

# ***ACTION AGENDA***

**Tuesday, May 11, 2010**

**Business Meeting**

**(Legislative Day No. 13 to be declared)**

## **COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**12:06 P.M.                    AGENDA BRIEFING – (ROOM 2027)**

### **COMMITTEE OF THE WHOLE – (ROOM 2027)**

- 12:46 P.M.                    •    PROPOSED AMENDMENTS TO THE ADOPTED CENTRAL US 1  
CORRIDOR SECTOR PLAN AND ENDORSED SECTIONAL (ZONING)  
MAP AMENDMENT**

**(DIGEST OF TESTIMONY)**

Chad Williams, Planner, Project Manager

*DPW&T letter accepted into the record; staff directed to prepare approving  
Resolution.*

**2:02 P.M.                    CALL TO ORDER**

**INVOCATION:** Johnie L. Higgs, County Employee

**PLEDGE OF ALLEGIANCE**

*Designated*

**DESIGNATION OF MAY 11, 2010 AS LEGISLATIVE DAY NO. 13**

1. **CONSENT AGENDA -- CR-35-2010 REMOVED FROM CONSENT AGENDA (SEE PAGE 5); CB-39, 40, 41 AND 42-2010 ADDED (SEE PAGE 7); ADOPTED AND ALL ACTIONS APPROVED**

All items listed under the consent agenda have been distributed to each member of the Council for review, are considered to be routine and will be acted upon by motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

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

*Presented*

**CB-26-2010 (SUBDIVISION BILL) – AN ACT CONCERNING GREEN INFRASTRUCTURE PLAN IMPLEMENTATION** for the purpose of updating the overall ordinance; amending the process for requesting impacts to regulated areas to apply countywide; clarifying the definition of regulated streams and their associated buffers; amending submittal requirements for minor, major and conservation subdivisions; and implementing the recommendations of the Countywide Green Infrastructure Functional Master Plan, approved June 14, 2005.

To be presented by the Chairman (by request – Planning Board); referral to PZED

*Presented*

**CB-27-2010 – AN ACT CONCERNING WOODLAND, WILDLIFE HABITAT AND TREE CANOPY CONSERVATION** for the purpose of updating the overall ordinance, clarifying design criteria concerning woodland, wildlife habitat and tree canopy conservation; including provisions for variances under certain circumstances; and implementing the recommendations of the Countywide Green Infrastructure Functional Master Plan, approved June 14, 2005.

To be presented by the Chairman (by request – Planning Board); referral to THE

*Presented*

**CB-28-2010 – AN ORDINANCE CONCERNING GREEN INFRASTRUCTURE PLAN IMPLEMENTATION** for the purpose of updating the overall ordinance; clarifying the requirements related to Subtitle 25, Division 2 the Woodland and Wildlife Conservation Ordinance and Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, adding a process for requesting and evaluating impacts to regulated environmental features; amending submittal requirements; and implementing the recommendations of the Countywide Green Infrastructure Master Plan, approved June 14, 2005.

To be presented by the Chairman (by request – Planning Board); referral to PZED

*Presented*

**CB-29-2010 – AN ACT CONCERNING WOODLAND CONSERVATION AND THE PURCHASE OF DEVELOPMENT RIGHTS PROGRAM** for the purpose of clarifying provisions of the Purchase of Development Rights Program relating to woodland conservation.

To be presented by the Chairman (by request – Planning Board); referral to THE

**CONSENT AGENDA – (CONTINUED)**

*Presented*

**CB-30-2010 – AN ACT CONCERNING HOUSING AND PROPERTY STANDARDS AND ANTI-LITTER AND WEED ORDINANCE** for the purpose of revising certain definitions to conform to the revisions proposed to the Woodland and Wildlife Habitat Conservation Ordinance.

To be presented by the Chairman (by request – Planning Board); referral to THE

*Presented*

**CB-31-2010 – AN ACT CONCERNING CONSTRUCTION-DEMOLITION FILLS** for the purpose of revising certain submission requirements to conform to the revisions proposed to the Woodland and Wildlife Habitat Conservation Ordinance.

To be presented by the Chairman (by request – Planning Board); referral to THE

*Presented*

**CB-32-2010 – AN ACT CONCERNING GREEN INFRASTRUCTURE PLAN IMPLEMENTATION** for the purpose of revising certain definitions, practices and requirements to conform to the revisions proposed to other subtitle and to implement the recommendations of the Countywide Green Infrastructure Plan, approved June 14, 2005.

