

ACTION AGENDA

Tuesday, November 20, 2007

Legislative Day No. 32

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

9:15 A.M. AGENDA BRIEFING – (ROOM 2027) - -BRIEFING HELD

9:48 A.M. PRESENTATION OF PROCLAMATIONS/COMMENDATIONS – (COUNCIL HEARING ROOM)

Presented Proclamation **presented to Ms. Shana Powell, a Prince George's County resident, in recognition of being named "2007 Miss Maryland".** (Council Chair Camille A. Exum, Council Member Ingrid M. Turner and Council Members Marilynn Bland, Eric C. Olson, Thomas E. Dernoga, Samuel H. Dean, David C. Harrington, and Tony Knotts)

Presented Proclamation **presented to Mr. Henry W. Harris in recognition of his selection as one of "100 Top Minority Business Enterprises" in Prince George's County.** (Council Chair Camille A. Exum, Council Member Tony Knotts and Council Members David C. Harrington, Marilynn Bland, Samuel H. Dean, Eric C. Olson, Thomas E. Dernoga and Ingrid M. Turner)

Presented Proclamation **presented to Mr. Kenneth E. Barnes, Sr. for his non-profit organization "ROOT (Reaching Out to Others Together)" and his outstanding contributions in Prince George's County.** (Council Chair Camille A. Exum, Council Member Marilynn M. Bland and Council Members David C. Harrington, Eric C. Olson, Thomas E. Dernoga, Samuel H. Dean, and Tony Knotts) -

Presented **PRESENTATION TO MEMBERS OF THE GAS SAFETY POLICY TASK FORCE – (COUNCIL HEARING ROOM)** - .

10:22 A.M. CALL TO ORDER

INVOCATION: Sherrell Myers, County Employee

PLEDGE OF ALLEGIANCE

1. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT -- 1 (b) ADDED (SEE PAGE 10)**

*Convened
as C.O.W.;
favorable
recommend
ation;
Chairman
authorized
to sign*

- (a) Proposed letter to Dr. David Lever, R.A., D.A., Executive Director, Interagency Committee on State School Construction, expressing the County's support of the Prince George's County Board of Education's proposed FY 2008 capital budget request and to identify the projects that this administration considers most critical.
- The Chairman (by request – County Executive)
- COUNCIL SHOULD CONVENE INTO COMMITTEE OF THE WHOLE PRIOR TO FINAL ACTION**

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

*Public
hearing
held;
enacted*

CB-33-2007 (DR-2) – AN ORDINANCE CONCERNING MONOPOLES for the purpose of increasing the minimum area required for monopoles on residential property without the need for a special exception.

(Introduced by Council Member Dean, Exum, Dernoga, Bland, Turner and Harrington on 10/23/2007; favorably reported out of PZED on 10/17/2007 with amendments)

*Public
hearing
held; no
final action
taken*

CB-38-2007 (DR-2) – AN ORDINANCE CONCERNING APARTMENT HOUSING FOR THE ELDERLY for the purpose of permitting Apartment Housing for the Elderly in the R-18 Zone, subject to Detailed Site Plan but not Special Exception review.

(Introduced by Council Members Turner and Dean on 10/23/2007; favorably reported out of PZED on 10/17/2007)

*Public
hearing
held;
enacted*

CB-40-2007 (DR-2) – AN ORDINANCE CONCERNING NONCONFORMING BUILDINGS, STRUCTURES, AND USES for the purpose of allowing certain alteration, enlargement or extension to certified nonconforming buildings, structures, and uses under certain circumstances without the requirement for a special exception.

(Introduced by Council Member Campos on 10/23/2007; favorably reported out of PZED on 10/17/2007 with amendments)

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

Public

CB-43-2007 – (SUBDIVISION BILL) – AN ACT CONCERNING

*hearing
held;
enacted*

JURISDICTION for the purpose of allowing the conveyance of an existing community building to nonprofit entities under certain circumstances.

