# **Prince George's County Council**

County Administration Building 14741 Governor Oden Bowie Drive Upper Marlboro, Maryland 20772-3050



## Meeting Agenda - Final

Tuesday, May 16, 2017 10:00 AM

## **Council Hearing Room**

## **County Council**

Derrick Leon Davis, District 6, Chairman
Mel Franklin, District 9

Dannielle M. Glaros, District 3, Vice Chairwoman
Andrea C. Harrison, District 5

Mary A. Lehman, District 1

Obie Patterson, District 8

Deni L. Taveras, District 2

Karen R. Toles, District 7

Todd M. Turner, District 4

Robert J. Williams, Jr., Council Administrator

#### RULES OF COURTESY

You are now participating in the process of representative government. We welcome your interest and hope you will attend Prince George's County Council meetings often. Good government depends on the interest and involvement of you and your fellow citizens.

To insure fair and orderly meetings, the Council has adopted rules which apply to all members of the Council, administrative staff, news media, citizens and visitors. The procedures provide:

- 1. No one shall delay or interrupt the proceedings or refuse to obey the orders of the presiding officer.
- 2. Posters or Placards must remain outside the Council Hearing Room.
- 3. No smoking is permitted in the County Administration Building.
- 4. Citizens are admitted up to the Fire Safety capacity of the Hearing Room. Overflow crowds may listen to proceedings on loudspeakers provided in the lobby area.

#### REGULAR COUNCIL MEETINGS

The Prince George's County Council meets at 10:00 a.m. each Tuesday in the Council Hearing Room in the County Administration Building, Upper Marlboro, Maryland. Legislative sessions are held on the first and third Tuesday of each month and business meetings are scheduled on the alternate weeks.

In addition to its normal function as the County Council, the Council will frequently sit as the District Council for zoning matters or as the Board of Health. The capacity in which the Council acts on agenda items will be recorded in the minutes for each meeting.

#### PUBLIC PARTICIPATION IN COUNCIL MEETINGS

Meetings of the Council are formal proceedings and all comments are recorded. Members of the audience are provided an opportunity to address the Council prior to the close of each meeting. Participation is also welcomed during the public hearing process. Those wishing to testify at a public hearing are urged to telephone the Clerk's office at 301-952-3600 for placement on the advance speakers' list. Registration is also accepted in the hearing room. The following information is provided as a guide to public participation in the Council Meeting. When you are called by the presiding officer, please follow these steps:

- 1. Come forward to the speaker's podium and state your name and address.
- 2. Relax.
- 3. Present your comments as succinctly as possible. Avoid duplicate testimony.
- 4. Confine your remarks to three minutes, if the presiding officer has indicated time limits would be in effect.
- 5. If you have a written statement, give it and other supporting material to the Clerk.

In accordance with ADA Requirements, accommodations for hearing impaired, disabled persons and visually impaired can be provided upon reasonable notice to the Clerk of the Council. Sign language interpreters are available with advance notice by calling 301-952-3600. In the event of inclement weather, please call 301-952-4810 to confirm the status of County Business.

FOR LIVE STREAMING AND VIDEO VISIT OUR WEBSITE AT: http://pgccouncil.us

PLEASE SILENCE ALL CELLULAR PHONES WHILE IN THE HEARING ROOM.

#### 9:30 A.M. - AGENDA BRIEFING - (ROOM 2027)

# 10:00 A.M. - PRESENTATION OF PROCLAMATIONS/COMMENDATIONS - (COUNCIL HEARING ROOM)

PROCLAMATION presented to the Eleanor Roosevelt High School Girls Basketball Team in recognition as the winner of the "Prince George's County Championship and the Prince George's County League Championship" in Prince George's County. (Council Member Todd M. Turner and Council Chairman Derrick Leon Davis)

#### 10:30 A.M. - CALL TO ORDER - (COUNCIL HEARING ROOM)

#### **INVOCATION:**

Reverend Charles McNeill, Jr., Pastor, Unity Baptist Church, Washington, D.C.

#### PLEDGE OF ALLEGIANCE

#### **LEGISLATIVE DAY NO. 16**

Printed on 5/12/2017

#### 1. CONSENT AGENDA

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) Approval of County Council Minutes

MIN 05082017 County Council Minutes dated May 8, 2017

*Attachment(s)*: 05082017-PH

MIN 05092017 County Council Minutes dated May 9, 2017

*Attachment(s)*: 05092017

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

CB-045-2017 Draft: 1 AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO LOCAL 1619 (FIRE FIGHTERS, PARAMEDICS AND FIRE

**FIGHTER/MEDICS)** for the purpose of amending the labor agreement by and between Prince George's County, Maryland and the International Association of Fire Fighters, AFL-CIO, Local 1619 (Fire Fighters, Paramedics and Fire Fighter/Medics), to provide for wages and certain other terms and conditions of employment for personnel classifications initially certified by the Prince George's County Public Employee Relations Board.

