

ACTION AGENDA

Tuesday, September 24, 2013

Business Meeting

(Legislative Day No. 28 to be declared)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

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

10:43 A.M. CALL TO ORDER

INVOCATION: Bishop David T.P. Perrin, Senior Pastor, Christ Kingdom Church
District Heights, Maryland

PLEDGE OF ALLEGIANCE

Designated

DESIGNATION OF SEPTEMBER 24, 2013 AS LEGISLATIVE DAY NO. 28

1. **CONSENT AGENDA – CB-87 THRU CB-93- 2013 AND CR-109 THRU CR-115-2013 ADDED (pg 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 March 26, 2013.

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

Presented

CB-81-2013 - AN ACT CONCERNING CONSTRUCTION AND DEMOLITION WASTE DIVERSION for the purpose of adding requirements for construction and demolition waste diversion as part of solid waste recycling, establishing procedures and regulations and generally relating to construction and demolition waste diversion in Prince George's County.

To be presented by Council Member Lehman; referral to THE

Presented

CB-82-2013 - AN ACT CONCERNING THE REPEAL OF PROHIBITION OF THE SALE, OFFER OR DISTRIBUTION OF CERTAIN CIGAR PRODUCTS for the purpose of repealing the provisions of the County Code prohibiting the sale, offer or distribution of cigar and cigar products in quantities fewer than packages of five.

To be presented by Council Member Harrison; referral to HEHS

Presented

CB-83-2013 – CLEAN RENEWABLE ENERGY TECHNOLOGY IN PUBLIC BUILDINGS for the purpose of requiring clean renewable energy technology in the construction or major renovation of public buildings; defining clean renewable energy technology; providing for a clean renewable energy technology project feasibility assessment by the Purchasing Agent; establishing a Clean Renewable Energy Fund; specifying the purposes and uses of the Fund; providing for the financing and administration of the Fund; and generally relating to clean renewable energy technology.

To be presented by Council Member Lehman; referral to PSFM

CONSENT AGENDA – (CONTINUED)*Presented*

CB-84-2013 – AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT – PRINCE GEORGE’S CORRECTIONAL OFFICERS’ ASSOCIATION, INC. (PGCOA) (CIVILIAN UNIT) for the purpose of approving the labor agreement by and between Prince George’s County, Maryland and the Prince George’s Correctional Officers’ Association, Inc. (PGCOA) (Civilian Unit) to provide for wages and certain other terms and conditions of employment for employment for personnel classifications certified by the Prince George’s County Public Employee Relations Board.

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

Presented

CB-85-2013 AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - PRINCE GEORGE'S CORRECTIONAL OFFICERS' ASSOCIATION, INC. (CORRECTIONAL OFFICERS) for the purpose of amending the labor agreement by and between Prince George's County, Maryland and Prince George's Correctional Officers' Association, Inc. (Correctional Officers) to provide for wages 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 Chair (by request – County Executive); referral to PSFM

Presented

CB-86-2013 – (SUBDIVISION BILL) AN ACT CONCERNING CLUSTER SUBDIVISIONS for the purpose of amending the requirements for cluster subdivisions to allow the development of a church under certain circumstances.

To be presented by Council Member Lehman; referral to PZED

(c) **Introduction of Resolutions**

Introduced

CR-104-2013 - A RESOLUTION CONCERNING REVITALIZATION TAX CREDIT - THE ENCLAVE AT 8700 for the purpose of establishing that a multifamily unit student housing development known as The Enclave at 8700 located in census tract number 807000, qualifies for a revitalization/redevelopment tax credit pursuant to Section 10-235.02 and Section 10-235.03 of the Prince George’s County Code.

Introduced by Council Members Olson, Lehman, Patterson, Davis and Turner; referral to PSFM

CONSENT AGENDA – (CONTINUED)*Introduced*

CR-105-2013 – A RESOLUTION CONCERNING COMPENSATION AND BENEFITS – PRINCE GEORGE’S CORRECTION OFFICERS’ ASSOCIATION, INC. (PGCOA) (CIVILIAN UNIT) SALARY SCHEDULE Q 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 Prince George’s Correctional Officers’ Association, Inc. (PGCOA) (Civilian Unit).