(Introduced by Council Member Campos on 10/9/2007; favorably reported out of PZED on 10/17/2007)

*Public
hearing
held;
amended;
DR-2
enacted*

CB-45-2007 – (SUBDIVISION BILL) – AN ACT CONCERNING PRIVATE ROADS AND EASEMENTS for the purpose of permitting the Planning board to approve private roads, easements and alleys in Marc Planned Communities developed in the I-1, I-2 or I-3 Zones in accordance with Section 27-475.06.05 under certain circumstances.

(Introduced by Council Member Dernoga on 10/9/2007; favorably reported out of PZED 11/7/2007)

AMENDMENT #1 TO CB-45-2007

*Public
hearing
held;
enacted*

CB-28-2007 (DR-2) – AN ACT CONCERNING DISADVANTAGED BUSINESS ENTERPRISES for the purpose of establishing a Disadvantaged Business Enterprise (DBE) program to assist disadvantaged entrepreneurs in performing work for the County under certain circumstances and amending certain competitive sealed bidding provisions within the Purchasing Subtitle.

(Introduced by Council Members Harrington and Knotts on 10/23/2007; favorably reported out of PSFM on 7/23/2007)

*Public
hearing
held;
enacted*

CB-34-2007 (DR-2) – AN ACT CONCERNING TELECOMMUNICATIONS FACILITY COMMITTEE – FACILITY INVENTORY for the purpose of amending procedures pertaining to the Prince George's County Telecommunications Transmission Facility Committee.

(Introduced by Council Members Dean, Bland, Turner and Exum on 10/23/2007; favorably reported out of PSFM on 10/15/2007 with amendments)

*Public
hearing
held;
enacted*

CB-36-2007 (DR-2) – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of adding and removing certain job classifications under Salary Schedule A of the collective bargaining agreement by and between the County and Council 67, American Federation of State, County and Municipal Employees (“ASFCME”), AFL-CIO, and its affiliated locals 2462, 2735, 3389 and 1170.

(Introduced by Council Members Dean, Turner, Knotts, Harrington, Dernoga, and Campos on 10/23/2007; favorably reported out of PSFM on 10/22/2007 with amendments)

*Public
hearing
held;
enacted*

CB-39-2007 (DR-2) – AN ACT CONCERNING NOTICE TO PURCHASERS OF REAL ESTATE IN SPECIAL TAXING DISTRICTS for the purpose of amending the Consumer Protection Laws of the County to require disclosure in residential real estate contracts that the subject property is subject to additional taxes and fees in a Special Taxing District and to provide provisions for the failure to provide the required notice.

(Introduced by Council Members Harrington, Bland, Campos, Dernoga, Exum, Dean, Turner and Knotts on 10/23/2007; favorably reported out of PSFM on 10/22/2007 with amendments)

*Public
hearing
held;
enacted*

CB-41-2007 (DR-2) – AN ACT CONCERNING THE CLASSIFICATION PLAN FOR PRINCE GEORGE’S COUNTY for the purpose of abolishing existing classes of work from the collective bargaining agreement between the County, the State’s Attorney’s Office, and Service Employees International Union Local 400PG, Salary Schedule V.

(Introduced by Council Member Dean on 10/23/2007; favorably reported out of PSFM on 10/15/2007 with amendments)

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

Public

CB-48-2007 - AN ACT CONCERNING THE ADDITION OF TWO CAPITAL

*hearing
held;
amended;
DR-2
enacted*

PROJECTS AND SUPPLEMENTARY APPROPRIATIONS for the purpose of adding two capital projects, Rosa L. Parks Elementary and Bladensburg High School, in the Approved Fiscal Year 2008 Capital Budget with supplementary appropriations in the FY 2008 Capital Budget in the amounts of \$318,000 and \$500,000 respectively; and providing supplementary appropriations to the Major Repairs project in the amount of \$3,441,000, the Central Garage project in the amount of \$200,000, the Major Renovations project in the amount of \$6,520,000, the Central Garage/Transportation Department Improvements project in the amount of \$445,000, the Emergency Operations Center in the amount of \$2,800,000, the Bus Mass Transit Metro Access project in the amount of \$2,000,000 and to the Animal Control Facility project in the amount of \$3,000,000. This bill also provides to decrease appropriation to the Forward Funded Projects capital project in the amount of (\$11,424,000) and the Contingency Appropriation Fund in the amount of (\$7,800,000).

