

ACTION AGENDA

Tuesday, October 31, 2006

Business Meeting

(Legislative Day No. 31 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

9:30 A.M. AGENDA BRIEFING – (ROOM 2027) -- *BRIEFING HELD*

11:10 A.M. CALL TO ORDER

INVOCATION: Ms. Brenda Simms, County Employee

PLEDGE OF ALLEGIANCE

Designated

DESIGNATION OF OCTOBER 31, 2006 AS LEGISLATIVE DAY NO. 31

1. **CONSENT AGENDA -- CR-84 & CR-85 2006 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.

Approved

- (a) *Approval of County Council Minutes dated June 8, 15, 22, 2004; July 6, 13, 21, 27, 30, 2004; September 7, 14, 21, 28, 2004.*

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

None

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

*Chairman
authorized to
sign*

- (a) Proposed letter from Thomas E. Dernoga, Chairman, Prince George's County Council requesting an extension for submittal of the Gas Safety Policy Task Force Report to January 1, 2007.

Council Member Dernoga

4. **SECOND READING OF BILLS – (INTRODUCTION) -- CB-87 & CB-88-2006
ADDED (SEE PAGE 8)**

DR-2 introduced

CB-69-2006 - AN ACT CONCERNING THE ISSUANCE AND SALE OF SPECIAL OBLIGATION BONDS for the purpose of providing that one or more series of special obligation bonds may be issued from time to time under the provisions of this Act, Article 41, Sections 14-201 through 14-214 of the Annotated Code of Maryland, as amended (2003 Replacement Volume and 2005 Supplement) (the “Tax Increment Act”), and pursuant to Section 10-269 of the Prince George’s County Code, as amended (2003 Edition, 2005 Supplement) and Section 9-1301 of Article 24 of the Annotated Code of Maryland, as amended (2005 Replacement Volume) (collectively, the “Special Taxing District Act”) and Resolution CR-65-2006 of the County Council of Prince George’s County, Maryland (the “Formation Resolution”) in an amount not to exceed the aggregate principal amount of One Hundred Ninety Million Dollars (\$190,000,000) in order for the County to finance the construction of the parking improvements and infrastructure improvements as more particularly described herein; making certain findings and determinations, among others, concerning the public benefit and purpose of such special obligation bonds; providing that such special obligation bonds authorized to be issued hereby shall be payable, from the amounts levied and deposited in the Tax Increment Fund (as defined in the Formation Resolution) and any other tax revenues deposited therein and that the special obligation bonds shall not constitute a general obligation debt of the County or a pledge of the County’s full faith and credit or taxing power other than the taxes representing the levy on the Tax Increment (as defined in the Formation Resolution); authorizing the County Executive of the County to specify, prescribe, determine, provide for and approve certain details, forms, documents or procedures in connection with such special obligation bonds issued hereunder and any other matters necessary or desirable in connection with the authorization, issuance, sale and payment of such special obligation bonds and make certain commitments on behalf of the County in connection with the issuance, sale and delivery of such special obligation bonds; authorizing the execution and delivery of such special obligation bonds and such other documents as may be necessary and desirable to effectuate the financing of the infrastructure improvements and the issuance, sale and delivery of such special obligation bonds; and generally providing for, and determining various matters in connection with, the issuance, sale, delivery and payment of such special obligation bonds.

(CB-69-2006 (DR-1) was held in PSFM on 10/25/2006 pending amendments)

DR-2 introduced by Council Members Dernoga, Hendershot, Peters and Campos

DR-2 introduced

CB-67-2006 – AN ACT CONCERNING MOBILE FOOD VENDING IN URBAN AREAS for the purpose of enhancing Livable Communities by authorizing the sale of certain food items by mobile food vendors and providing a licensing standard and definition for mobile food vendors.

(CB-67-2006 (DR-1) was held in HEHS on 10/3/2006)

DR-2 introduced by Council Member Campos

SECOND READING OF BILLS – (INTRODUCTION) – (CONTINUED)*Introduced*

CB-82-2006 – AN ACT CONCERNING CABLE TELEVISION for the purpose of granting a cable television franchise for the operation of a cable television system in Prince George's County, Maryland by prescribing certain terms and conditions to be included in a franchise agreement.