To be presented by the Chairman (by request – Planning Board); referral to THE

*Presented*

**CB-33-2010 – AN ACT CONCERNING SCENIC EASEMENT TAX CREDIT** for the purpose of amending requirements related to the tax credit criteria for the Scenic Easement Tax Credit.

To be presented by the Chairman (by request – Planning Board); referral to PSFM

*Presented*

**CB-34-2010 – AN ORDINANCE CONCERNING CHECK CASHING BUSINESSES** for the purpose of amending the definition and regulations for check cashing businesses.

To be presented by Council Members Exum and Knotts; referral to PZED

*Presented*

**CB-35-2010 – AN ACT CONCERNING PRIVATE PROPERTY TOWING** for the purpose of amending the County Code to revise the definition of towing company for private property tows to include the Revenue Authority of Prince George's County.

To be presented by Council Member Harrison, referral to THE

**CONSENT AGENDA – (CONTINUED)**

*Presented*

**CB-36-2010 - AN ACT CONCERNING TAXICABS AND LIMOUSINES** for the purpose of amending provisions of the Code regulating taxicabs, amending certain definitions and requirements for certificates of registration, licensees, fees and otherwise relating to the regulation of taxicabs.

To be presented by Council Members Bland, Dean, Dernoga, Knotts and Olson; referral to THE

*Presented*

**CB-37-2010 - AN ACT CONCERNING VACANT RESIDENTIAL PROPERTY REGISTRATION AND MAINTENANCE INTERGOVERNMENTAL INFORMATION** for the purpose of amending the registration provisions of vacant or unoccupied residential structures with the Department of Environmental Resources by authorizing information sharing with Prince George’s County municipalities.

To be presented by Council Member Campos; referral to THE

*Presented*

**CB-38-2010 – AN ACT CONCERNING THE PRINCE GEORGE’S COUNTY PLASTIC BAG REDUCTION PROGRAM** for the purpose of establishing a voluntary plastic bag reduction program for disposable bags in Prince George’s County.

To be presented by Council Member Harrison, referral to THE

(b) **Introduction of Resolutions**

*Introduced*

**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.

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

*Introduced by Council Members Dean, Harrison and Dernoga*

*Removed from  
Consent Agenda*

**CR-35-2010 – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLANS: FY 2006 AND FY 2008** for the purpose of amending the Prince George’s County FY 2006 and FY 2008 Annual Action Plans for Housing and Community Development to reprogram and approve Community Development Block Grant (“CDBG”) activities related to housing and community development.

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

To be introduced by:

**THIS RESOLUTION REQUIRES A PUBLIC HEARING**

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

*CR-35-2010 was removed from Consent Agenda. Motion made by Council Member Harrison; seconded by Council Member Dean; motion carried 9-0.*

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT -- 3(b) ADDED (SEE PAGE 8)**

*Chairman  
authorized to  
sign*

- (a) Proposed letter to, The Honorable Nancy Floreen, President of the Montgomery County Council, transmitting the Prince George's County Council's proposed recommendations on the Fiscal Year 2011 Operating and Capital Budgets of the Washington Suburban Sanitary Commission, the Maryland-National Capital Park and Planning Commission and the Washington Suburban Transit Commission.

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

*Public hearing  
held; enacted*

**CB-13-2010 (DR-2) - AN ORDINANCE CONCERNING URBAN CENTERS AND CORRIDOR NODES DEVELOPMENT AND ZONING CODE** for the purpose of temporarily amending the requirements for the approval of a regulating plan in Prince George's County.

(Introduced by Council Member Dean on 4/20/2010; favorably reported out of PZED on 4/7/2010)

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

*DR-2  
substituted;  
adopted*

**CR-13-2010 (DR-2) – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLANS: FY 2006, FY 2007, FY 2008, FY 2009, AND FY 2010** for the purpose of amending the Prince George's County FY 2006, FY 2007, FY 2008, FY 2009, and FY 2010 Annual Action Plans for Housing and Community Development to restructure, reprogram, and approve Community Development Block Grant ("CDBG") activities related to housing and community development.

(Introduced by Council Member Dernoga 2/23/2010; favorably reported out of THE on 5/10/2010 with amendments)

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

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

*Amended;  
DR-2 adopted*

**CR-19-2010 – A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN (DECEMBER 2009 CYCLE OF AMENDMENTS)** for the purpose of changing the water and sewer category designations of properties within the 2008 Water and Sewer Plan.

(Introduced by Council Member Dernoga on 3/9/2010; reported out of THE on 4/22/2010 with no recommendation)

*DR-2  
substituted;  
amended;  
DR-3 adopted*

**CR-26-2010 (DR-2) – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT CONSOLIDATED PLAN: FY 2011-2015** for the purpose of approving and adopting the Prince George’s County FY 2011-2015 Consolidated Plan for Housing and Community Development.