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

Introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Olson, Patterson, Toles and Turner

Introduced

CR-106-2013 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, PRINCE GEORGE’S CORRECTIONAL OFFICERS’ ASSOCIATION, INC. (CORRECTIONAL OFFICERS) SALARY SCHEDULE D, SCHEDULE OF PAY GRADES 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 Prince George’s Correctional Officers’ Association, Inc. (Correctional Officers).

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

Introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Olson, Patterson, Toles and Turner

Introduced

CR-107-2013 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, CORRECTIONS OFFICIALS – SALARY SCHEDULE “C-O” SCHEDULE OF PAY GRADES for the purpose of amending the Salary Plan of the County to reflect wage and benefit modifications of the Department of Corrections Officials.

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

Introduced by Council Members Harrison, Campos, Davis, Franklin, Lehman, Olson, Patterson, Toles and Turner

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

-None-

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

- Chair authorized to sign* (a) Proposed correspondence to the Washington Metropolitan Area Transit Authority (WMATA) expressing the position of the County Council on the proposed Metro Bus service adjustments, Docket B13-02.

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

Introduced

CB-55-2013 – AN ACT CONCERNING GREEN BUSINESS ADVISORY COMMITTEE for the purpose of establishing a Green Business Advisory Committee, setting forth the appointment and membership requirements, purpose and function, and generally relating to green business development in Prince George's County.

(Favorably reported out of THE on 9/19/2013)

Introduced by Council Members Olson, Lehman, Patterson, Franklin, Davis and Turner

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 22, 2013 @ 10:00 A.M.

Introduced

CB-56-2013 – AN ACT CONCERNING GREEN BUSINESS REAL AND PERSONAL PROPERTY TAX CREDIT for the purpose of establishing a tax credit for real and personal property used for green business and products, and generally relating to green business development in Prince George's County.

(Favorably reported out of THE on 9/19/2013)

Introduced by Council Members Olson, Franklin, Lehman, Turner and Davis

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 22, 2013 @ 10:00 A.M.

Introduced

CB-63-2013 (DR-2) – AN ACT CONCERNING DRUG FREE ZONE SIGNAGE IN COUNTY FACILITIES for the purpose of requiring signage at County Facilities denoting that it is a Drug Free Zone.

(Favorably reported out of HEHS on 9/12/2013 with amendments)

Introduced by Council Members Patterson, Franklin, Lehman, Toles, Olson, Harrison, Davis, Turner and Campos

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 22, 2013 @ 10:00 A.M.

5. **RESOLUTIONS ELIGIBLE FOR FINAL READING**

Adopted

CR-87-2013 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY LEGACY PROGRAM for the purpose of approving the application and receipt of financing by Prince George's County, Maryland, to the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Program.

(Introduced by Council Members Toles, Harrison, Patterson, Davis, Franklin, and Lehman on 9/10/2013; favorably reported out of THE on 9/19/2013)

Adopted

CR-91-2013 - A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY INVESTMENT TAX CREDIT PROGRAM for the purpose of approving the project submitted by Legal Aid Bureau, Inc. to the Maryland Department of Housing and Community Development for participation in the Department's Community Investment Tax Credit Program.

(Introduced by Council Members Harrison, Davis, Franklin, Patterson, Toles and Turner on 9/10/2013; favorably reported out of THE on 9/19/2013)

Adopted

CR-97-2013 – A RESOLUTION CONCERNING STATE OF MARYLAND COMMUNITY LEGACY PROGRAM for the purpose of approving the application of CASA de Maryland, Inc., a Maryland nonprofit through the Maryland Department of Housing and Community Development for funding through the Community Legacy Financial Assistance Fund to assist in maintaining the Multicultural Center in Langley Park.

(Introduced by Council Members Olson, Campos, Davis, Franklin, Lehman, Patterson and Turner on 9/17/2013; favorably reported out of THE on 9/19/2013)

6. **INTRODUCTION AND ADOPTION OF RESOLUTIONS**

*Introduced;
Convened as
C.O.W.;
Favorable
recommendation
Adopted*

CR-102-2013 – A RESOLUTION CONCERNING EVERYONE MATTERS DAY for the purpose of emphasizing the County Council's commitment to observing the humanity in every individual.

