESDAY, JUNE 22, 2010 AT 10:00 A.M.

CR-44-2010 – A RESOLUTION CONCERNING MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of amending certain revenues and expenditures in the Approved Maryland-National Capital Park and Planning Commission's Annual Budget for the Fiscal Year 2010. - **INTRODUCED**

Council Resolution 44 amends certain revenues and expenditures in the Approved Maryland-National Capital Park and Planning Commission's Annual Budget for the Fiscal Year 2010. Council Resolution 44 was introduced by Council Member Dernoga.

PUBLIC HEARING SCHEDULED TUESDAY, JUNE 22, 2010 AT 10:00 A.M.

CR-45-2010 – 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 45 amends Salary Schedule A effective July 1, 2009 through June 30, 2010 for Council 67, American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, and its affiliated Locals 1170, 2462, 2735 and 3389. Council Resolution 45 was introduced by Council Members Harrison and Dean. Council Resolution 45 was referred to the Public Safety and Fiscal Management (PSFM) Committee.

CR-46-2010 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL 241 – 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 the American Federation of State, County and Municipal Employees, Local 241. - **INTRODUCED**

Council Resolution 46 amends the Salary Plan for Council 67, American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, and its affiliated Local 241 (School Crossing Guards) Salary Schedule X effective July 1, 2009 through June 30, 2010. Council Resolution 46 was introduced by Council Members Dernoga, Harrison and Dean. Council Resolution 46 was referred to the Public Safety and Fiscal Management (PSFM) Committee.

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

No items were considered.

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

No items were considered.

Council Member Harrison moved adoption of the Consent Agenda; seconded by Council Member Olson. The motion carried 9-0.

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

CB-14-2010 (DR-2) - AN ORDINANCE CONCERNING MIXED USE AND COMPREHENSIVE DESIGN ZONES for the purpose of authorizing certain density limitations in Mixed Use and Comprehensive Design Zones. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 14 (DR-2). No persons wishing to speak, the public hearing was declared held. Council Member Exum moved enactment of Council Bill 14 (DR-2); seconded by Council Member Harrison. The motion carried 9-0.

CB-16-2010 - AN ORDINANCE CONCERNING MARYLAND –NATIONAL CAPITAL PARK AND PLANNING COMMISSION – PRINCE GEORGE’S COUNTY DISTRICT COUNCIL – DELEGATION OF POWERS for the purpose of allowing the governing body of a municipal corporation to exercise certain powers of the District Council, subject to certain limitations. - **CONTINUED TO 6/8/2010**

CB-17-2010 - CORRECTIVE BILL – ADULT BOOK STORES AND/OR ADULT VIDEO STORES for the purpose of amending the zoning ordinance to extend the time period that adult book stores and/or adult video stores may continue in operation; making a certain technical correction as set forth in CB-28-2009; and generally relating to making an amendment to correct an omission in CB-28-2009. - **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 17. No persons wishing to speak, the public hearing was declared held. Council Member Dean moved enactment of Council Bill 17; seconded by Council Member Harrison. The motion carried 9-0.

CB-19-2010 (DR-2) - AN ORDINANCE CONCERNING EATING OR DRINKING ESTABLISHMENTS for the purpose of making clarifying amendments to the requirements for eating or drinking establishments.
- **PUBLIC HEARING HELD; ACTION DEFERRED TO 06/08/2010**

Pursuant to proper notice, the public hearing convened on Council Bill 19 (DR-2). Ed Gibbs spoke on Council Bill 17 (DR-2). All persons wishing to speak having done so, the public hearing was declared held.

CB-20-2010 - AN ACT CONCERNING AN INTERPROJECT TRANSFER OF APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2009 CAPITAL BUDGET for the purpose of transferring appropriations to the Greenbelt Middle School Renovation project and the Hyattsville Area Elementary School project.
- **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 20. No persons wishing to speak, the public hearing was declared held. Council Member Turner moved enactment of Council Bill 20; seconded by Council Member Dean. The motion carried 8-0. (Absent: Council

Member Dernoga).