(Introduced by Council Members Exum and Campos on 10/16/2007; no action taken in PSFM on 10/22/2007)

AMENDMENT #1 TO CB-48-2007

*Withdrawn
by the
County
Executive*

CB-49-2007 (DR-2) – AN ACT CONCERNING MINORITY BUSINESS ENTERPRISE CERTIFICATIONS for the purpose of amending provisions of the Code allowing issuance of minority business enterprise certifications to entities that exceed the State of Maryland's minority business enterprise eligibility criteria, and for the purpose of transferring the minority business enterprise certification function to the Minority Business Development Division of the Office of Central Services.

(Introduced by Council Members Dean, Turner, Knotts, Harrington, Bland and Olson on 10/23/2007; verbal PSFM Committee report to be provided)

*Public
hearing
held;
enacted*

CB-15-2007 (DR-2) – AN ACT CONCERNING COMMON OWNERSHIP COMMUNITIES PROGRAM for the purpose of establishing a Common Ownership Communities Program to assist governing bodies, owners, and residents of homeowners' associations, residential condominiums, and cooperative housing corporations with education, training, and alternative dispute resolution services in matters relating to these communities.

(Introduced by Council Members Dean, Harrington, Turner, Knotts, Exum and Bland on 10/23/2007; favorably reported out of THE on 10/11/2007 with amendments)

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

Public

CB-35-2007 (DR-2) – AN ACT CONCERNING TOWING REGULATIONS for

*hearing
held;
enacted*

the purpose of amending the towing regulations to reduce the time a tow company has to provide notice of a vehicle tow from private property.

(Introduced by Council Members Harrington, Dernoga and Bland on 10/23/2007; favorably reported out of THE on 10/11/2007 with amendments)

3. **RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) --
(CR-85-2007 ADDED; SEE PAGE 10)**

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

**CR-71-2007 (DR-2) – A RESOLUTION CONCERNING CENTRAL BUSINESS
AREA DESIGNATION** for the purpose of designating certain areas within Prince George's County as its Central Business Area in compliance with Executive Order 12072 pertaining to the location decisions by the United States Government.

(Introduced by Council Member Exum on 10/16/2007; favorably reported out of PZED on 11/7/2007 with amendments)

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

*Withdrawn
by the
County
Executive*

**CR-68-2007 – A RESOLUTION CONCERNING HEALTH INSURANCE PLAN
CONTRIBUTIONS** for the purpose of amending the employer/employee contribution percentages to certain health insurance and benefits plans.

(Introduced by Council Member Exum on 10/9/2007)

*Withdrawn
by the
County
Executive*

**CR-76-2007 – A RESOLUTION CONCERNING PROCUREMENT
REGULATIONS REGARDING MINORITY BUSINESS ENTERPRISES** for the purpose of approving amendments to the Prince George's County Procurement Regulations regarding minority business enterprises pursuant to Section 10A-105 of the Prince George's County Code.

(Introduced by Council Member Exum on 10/23/2007; verbal PSFM Committee report to be provided)

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

*DR-2
substituted;
adopted*

CR-77-2007 (DR-2) – A RESOLUTION CONCERNING DISADVANTAGED BUSINESS ENTERPRISES for the purpose of approving the Prince George's County Disadvantaged Business Enterprise ("DBE") Program.

(Introduced by Council Member Exum; favorably reported out of PSFM on 11/5/2007 with amendments)

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

*DR-2
substituted;
adopted*

CR-52-2007 (DR-2) - A RESOLUTION CONCERNING THE FY 2003, FY 2004, FY 2005, FY 2006, FY 2007, AND FY 2008 ANNUAL ACTION PLANS FOR HOUSING AND COMMUNITY DEVELOPMENT for the purpose of amending the Prince George's County FY 2003, FY2004, FY 2005, FY 2006, and FY 2007 Annual Action Plans for Housing and Community Development to reprogram Community Development Block Grant projects and project funding plans and to amend the FY 2008 Annual Action Plan to approve new Community Development Block Grant projects and project funding plans, and generally relating to Housing and Community Development.