*Attachment(s):* B2017045

CB-45-2017 AIS

CB-45-2017/CR-32-2017 Transmittal

CB-45-2017 Settlement Summary

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

CB-046-2017

AN ACT CONCERNING TAX SALES OF PROPERTIES OWNED BY

Draft: 1

<u>COMMON OWNERSHIP COMMUNITIES</u> for the purpose of making properties owned by common ownership communities ineligible for tax sale.

**Sponsor(s):** Franklin

Attachment(s): B2017046

CB-46-2017 AIS

To be presented by Council Member Franklin; referral to THE

CB-047-2017

AN ORDINANCE CONCERNING MEDICAL CANNABIS DISPENSARY

Draft: 1

for the purpose of permitting Medical Cannabis Dispensary uses in the Major Activity Center (M-A-C) Zone, subject to certain requirements.

**Sponsor(s)**: Turner

*Attachment(s)*: B2017047

CB-47-2017 AIS

To be presented by Council Member Turner; referral to PZED

CB-048-2017

AN ACT CONCERNING FINANCE AND TAXATION - TAX CREDITS

Draft: 1

**FOR IMPROVEMENTS TO HISTORIC RESOURCES** for the purpose of amending certain requirements for tax credits on County real property taxes for improvements to historic resources in Prince George's County.

**Sponsor(s):** Taveras

Attachment(s): B2017048

CB-48-2017 AIS

To be presented by Council Member Taveras; referral to PSFM

Printed on 5/12/2017

#### **CONSENT AGENDA - (CONTINUED)**

CB-049-2017

AN ORDINANCE CONCERNING NONCONFORMING USES -

Draft: 1

<u>CERTIFICATION - APPROVAL REQUIREMENTS</u> for the purpose of amending the statutory criteria set forth in the Zoning Ordinance required for certification of nonconforming uses, and providing for certain retroactive application of the provisions herein, for the purpose of safeguarding the public health, safety, and welfare of citizens and residents in Prince George's County.

**Sponsor(s):** Taveras

<u>Attachment(s)</u>: <u>B2017049</u>

CB-49-2017 AIS

To be presented by Council Member Taveras; referral to PZED

CB-050-2017

AN ACT CONCERNING NUISANCE ABATEMENT BOARD for the

Draft: 1

purpose of authorizing individual petitions to the Nuisance Abatement Board; setting forth procedures for individual petitions to the Nuisance Abatement Board; and generally regarding the Nuisance Abatement Board.

**Sponsor(s)**: Taveras

*Attachment(s):* B2017050

CB-50-2017 AIS

To be presented by Council Member Taveras; referral to THE

CB-051-2017

AN ACT CONCERNING TRANSFER OF THE PRINCE GEORGE'S

Draft: 1

**COUNTY HOSPITAL SYSTEM PROPERTY** for the purpose of exempting the transfer of certain real property improved by the Prince George's County Hospital System from County laws governing the sale, lease, or other disposition of County property and repealing Subtitle 12. - Health, Division 3. - Hospitals of the Prince George's County Code.

Attachment(s): B2017051

CB-51-2017 AIS

CB-51-2017 Transmittal

To be presented by the Chairman (by request - County Executive); referral to HEHS

CB-052-2017

#### AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL

Draft: 1

**OBLIGATION BONDS** for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Three Hundred Thirty Seven Million Five Hundred Twenty Thousand Dollars (\$337,520,000) in aggregate principal amount of general obligation bonds with serial maturities, including mandatory sinking fund installments in lieu of serial maturities, for the purpose of providing funds for financing in whole or in part costs of the planning, construction, reconstruction, establishment, extension, enlargement, demolition, improvement or acquisition of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2017, or usable portions thereof, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs and probable useful lives thereof; prescribing or providing for the procedures for the issuance and sale of such bonds at public sale; declaring the County's official intent to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; showing compliance with the power of the County to incur indebtedness; directing the application of the proceeds of such bonds and the proceeds of bonds previously issued by an act of the County; pledging the full faith and credit and taxing power of the County to the payment of such bonds and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; authorizing and empowering the County to issue and sell an amount not to exceed Three Hundred Thirty Seven Million Five Hundred Twenty Thousand Dollars (\$337,520,000) in general obligation bond anticipation notes in anticipation of the issuance and sale of the bonds authorized hereby; providing for the issuance of such bond anticipation notes in the form of commercial paper or revolving loan notes; providing for the issuance of such bond anticipation notes and the bonds authorized hereby in the form of variable rate demand obligations; authorizing certain determinations to be made in connection with the sale of any such bond anticipation notes; authorizing the consolidation of such bond anticipation notes with other notes for purposes of such sale; pledging the full faith and credit and taxing power of the County to the payment of such bond anticipation notes and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bond anticipation notes when due and covenanting to issue the bonds in anticipation of which such notes are issued; authorizing and empowering the County to issue, sell and deliver general obligation refunding bonds for the purpose of refunding all or a part of the bonds authorized hereby in an aggregate principal amount not to exceed 150% of the