CB-21-2010 - AN ACT CONCERNING AN INTERPROJECT TRANSFER OF APPROPRIATIONS IN THE APPROVED FISCAL YEAR 2010 CAPITAL BUDGET for the purpose of transferring appropriations to the Fairwood Elementary School project and the Crossland High School Auditorium project.

- **PUBLIC HEARING HELD; ENACTED**

Pursuant to proper notice, the public hearing convened on Council Bill 21. No persons wishing to speak, the public hearing was declared held. Council Member Turner moved enactment of Council Bill 21; seconded by Council Member Knotts. The motion carried 8-0. (Absent: Council Member Dernoga).

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

CR-34-2010 A RESOLUTION CONCERNING HAZARD MITIGATION PLAN for the purpose of adopting an updated County-wide Hazard Mitigation Plan as required by the Federal Emergency Management Agency (FEMA) in order to be eligible for federal mitigation assistance for any natural hazards.

- **TRANSPORTATION, HOUSING AND THE ENVIRONMENT (THE) COMMITTEE DISCHARGED; CONVENED AS COMMITTEE OF THE WHOLE (COW); FAVORABLE RECOMMENDATION; ADOPTED**

Council Member Dean moved to discharge Council Resolution 34 from the Transportation, Housing and the Environment (THE) Committee; seconded by Council Member Olson. The motion carried 8-0. (Absent: Council Member Dernoga). A member of the Department of Environmental Resources (DER) provided an overview of the plan and responded to questions posed by the Council Members. Council Member Olson moved Favorable Recommendation with technical amendments to “clean-up” documents; seconded by Council Member Knotts. The motion carried 8-0. (Absent: Council Member Dernoga. Council Member Olson moved adoption of Council Resolution 34; seconded by Council Member Knotts. The motion carried 8-0. (Absent: Council Member Dernoga).

6. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

CR-47-2010 – A RESOLUTION CONCERNING EQUINE INDUSTRY TASK FORCE for the purpose of amending the composition of the Equine Industry Task Force.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 47 amends the composition of the Equine Industry Task Force. Council Resolution 47 was introduced by Council Members Dean, Bland and Knotts. Council Member Turner moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 47; seconded by Council Member Olson. The motion carried 7-0. (Absent: Council Members Dernoga and Exum). Council Member Dean moved adoption of Council Resolution 47; seconded by Council Member Turner. The motion carried 9-0.

CR-48-2010 – A RESOLUTION CONCERNING THE PUBLIC FACILITIES ELEMENT OF THE PRELIMINARY CENTRAL ANNAPOLIS ROAD SECTOR PLAN AND PROPOSED SECTIONAL MAP AMENDMENT for the purpose of identifying inconsistencies between the Preliminary Central Annapolis Road Sector Plan and existing or proposed State or County facilities and approving the inclusion of any new transportation proposals prior to the adoption of the sector plan by the Prince George’s County Planning Board.

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 48 identifies inconsistencies between the Preliminary Central Annapolis Road Sector Plan and existing or proposed State or County facilities and approving the inclusion of any new transportation proposals prior to the adoption of the sector plan by the Prince George’s County Planning Board. Council Resolution 48 was introduced by Council Members Harrison, Olson and Dean. Council Member Olson moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 48; seconded by Council Member Dean. The motion carried 7-0. (Absent: Council Members Dernoga and Exum). Council Member Olson moved adoption of Council Resolution 48; seconded by Council Member Bland. The motion carried 8-0. (Absent: Council Member Dernoga).

CR-49-2010 – A RESOLUTION CONCERNING SUBREGION 4 MASTER PLAN AND SECTIONAL MAP AMENDMENT for the purpose of approving with amendments, as an Act of the County Council of Prince George’s County, Maryland, sitting as the District Council, the Master Plan and Sectional Map Amendment (SMA) for Subregion 4, thereby defining long-range land use and development policies, and setting forth and adopting detailed zoning proposals in Planning Areas 72, 75A, and 75B for the area generally bounded by the US 50 to the north, the Capital Beltway to the east, Suitland Parkway to the south, and the District of Columbia to the west