(Introduced by Council Member Exum on 7/2/2007; favorably reported out of THE on 11/13/2007 with amendments)

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

*DR-2
substituted;
adopted*

CR-53-2007 (DR-2) - A RESOLUTION CONCERNING A SUPPLEMENTARY APPROPRIATION OF FEDERAL FUNDS for the purpose of appropriating funding from grants in the amount \$2,806,477 to the Department of Housing and Community Development and generally relating to Housing and Community Development.

(Introduced by Council Member Exum on 7/2/2007; favorably reported out of THE on 11/13/2007 with amendments)

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

Adopted

CR-78-2007 – A RESOLUTION CONCERNING STATE OF MARYLAND DESIGNATED NEIGHBORHOODS for the purpose of expanding the existing Designated Neighborhoods of Oxon Hill and Glassmanor to participate as eligible entities for State of Maryland financial assistance and incentive programs.

(Introduced by Council Member Knotts on 11/6/2007; favorably reported out of THE on 11/8/2007)

12:15 P.M.

RECESSED

12:20 P.M.

RECONVENED

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

CR-79-2007 – A RESOLUTION CONCERNING MARLTON PLAZA SENIOR HOUSING for the purpose of amending the Prince George’s County “Annual Action Plan: FY 2008” to include a senior rental housing project known as Marlton Plaza Senior Housing (“Marlton Project”), its estimated cost of completion and funding sources.

(Introduced by Council Member Bland on 11/6/2007; favorably reported out of THE on 11/8/2007)

Adopted

CR-82-2007 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY LEGACY PROGRAM for the purpose of approving the application by CASA of Maryland, Inc., a Maryland nonprofit, through the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Fund.

(Introduced by Council Members Campos and Harrington on 11/13/2007; favorably reported out of THE on 11/13/2007)

Adopted

CR-84-2007 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM for the purpose of approving the project submitted by CASA of Maryland, Inc. (“CASA”), to the Maryland Department of Housing and Community Development for participation in the Department’s Community Investment Tax Credit Program.

(Introduced by Council Members Campos, Dean and Harrington on 11/13/2007; favorably reported out of THE on 11/13/2007)

*Introduced;
rules
suspended;
adopted*

CR-86-2007 – A RESOLUTION CONCERNING HENRY A. WALLACE BELTSVILLE AGRICULTURAL RESEARCH CENTER AND THE NATIONAL AGRICULTURAL LIBRARY for the purpose of pledging the support of the County Executive of Prince George’s County and the Prince George’s County Council for the research and education programs of the Henry A. Wallace Beltsville Agricultural Research Center (“BARC”) and the National Agricultural Library and to urge the Governor of the State of Maryland and the General Assembly of Maryland to petition the President and the United States Congress for increased appropriations for the same.

The Chairman (by request – County Executive)

Introduced by Council Members Olson, Dernoga and Turner

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

*Introduced;
rules
suspended;
adopted*

CR-87-2007 - A RESOLUTION CONCERNING SPENDING AFFORDABILITY LIMITS FOR THE WASHINGTON SUBURBAN SANITARY COMMISSION for the purpose of establishing spending control limits on the Fiscal Year 2009 Water and Sewer Operating and Capital Budgets of the Washington Suburban Sanitary Commission (WSSC).

Introduced by Council Members Exum, Dernoga and Harrington

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

*Introduced;
rules
suspended;
adopted*

CR-88-2007 – A RESOLUTION CONCERNING SUBREGION V (PLANNING AREAS 81A, 81B, 83, 84 AND 85A) for the purpose of initiating an update of the 1993 Approved Master Plan and Sectional Map Amendment for Subregion V (Planning Areas 81A, 81B, 83, 84, 85A and 85B) and approving the Goals, Concepts, Guidelines and Public Participation Program in order to develop a comprehensive approach to implement the recommendations of the 2002 General Plan, to ensure that future development is consistent with County policies.