outstanding principal amount of the bonds to be refunded thereby, the proceeds of such refunding bonds to be used for the public purpose of providing funds sufficient to pay principal of, redemption premium, if any, and interest on such refunded bonds at the respective maturity, redemption, and interest payment dates of such refunded bonds; prescribing or providing for the procedure for the issuance and sale of such refunding bonds; empowering the County Executive to determine the time and method for the sale of such refunding bonds and other details with respect to the sale of such refunding bonds; pledging the full faith and credit of the County to the payment of such refunding bonds and the interest on such refunding bonds, when due, and providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such refunding bonds when due; showing compliance with the limitations on the power of the County to incur indebtedness; covenanting or providing for the making of certain covenants on matters relating to the tax-exempt status of interest on such bonds, bond anticipation notes and refunding bonds, as applicable; providing for compliance with Securities and Exchange Commission Rule 15c2-12; providing for the authorization of and entry into interest rate exchange agreements or contracts in connection with or incidental to any of the obligations authorized by this Act; authorizing the County Executive to delegate to appropriate officials the power to make certain determinations and sign certain documents, certificates or agreements authorized to be made or signed by the County Executive herein; and otherwise generally determining or providing for the determination of certain matters in connection with the issuance, sale and delivery of the general obligation bonds, bond anticipation notes and refunding bonds authorized by this Act.

*Attachment(s)*: B2017052

CB-52-2017 Attachment 1

CB-52-2017 AIS

CB-52-2017 Transmittal

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

CB-053-2017

Draft: 1

AN ACT CONCERNING THE ISSUANCE AND SALE OF GENERAL **OBLIGATION STORMWATER MANAGEMENT BONDS** for the purpose of authorizing and empowering Prince George's County, Maryland to issue and sell an amount not to exceed Twenty Eight Million Nine Hundred Forty Thousand Dollars (\$28,940,000) in aggregate principal amount of general obligation stormwater management bonds for the purpose of providing funds for financing in whole or in part costs of the planning, acquisition, construction, reconstruction, establishment, extension, enlargement, demolition or purchase of certain capital projects set forth in the capital budget of the County for the fiscal year ending June 30, 2017, constituting facilities (including without limitation any land, interest in land or equipment) for the control and disposition of storm and surface waters, including floodproofing, flood control or navigation programs and other stormwater programs and systems, environmental restoration and/or wetlands construction, and the protection, conservation, creation and acquisition of certain property described in the Maryland Annotated Code Environment Article consistent with federal and Maryland laws and regulations on the subject of nontidal and private wetlands, as applicable, including describing the capital projects to be financed in whole or in part from the proceeds of the bonds hereby authorized and the estimated costs thereof; prescribing or providing for the procedures for the issuance and sale of such bonds, including at private (negotiated) sale or public sale; declaring the County's official intent to reimburse itself for certain expenditures paid before the issuance of the bonds authorized hereby in accordance with applicable Income Tax Regulations; authorizing the consolidation of such bonds with other bonds for purposes of such sale; directing the application of the proceeds of such bonds; providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such bonds when due; pledging Clean Water Act Fees to the payment of the principal of and interest on such bonds when due; authorizing and empowering the County to issue and sell an amount not to exceed Twenty Eight Million Nine Hundred Forty Thousand Dollars (\$28,940,000) in general obligation stormwater management bond anticipation notes in anticipation of the issuance and sale of the bonds authorized hereby; providing for the issuance of such bond anticipation notes in the form of commercial paper or revolving loan notes; providing for the issuance of such bond anticipation notes and the bonds authorized hereby in the form of variable rate demand obligations; authorizing certain determinations to be made in connection with the sale of any such bond anticipation notes; authorizing the consolidation of such bond anticipation notes with other notes for purposes of such sale; providing for the levy and collection of taxes necessary for the payment

of the principal of and interest on such bond anticipation notes when due and covenanting to issue the bonds in anticipation of which such notes are issued;