(Introduced by Council Member Dernoga on 3/23/2010; favorably reported out of THE on 5/10/2010 with amendments)

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

*DR-2  
substituted;  
amended;  
DR-3 adopted*

**CR-27-2010 (DR-2) – A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2011** for the purpose of approving and adopting the Prince George’s County Fiscal Year 2011 Housing and Community Development Annual Action Plan consisting of federal programs, including their federal funding applications which, along with other resources, serve to implement housing and community development strategies set forth in the County’s FY 2011-2015 Consolidated Plan, adopted by CR-26-2010, which Plan was required by the U.S. Department of Housing and Urban Development (HUD) as a prerequisite to consideration of the funding applications.

(Introduced by Council Member Dernoga on 3/23/2010; favorably reported out of THE on 5/10/2010 with amendments)

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

**ADDITIONS TO THE AGENDA**

1. **CONSENT AGENDA**

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

*Presented*

**CB-39-2010 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AND ITS AFFILIATED LOCALS 2462, 2735, 3389 AND 1170** 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 (AFSCME), AFL-CIO, and its affiliated Locals 2462, 2735, 3389 and 1170 to provide for wage increases and certain other terms and conditions of employment for personnel classifications certified by the Prince George’s County Public Employee Relations Board.

To be presented by the Chairman (by request – County Executive); referral to PSFM

*Presented*

**CB-40-2010 - AN ACT CONCERNING SECONDHAND AND PAWN DEALERS** for the purpose of further clarifying the definition of tangible personal property and general regulations as it relates to the second hand dealer licensing.

To be presented by Council Member Olson and Dernoga; referral to THE

*Presented*

**CB-41-2010 – AN ACT CONCERNING PERSONNEL LAW – ADMINISTRATIVE LEAVE** for the purpose of allowing County employees up to twelve hours of administrative leave per year to volunteer in schools.

To be presented by Council Member Dean, referral to PSFM

*Presented*

**CB-42-2010 - AN ACT CONCERNING NOTICE TO PURCHASERS OF REAL ESTATE OF CERTAIN LAND RECORDS** for the purpose of amending the Consumer Protection laws of the County to require disclosure in residential real estate contracts of certain information in the land records maintained in the County of the subject property and to provide provisions for the failure to provide the required notice.

To be presented by Council Member Harrison; referral to THE

**ADDITIONS TO THE AGENDA – (CONTINUED)**

3. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER’S REPORT – (page 5)**

*Chairman  
authorized to  
sign*

- (b) Proposed letter to President C.D. Mote, President, University of Maryland concerning plans to close Campus Drive to transit during this summer.

**REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL**

*None*

**2:58 P.M.**

**RECESS**

**COMMITTEE OF THE WHOLE (BUDGET WORKSESSION) – (ROOM 2027)**  
**-- COMMITTEE MEETING HELD**

**3:20 P.M.**

- **BOARD OF EDUCATION FY 2011 OPERATING BUDGET REVIEW**  
**BOARD OF EDUCATION FY 2011-2016 CAPITAL IMPROVEMENT PROGRAM BUDGET REVIEW**

**7:18 P.M.**

**RECONVENE**



8. **PUBLIC HEARING – (COUNCIL HEARING ROOM) -- PUBLIC HEARING HELD**

**PRINCE GEORGE'S COUNTY PROPOSED FY 2011  
OPERATING BUDGET, SIX-YEAR CAPITAL PROGRAM  
(INCLUDING THE CAPITAL IMPROVEMENT BUDGET)  
AND THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION  
PORTION OF THE COUNTY FY 2011 OPERATING BUDGET,  
PROPOSED BUDGET OF THE  
REDEVELOPMENT AUTHORITY, REVENUE AUTHORITY  
AND INDUSTRIAL DEVELOPMENT AUTHORITY OF  
PRINCE GEORGE'S COUNTY, AND  
THE CONSTANT YIELD TAX RATE  
  
(SEE SEPARATE ACTION AGENDA)**

**8:28 P.M.**

**ADJOURN**

**REMINDERS**

Wed., May 12, 2010	10:00 a.m.	THE Committee Meeting (Room 2027)
	1:00 p.m.	PSFM Committee Meeting (Room 2027)
Thurs., May 13, 2010	3:00 p.m.	Bi-County Meeting (Laurel, MD)
Fri., May 14, 2010	9:00 a.m.	HEHS Committee Youth Health Day