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 49 approves with amendments, as an Act of the County Council of Prince George’s County, Maryland, sitting as the District Council, the Master Plan and Sectional Map Amendment (SMA) for Subregion 4, thereby defining long-range land use and development policies, and setting forth and adopting detailed zoning proposals in Planning Areas 72, 75A, and 75B for the area generally bounded by the US 50 to the north, the Capital Beltway to the east, Suitland Parkway to the south, and the District of Columbia to the west. Council Resolution 49 was introduced by Council Members Harrison, Dean and Exum. Council Member Dean moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 49; seconded by Council Member Exum. The motion carried 8-0. (Absent: Council Member Dernoga. Council Member Dean moved adoption of Council Resolution 49; seconded by Council Member Bland. The motion carried 8-0. (Absent: Council Member Dernoga).

CR-50-2010 – A RESOLUTION CONCERNING THE CENTRAL US 1 CORRIDOR SECTOR PLAN AND PROPOSED SECTIONAL MAP AMENDMENT

for the purpose of approving with amendments, as an Act of the County Council of Prince George's County, Maryland, sitting as the District Council, the Central US 1 Corridor Sector Plan and Sectional Map Amendment (SMA), thereby defining long-range land use and development policies, and setting forth and adopting detailed zoning proposals in Planning Area 66 for the area generally comprised of the properties bounded by the city boundaries of College Park to the north, the southern limit of mixed-use properties south of Guilford Road to the south, and commercial, mixed-use, vacant and related properties fronting or oriented to US 1 to the east and west, including established residential areas along Guilford Drive, Knox Road, and Cherry Hill Road, and commercial and residential properties located in the Hollywood community at the intersection of Rhode Island Avenue and Edgewood Road and all properties inclusive of 47th Place West between Lackawanna Street and 48th Place

- **INTRODUCED; RULES SUSPENDED; ADOPTED**

Council Resolution 50 approves with amendments, as an Act of the County Council of Prince George's County, Maryland, sitting as the District Council, the Central US 1 Corridor Sector Plan and Sectional Map Amendment (SMA), thereby defining long-range land use and development policies, and setting forth and adopting detailed zoning proposals in Planning Area 66 for the area generally comprised of the properties bounded by the city boundaries of College Park to the north, the southern limit of mixed-use properties south of Guilford Road to the south, and commercial, mixed-use, vacant and related properties fronting or oriented to US 1 to the east and west, including established residential areas along Guilford Drive, Knox Road, and Cherry Hill Road, and commercial and residential properties located in the Hollywood community at the intersection of Rhode Island Avenue and Edgewood Road and all properties inclusive of 47th Place West between Lackawanna Street and 48th Place. Council Resolution 50 was introduced by Council Members Harrison and Olson. Council Member Olson moved to suspend the Council Rules of Procedure to allow for the immediate adoption of Council Resolution 50; seconded by Council Member Campos. The motion carried 8-0. (Absent: Council Member Dernoga). Council Member Olson moved adoption of Council Resolution 50; seconded by Council Member Campos. The motion carried 8-0. (Absent: Council Member Dernoga).

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

No persons wished to address the Council.

ADJOURN: - *Chair Dernoga adjourned the meeting at 11:35 A.M.*

COMMITTEE OF THE WHOLE – (ROOM 2027)

– COMMITTEE MEETING HELD @ 12:02 P.M.

- STAFF DIRECTED PREPARE APPROVING RESOLUTION WITH AMENDMENTS

● **THE ADOPTED HISTORIC SITES AND DISTRICTS PLAN**

(DIGEST OF TESTIMONY – CONTINUED)

Gail Rothrock, Planner/Project Coordinator

12:52 P.M.

ADDITIONAL COMMITTEE OF THE WHOLE (COW) TO BE HELD ON 06/15/2010

● **WATER RESOURCES FUNCTIONAL MASTER PLAN**

(DIGEST TO TESTIMONY)

Karen Bauxbaum, Planner/Project Coordinator

Prepared By:

Submitted By:

Shirley T. Blake, Administrative Aide

Redis C. Floyd, Clerk of the Council