Introduced by Council Members Olson, Franklin, Lehman, Turner, Harrison, Patterson, Davis, Turner and Campos

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-108-2013 –A RESOLUTION CONCERNING TIME EXTENSION FOR THE PARENTAL ENGAGEMENT AND EDUCATION PROGRAM for the purpose of extending the reporting date for recommendations from the Parental Engagement and Education Program.

Introduced by Council Members Davis, Lehman, Franklin, Olson and Toles

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

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

Presented

CB-87-2013 - AN ACT CONCERNING WOODLAND AND WILDLIFE HABITAT CONSERVATION ORDINANCE for the purpose of clarifying Tree Conservation Plan Expiration dates and ensuring internal consistency and conformance with State law.

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

Presented

CB-88-2013 (SUBDIVISION BILL) - AN ACT CONCERNING VACATION OF PLATS for the purpose of amending the regulations on vacation petitions of plats.

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

Presented

CB-89-2013 - AN ORDINANCE CONCERNING THE M-U-I ZONE for the purpose of amending the Zoning Ordinance to define a Table of Uses for the Mixed Use- Infill (M-U-I) Zone.

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

CONSENT AGENDA – (CONTINUED)

Presented **CB-90-2013 - AN ORDINANCE CONCERNING M-X-T ZONE** for the purpose of amending the M-X-T Zone development regulations.

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

Presented **CB-91-2013 – AN ACT CONCERNING THE ELECTRONIC CIGARETTE SMOKING BAN** for the purpose of restricting smoking of electronic cigarettes inside of public housing, senior citizen housing, and eating and drinking establishments.

To be presented by Council Members Turner and Patterson; referral to HEHS

Presented **CB-92-2013 - AN ORDINANCE CONCERNING ASSISTED LIVING FACILITIES** for the purpose of permitting Assisted Living Facilities in the Mixed Use - Transportation Oriented (M-X-T) Zone, under certain circumstances.

To be presented by Council Member Turner; referral to PZED

Presented **CB-93-2013 - AN ACT CONCERNING PERSONNEL** for the purpose of allowing County employees up to twenty hours of administrative leave per year to volunteer in schools.

To be presented by Council Member Turner; referral to PSFM

(c) **Introduction of Resolutions**

Introduced **CR-109-2013 - A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, SHERIFF OFFICIALS – SALARY SCHEDULE “S-O” SCHEDULE OF PAY GRADES** for the purpose of amending the Salary Plan of the County to reflect wage and benefit modifications of Sheriff Officials.

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

Introduced by Council Members Turner, Harrison, Patterson, Davis, Toles, Campos, Olson and Franklin

CONSENT AGENDA – (CONTINUED)*Introduced*

CR-110-2013 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT PARK VIEW AT LAUREL II for the purpose of approving the terms and conditions of a Negotiated Payment in Lieu of Taxes Agreement between Prince George’s County (“County”) and Laurel II LLLP, a Maryland limited liability limited partnership (“Owner”).

The Chair (by request – County Executive); referral to C.O.W.

Introduced by Council Members Patterson, Harrison and Davis

Introduced

CR-111-2013 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT PARK VIEW AT LAUREL II for the purpose of approving the project and project financing through the Community Development Administration (“CDA”) of the Department of Housing and Community Development of the State of Maryland (“DHCD”) for the acquisition and rehabilitation of the Park View at Laurel II, a rental housing project to be acquired and rehabilitated by Laurel II LLLP, a Maryland limited liability limited partnership, (the “Owner”).

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

Introduced by Council Members Harrison and Davis

Introduced

CR-112-2013 - A RESOLUTION CONCERNING PILOT AGREEMENT FOR FORT WASHINGTON MANOR APARTMENTS for the purpose of approving the terms and conditions of an Amended and Restated Negotiated Payment in Lieu of Taxes Agreement (PILOT) by and between Fort Washington Manor Limited Partnership (the “Owner”) and Prince George’s County, Maryland (“County”).

The Chair (by request – County Executive); referral to C.O.W.

Introduced by Council Members Harrison and Davis

Introduced

CR-113-2013 - A RESOLUTION CONCERNING PILOT AGREEMENT FOR THE RESIDENCES AT WOODLAND SPRINGS for the purpose of approving the terms and conditions of a Negotiated Payment in Lieu of Taxes Agreement (“PILOT”) by and between Woodland Townhomes LLLP, a Maryland limited liability limited partnership (the “Owner”) and Prince George’s County, Maryland (“County”).