pledging Clean Water Act Fees to the payment of the principal of and interest on such bond anticipation notes when due; authorizing and empowering the County to issue, sell and deliver general obligation stormwater management refunding bonds for the purpose of refunding all or a part of the bonds authorized hereby in an aggregate principal amount not to exceed 150% of the outstanding principal amount of the bonds to be refunded thereby, the proceeds of such refunding bonds to be used for the public purpose of providing funds sufficient to pay principal of, redemption premium, if any, and interest on such refunded bonds at the respective maturity, redemption, and interest payment dates of such refunded bonds; prescribing or providing for the procedure for the issuance and sale of such refunding bonds; empowering the County Executive to determine the time and method for the sale of such refunding bonds and other details with respect to the sale of such refunding bonds; providing for the levy and collection of taxes necessary for the payment of the principal of and interest on such refunding bonds when due; pledging Clean Water Act Fees to the payment of the principal of and interest on such refunding bonds when due; covenanting or providing for the making of certain covenants on matters relating to the tax-exempt status of interest on such bonds, bond anticipation notes and refunding bonds, as applicable; providing for compliance with Securities and Exchange Commission Rule 15c2-12; providing for the authorization of and entry into interest rate exchange agreements or contracts in connection with or incidental to any of the obligations authorized by this Act; authorizing the County Executive to delegate to appropriate officials the power to make certain determinations and sign certain documents, certificates or agreements authorized to be made or signed by the County Executive herein; and otherwise generally determining or providing for the determination of certain matters in connection with the issuance, sale and delivery of the general obligation stormwater management bonds, bond anticipation notes and refunding bonds authorized by this Act.

<u>Attachment(s)</u>: <u>B2017053</u>

CB-53-2017 Attachment 1

CB-53-2017 AIS

CB-53-2017 Transmittal

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

#### (c) Introduction of Resolutions

CR-032-2017 Draft: 1 A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO, LOCAL 1619 (FIRE FIGHTERS, PARAMEDICS, AND FIRE

FIGHTER/MEDICS) SALARY SCHEDULE Y, 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 International Association of Fire Fighters, AFL-CIO, Local 1619 (Fire Fighters, Paramedics, and Fire Fighter/Medics).

*Attachment(s):* R2017032

**CR-32-2017 AIS** 

CB-45-2017/CR-32-2017 Transmittal

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

*To be introduced by:* 

CR-034-2017

A RESOLUTION CONCERNING CONTRACT APPROVALS for the

Draft: 1

purpose of approving a multi-year Financing Agreement to fund the county's portion of the new Regional Medical Center.

Attachment(s): R2017034

CR-34-2017 AIS

CR-34-2017 Transmittal

The Chairman (by request - County Executive); referral to C.O.W.

*To be introduced by:* 

THIS RESOLUTION REQUIRES A PUBLIC HEARING; COMMITTEE OF THE WHOLE SCHEDULED LATER THIS DATE AT 11:30 A.M.

CR-035-2017

A RESOLUTION CONCERNING CONTRACT APPROVALS for the

Draft: 1

purpose of approving a multi-year financing agreement for the lease purchase financing of essential Prince George's County ("County") equipment and vehicles and to refinance outstanding certificates of participation.

*Attachment(s)*: R2017035

CR-35-2017 AIS

CR-35-2017 Transmittal

The Chairman (by request - County Executive); referral to C.O.W.

*To be introduced by:* 

THIS RESOLUTION REQUIRES A PUBLIC HEARING; COMMITTEE OF THE WHOLE SCHEDULED LATER THIS DATE AT 11:30 A.M.

CR-036-2017

A RESOLUTION CONCERNING PILOT AGREEMENT FOR THE NEW

Draft: 1

<u>CARROLLTON STATION PROJECT</u> for the purpose of approving the terms and conditions of a negotiated Payment in Lieu of Taxes (PILOT) Agreement between Prince George's County, Maryland (County) and New Carrollton Developer, LLC (Developer) for the New Carrollton Station Project (Project).

The Chairman (by request - County Executive); referral to C.O.W.

*To be introduced by:* 

THIS RESOLUTION REQUIRES A PUBLIC HEARING

CR-037-2017 A

A RESOLUTION CONCERNING CONTRACT APPROVALS for the

Draft: 1

purpose of approving certain multi-year contracts in accordance with the Prince George's County Charter and Subtitle 10 of the Prince George's County Code.

The Chairman (by request - County Executive); referral to C.O.W.

*To be introduced by:* 

THIS RESOLUTION REQUIRES A PUBLIC HEARING; COMMITTEE OF

THE WHOLE SCHEDULED LATER THIS DATE AT 11:30 A.M.