The Chairman (by request – Planning Board)

Introduced by Council Members Bland, Dean and Knotts

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

INTRODUCTION AND ADOPTION OF RESOLUTIONS – (CONTINUED)

*Introduced;
rules
suspended;
adopted*

CR-89-2007 – A RESOLUTION CONCERNING SUBREGION VI (PLANNING AREAS 77, PART OF 78, 79, 82A, 82B, 86A, 87A AND 87B) for the purpose of initiating an amendment to the 1993 Approved Master Plan and Sectional Map Amendment for the Subregion VI Study Area and SMA (Planning Areas 79, 82A, 82B, 86A, 86B, 87A and 87B); the 1994 Melwood and Westphalia Master and SMA (Planning Areas 77 and 78), excluding that portion of Planning Area 78 which is covered by the 2007 Westphalia Sector Plan and SMA; and part of the 1993 Subregion V Master Plan and SMA (Planning Area 85B); and approving the Goals, Concepts, Guidelines and Public Participation Program in order to develop and comprehensive approach to implement recommendations of the 2002 General Plan, to ensure that future development is consistent with County policies.

The Chairman (by request – Planning Board)

Introduced by Council Members Bland, Knotts, Dean and Harrington

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

ADDITIONS TO THE AGENDA

1. **PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER’S REPORT – (page 2)**

*Chair
authorized
to sign*

- (b) Proposed letter to the Telecommunications Transmission Facilities Coordinating Committee (TTFCC) Chairman supporting the Master Plan for 2007-2008.

Council Chair Camille A. Exum

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

*Rules
suspended;
adopted*

CR-85-2007 – A RESOLUTION CONCERNING INTELLIGENT TRANSPORTATION SYSTEM DEPLOYMENT GRANT for the purpose of authorizing the filing of applications with the Federal Transit Administration (“FTA”), an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C. Chapter 53 Title 23 United States Code, and other Federal statutes administered by the FTA.

(Introduced by Council Member Exum on 11/13/2007)

MOTION REQUIRED TO SUSPEND THE RULES PRIOR TO ADOPTION

4. **INTRODUCTION AND ADOPTION OF RESOLUTIONS – (page 8)**

Introduced;

CR-90-2007 – A RESOLUTION CONCERNING CENTRAL PRINCE

*rules
suspended;
adopted*

**GEORGE’S COUNTY COMMUNITY DEVELOPMENT CORPORATION
SINGLE FAMILY HOUSING DEVELOPMENT PROJECT** for the purpose of amending the Prince George’s County “Annual Action Plan: FY 2008” to include an affordable single family housing project to be developed by Central Prince George’s County Community Development Corporation (“CPGCCDC”) and to describe its estimated cost of completion and funding sources.

The Chairman (by request – County Executive)

Introduced by Council Member Harrington

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

*Introduced;
rules
suspended;
amended;
DR-2
adopted*

**CR-91-2007 – A RESOLUTION CONCERNING COUNTY COUNCIL
LEADERSHIP ACHIEVEMENT SCHOLARSHIP** for the purpose of creating the County Council Leadership Achievement Scholarship to be awarded to student member of the Board of Education for Prince George’s County.

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

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

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

Mr. Frank White addressed the Council regarding the Victoria Falls Special Taxing District.

EXECUTIVE SESSION – (EXECUTIVE CONFERENCE ROOM)

Cancelled

(a)

Discussion of pending litigation in accordance with Maryland Annotated Code, State

Government, Section 10-508 (a) (8).

12:39 P.M

ADJOURN

REMINDER

Tues. Dec. 4, 2007

10:00 a.m.

County Council Call to Order
Exchange of Gavel - (Council Hearing Room)

DECEMBER RECESS

Mon., Jan. 14, 2008

Tues., Jan. 15, 2008

Anticipated first District Council Session for 2008

Anticipated first County Council Session for 2008