(No action taken in C.O.W. on 10/17/2006)

Introduced by Council Members Dean, Knotts, Peters, Hendershot, Harrington, Campos, Bland and Dernoga

*Rules
suspended;
introduced*

CB-85-2006 – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE'S COUNTY for the purpose of amending the Classification Plan which, pursuant to CB-44-2006, eliminated and added certain classes of work in accordance with the Public Employee Relations Board (PERB) Representation Amendment of Certification, and established a new Y Salary Schedule. This act amends the Classification Plan by correcting the class code for two classes of employees.

COUNCIL SHOULD EITHER CONVENE AS THE COMMITTEE OF THE WHOLE OR SUSPEND THE RULES PRIOR TO INTRODUCTION

Introduced by Council Members Dernoga, Bland, Harrington, Exum, Dean and Knotts

5. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Amended;
DR-2
introduced;
DR-2 adopted*

CR-83-2006 - A RESOLUTION CONCERNING THE WESTPHALIA SECTOR PLAN AND SECTIONAL MAP AMENDMENT for the purpose of proposing amendments to the Adopted Westphalia Sector Plan and Endorsed Sectional Map Amendment defining long-range land use policy and pertinent zoning within the planning area.

Introduced by Council Members Dean and Peters

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

*Public hearing
held;
recommitted to
PZED
Committee*

**CB-66-2006 (DR-2) – AN ORDINANCE CONCERNING DEVELOPMENT
DISTRICT OVERLAY ZONE** for the purpose of amending the Development
District Standards for the D-D-O Zone under certain circumstances.

(Introduced by Council Member Campos on 9/26/2006; favorably reported out of
PZED on 9/20/2006)

*Public hearing
held; enacted*

CB-68-2006 (DR-2) – AN ORDINANCE CONCERNING INDUSTRIAL ZONES
for the purpose of defining a Commercial Fuel Depot and permitting this use in the I-1
Zone under certain circumstances.

(Introduced by Council Member Exum on 10/10/2006; favorably reported out of PZED
on 10/4/2006 with amendments)

*Public hearing
held; amended;
DR-3 enacted*

**CB-76-2006 (DR-2) – AN ORDINANCE CONCERNING CONCURRENT
MASTER PLAN OR SECTOR PLAN AND SECTIONAL MAP AMENDMENTS**
for the purpose of revising the Sectional Map Amendment process to allow rezoning to
a Comprehensive Design Zone without filing a formal rezoning application.

(Introduced by Council Member Dean on 10/10/2006; favorably reported out of
C.O.W. on 10/10/2006 with amendments)

AMENDMENT #1 TO CB-76-2006 (DR-2)

*Public hearing
held; amended;
DR-3 enacted*

**CB-77-2006 (DR-2) – AN ORDINANCE CONCERNING COMPREHENSIVE
DESIGN ZONES** for the purpose of defining public facilities financing and
implementation program and amending development regulations.

(Introduced by Council Member Dean on 10/10/2006; favorably reported out of
C.O.W. on 10/10/2006 with amendments)

AMENDMENT #1 TO CB-77-2006 (DR-2)

*Public hearing
held; enacted*

**CB-78-2006 (DR-2) – AN ORDINANCE CONCERNING MIXED USE
TRANSPORTATION ORIENTED (M-X-T) ZONE** for the purpose of amending
the M-X-T Zone, defining public facilities financing and implementation program, and
amending development regulations.

(Introduced by Council Member Dean on 10/10/2006; favorably reported out of
C.O.W. on 10/10/2006 with amendments)

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

*Public hearing
held; enacted*

CB-83-2006 (DR-2) – AN ORDINANCE CONCERNING M-X-T ZONE for the purpose of permitting bulk retailing in the M-X-T Zone under certain circumstances.

(Introduced by Council Member Exum on 10/10/2006; favorably reported out of C.O.W. with amendments on 10/10/2006)

*Public hearing
held; motion to
enact failed*

CB-84-2006 – AN ORDINANCE CONCERNING CHESAPEAKE BAY CRITICAL AREA for the purpose of amending the restriction on growth allocation approved in the Resource Conservation Overlay Zone, to conform the County Chesapeake Bay Critical Area Program to requirements of the Chesapeake Bay Critical Area Commission.