Consent169 MOTION TO ADOPT CONSENT AGENDA AND APPROVE ALL ACTIONS

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

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

<u>LTR 05162017</u> Proposed letter to Mr. Pete K. Rahn, Secretary, Maryland Department of

Draft: 1 Transportation, regarding the Southern Maryland Rapid Transit (SMRT) Study.

#### 4. SECOND READING OF BILLS – (INTRODUCTION)

CB-036-2017

Draft: 1

AN ORDINANCE CONCERNING R-S ZONE for the purpose of amending the R-S (Residential Suburban Development) Zone development regulations in the Zoning Ordinance for development of attached residential units within a Mixed Retirement Development, under certain circumstances.

**Sponsor(s)**: Turner and Davis

*Attachment(s)*: B2017036

<u>CB-36-2017 AIS</u> CB-036-2017 Report

**Legislative History:** 

4/18/17 County Council presented and referred to the

Planning, Zoning and Economic

**Development Committee** 

5/3/17 Planning, Zoning and Fa

Economic Development

Committee

Favorably recommended to the

County Council

#### 5. PUBLIC HEARING: -(COUNCIL HEARING ROOM)

Appointment of the following individual to the Citizen Complaint Oversight Panel for Prince George's County:

Ms. Florence Felix-Lawson

Appointment

Replacing: Angela King Term Expiration 1/8/2021

**Legislative History:** 

4/13/17 Public Safety and Fiscal Favorably recommended to the

Management Committee County Council

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

CB-034-2017 AN ORDINANCE CONCERNING PRIVATE LIMOUSINE SERVICE

Draft: 1

<u>DISPATCHING STATIONS IN THE I-3 ZONE</u> for the purpose of clarifying the requirements set forth in the Zoning Ordinance for Private Limousine Service Dispatching Stations, a permitted use, in the I-3 (Planned Industrial – Employment Park) Zone, under certain specific circumstances.

**Sponsor(s):** Patterson, Harrison, Davis and Franklin

Attachment(s): B2017034

<u>CB-34-2017 AIS</u> CB-034-2017 Report

CB-34-2017 Amendment #1

AMENDMENT #1 TO CB-34-2017

MOTION REQUIRED TO SUSPEND THE RULES TO ALLOW FOR EFFECTIVE DATE ON DATE OF ADOPTION

### **Legislative History**:

4/11/17 County Council introduced and referred to the

Planning, Zoning and Economic

**Development Committee** 

5/3/17 Planning, Zoning and Favorably reported out with

Economic Development recommended amendments to the

Committee County Council

#### 7. PUBLIC HEARING – (COUNCIL HEARING ROOM)

<u>CR-023-2017</u> A RESOLUTION CONCERNING THE 2008 WATER AND SEWER PLAN

Draft: 1 (DECEMBER 2016 CYCLE OF AMENDMENTS) for the purpose of

changing the water and sewer category designations of properties within the 2008

Water and Sewer Plan.

**Sponsor(s):** Davis, Turner, Taveras and Franklin

<u>Attachment(s)</u>: R2017023

CR-23-2017 AIS

CR-23-2017 Transmittal

TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE MEETING SCHEDULED JUNE 7, 2017 AT 1:30 P.M.

#### Legislative History:

4/11/17 County Council

introduced and referred to the Transportation, Housing and the Environment Committee

### 8. INTRODUCTION AND ADOPTION OF RESOLUTIONS

CR-033-2017

A RESOLUTION CONCERNING BIKE TO WORK DAY 2017 for the

Draft: 1

purpose of expressing the County Council's support for declaring May 19, 2017 as Bike to Work Day in Prince George's County as part of National Bike to Work Week in the Washington, D.C. metropolitan region.

**Sponsor(s):** Glaros and Turner

Attachment(s): R2017033

CR-33-2017 AIS

To be introduced by Council Members Glaros and Turner

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

#### **ADJOURN**

#### 11:30 A.M. - COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

#### 1:30 P.M. - COMMITTEE OF THE WHOLE - (ROOM 2027)

(BUDGET CARRYOVER IF NECESSARY - SEE SEPARATE AGENDA)

#### **REMINDERS**

Wed., May 17, 2017 10:00 a.m. - PZED Committee Meeting (Room 2027)

Thurs., May 18, 2017
3:00 p.m. - Food Truck Hub Oversight Committee (3rd Floor Conference Room, 1801 McCormick Drive, Largo, Maryland)

Thurs., May 25, 2017 1:00 p.m. - County Council Call to Order (Budget Adoption)