The Chair (by request – County Executive); referral to C.O.W.

Introduced by Council Members Harrison, Davis and Franklin

CONSENT AGENDA – (CONTINUED)*Introduced*

CR-114-2013 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT THE RESIDENCES AT WOODLAND SPRINGS for the purpose of approving the project and project financing through the Community Development Administration (“CDA”) of the Department of Housing and Community Development of the State of Maryland (“DHCD”) for The Residences at Woodland Springs, a rental housing project to be developed by Shelter Development, LLC (the “Developer”) and acquired, owned and operated by Woodland Townhomes LLLP, a Maryland limited liability limited partnership, (the “Owner”).

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

Introduced by Council Members Harrison, Davis and Franklin

Introduced

CR-115-2013 - A RESOLUTION CONCERNING PILOT AGREEMENT FOR QUEENS MANOR GARDENS APARTMENTS for the purpose of approving the terms and conditions of a Negotiated Payment in Lieu of Taxes Agreement (PILOT) by and between Queens Manor Gardens Apartments Limited Partnership (the “Owner”) and Prince George’s County, Maryland (the “County”).

The Chair (by request – County Executive); referral to C.O.W.

Introduced by Council Members Harrison and Davis

Introduced

CR-116-2013 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE for the purpose of approving and adopting the Analysis of Impediments to Fair Housing Choice for Prince George’s County.

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

Introduced by Council Members Lehman, Harrison and Davis

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 22, 2013 @10:00 A.M.

CONSENT AGENDA – (CONTINUED)*Introduced*

CR-117-2013 - A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2013 for the purpose of amending the Annual Action Plan for Housing and Community Development: FY 2013, and approving the reprogramming and restructuring of \$2,558,911.43 in Community Development Block Grant (“CDBG”) funds from the FY 2005, FY 2006, FY 2007, FY 2008, FY 2009, FY 2010, FY 2011, FY 2012, and FY 2013 Annual Action Plans to activities related to housing and community development.

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

Introduced by Council Members Lehman, Harrison, Davis, Patterson, Turner and Toles

PUBLIC HEARING SCHEDULED TUESDAY, OCTOBER 22, 2013 @10:00 A.M.

6. **INTRODUCTION AND ADOPTION OF RESOLUTIONS – (page 6)**

*Introduced;
convened as
C.O.W.;
favorable
recommendation;
adopted*

CR-118-2013 - A RESOLUTION CONCERNING TAX INCREMENT FINANCING RELATED TO TOWN CENTER AT CAMP SPRINGS DEVELOPMENT DISTRICT for the purpose of approving a TIF proposal and certifications pursuant to CR-38-2011.

The Chair (by request – County Executive); referral to C.O.W.

Introduced by Council Members Franklin, Harrison, Patterson, Davis, Turner, Lehman, Toles and Olson.

*Introduced;
Rules suspended;
Adopted*

CR-119-2013 - A RESOLUTION CONCERNING ECONOMIC DEVELOPMENT WEEK for the purpose of expressing Prince George’s County’s support for declaring the week of September 30 - October 4, 2013 as Economic Development Week in Prince George’s County.

The Chair (by request – County Executive)

Introduced by Council Members Franklin, Campos, Toles, Olson, Harrison, Patterson, Davis, Turner and Campos

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

-None-

11:35 P.M.**BRIEFING – (COUNCIL HEARING ROOM) – BRIEFING HELD****DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
BUS SCHEDULES**

Darrell B. Mobley, Acting Director,

12:38 P.M.**ADJOURN****REMINDERS**

Wed., Sept. 25, 2013	1:00 p.m.	Rules/General Assembly Committee (Room 2027)
	3:00 p.m.	Foreclosure Task Force (Room 2027)
Thurs., Sept. 26, 2013	10:00 a.m.	HEHS Committee Meeting (Room 2027)
	1:30 p.m.	PSFM Committee Meeting (Room 2027)
Mon., Sept. 30, 2013	9:30 a.m.	District Council Agenda Briefing (Room 2027)
	10:00 a.m.	Call to Order (Council Hearing Room)