(Introduced by Council Member Knotts on 10/10/2006; formerly known as CB-64-2006)

7. **PUBLIC HEARING:**

*Deferred to
11/14/2006*

LAUREL ANNEXATION #1-2006

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

Adopted

CR-80-2006 – A RESOLUTION CONCERNING NEWTON GREEN APARTMENTS for the purpose of providing the required approval to the Department of Housing and Community Development of the State of Maryland (“DHCD”) for the financing of the acquisition and development of the Newton Green Apartments, a senior rental project to be owned and operated by Newton Green, LLC a joint venture of Ingerman Affordable Housing, Inc. (collectively referred to as the “Owner”).

(Introduced by Council Member Dernoga on 10/17/2006; favorably reported out of THE on 10/26/2006)

11:58 A.M.

RECESS

2:09 P.M.

RECONVENED**ADDITIONS TO THE AGENDA**1. **CONSENT AGENDA – (page 2)**

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.

(b) **Introduction of Resolutions***Introduced*

CR-84-2006 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, SALARY SCHEDULE W, SCHEDULE OF PAY GRADES DEPUTY SHERIFF'S ASSOCIATION OF PRINCE GEORGE'S COUNTY, INC. for the purpose of amending Salary Schedule W for the position of Deputy Sheriff Private to reflect the terms of the collective bargaining agreement by and between Prince George's County, Maryland ("County") and the Deputy Sheriff's Association of Prince George's County, Inc. ("DSA").

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

Introduced by Council Members Bland, Harrington, Exum, Dernoga, Dean, Knotts and Peters

Introduced

CR-85-2006 – A RESOLUTION CONCERNING CONSOLIDATION OF MUNICIPAL BONDS FOR SALE for the purpose of authorizing that bonds authorized to be sold by separate acts of authorizing legislation be consolidated for sale and issued, sold and delivered as one or more single issues of bonds.

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

Introduced by Council Members Dernoga and Peters

ADDITIONS TO THE AGENDA – (CONTINUED)**4. SECOND READING OF BILLS – (INTRODUCTION) – (page 3)***Introduced***CB-87-2006 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – DEPUTY SHERIFF’S ASSOCIATION OF PRINCE GEORGE’S COUNTY, INC.**

for the purpose of amending the labor agreement by and between Prince George’s County, Maryland (“County”) and the Deputy sheriff’s Association of Prince George’s County, Inc. (“DSA”), covering July 1, 2005 through June 30, 2007, by amending Salary Schedule W for the position of Deputy Sheriff Private (W21).

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

Introduced by Council Members Peters, Knotts, Dean, Dernoga, Exum, Harrington and Bland

Introduced

CB-88-2006 – AN ACT CONCERNING SENIOR ASSISTANCE PROGRAM for the purpose of establishing a Senior Assistance Program to assist senior citizens of the County who are the head of household and County residents and who are in need of financial assistance, and generally relating to administration of the Senior Assistance Program.

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

Introduced by Council Members Harrington, Bland, Hendershot, Exum, Dernoga, Dean, Knotts and Peters

8. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) – (page 6)*Adopted***CR-78-2006 - A RESOLUTION CONCERNING SUPPORTING DEDICATED FUNDING FOR THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) AND INCREASING THE FEDERAL GOVERNMENT CONTRIBUTION THERETO**

for the purpose of urging the United States Senate to act on the National Capital Transportation Amendments Act of 2005 and for the State of Maryland to address transit funding needs.

(Introduced by Council Member Dernoga on 10/3/2006)

2:13 P.M.

9. **DISTRICT COUNCIL ITEMS**

SEE SEPARATE ACTION AGENDA

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

None

2:52 P.M.

ADJOURN

REMINDER

Wed., Nov. 1, 2006	9:30 a.m.	PZED Committee Meeting (Room 2027)
Tues., Nov. 7, 2006		ELECTION DAY – (NO COUNCIL SESSION)
Wed., Nov. 8, 2006	9:30 a.m.	PSFM Committee Meeting (Room2027)
Thurs., Nov. 9, 2006	10:00 a.m.	THE Committee Meeting (Room 2027)
Fri., Nov. 10, 2006		VETERAN’S DAY HOLIDAY