

Prince George's County Council

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

Meeting Minutes - Draft County Council

Calvin S. Hawkins, II, Chair, At-Large
Monique Anderson-Walker, District 8
Derrick Leon Davis, District 6
Thomas E. Dernoga, District 1
Mel Franklin, At-Large
Dannielle M. Glaros, District 3
Sydney J. Harrison, District 9
Jolene Ivey, District 5
Rodney C. Streeter, District 7
Deni L. Taveras, Vice Chair, District 2
Todd M. Turner, District 4

Robert J. Williams, Jr., Council Administrator

Tuesday, October 5, 2021

10:00 AM

VIRTUAL MEETING

VIEW USING THE LINK PROVIDED AT: https://pgccouncil.us/LIVE

10:00 A.M. - CALL TO ORDER

The meeting was called to order at 10:07 a.m. with seven members present at roll call. Council Member Davis arrived at 10:13 a.m. Council Member Glaros arrived at 10:18 a.m.

Present: 9 - Chair Calvin S. Hawkins

Council Member Monique Anderson-Walker

Council Member Derrick Davis Council Member Thomas Dernoga Council Member Mel Franklin Council Member Dannielle Glaros Council Member Sydney Harrison Council Member Jolene Ivey

Council Member Todd Turner

Absent: Council Member Rodney Streeter

Council Member Deni Taveras

Also present:

Robert J. Williams, Jr., Council Administrator William M. Hunt, Deputy Council Administrator Colette Gresham, Associate Council Administrator Donna J. Brown, Clerk of the Council Leonard Moses, Office of the Clerk of the Council James Walker-Bey, Office of the Clerk of the Council Terry L. Bell, Council Liaison Amanda Denison, Associate County Attorney Nancy Lineman, Associate County Attorney Jackie Brown, PHED Committee Director Karen Zavakos, Legislative & Zoning Counsel Dinora Hernandez, Legislative Officer Howard Stone, GOFP Committee Director Kathy Canning, Legislative Officer Monica Best James, Legislative Officer Josh Hamlin, A&I

INVOCATION:

The Invocation was provided by Reverend Krishnan Natesan, Love AME Church, Largo, Maryland. Council Member Harrison requested prayer for God's healing hand in light of over 700,000 people worldwide losing their lives due to the pandemic and for a spirit of love, light, kindness, tenderness and mercy to rule the day in this world full of divisiveness, strife, and heartache. Council Member Anderson-Walker requested a prayer of thankfulness for second chances and redemption in light of challenges of health, loss and disappointment. Council Chair Hawkins requested prayer for all elected officials at all levels along with civic leaders. He also requested prayer for firefighter, Garry Stanley, who was murdered in the District of Columbia and the Stanley family.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Ivey.

DESIGNATION OF OCTOBER 5, 2021 AS LEGISLATIVE DAY NO. 29

1. CONSENT AGENDA

(a) Approval of County Council Minutes

MIN 09282021

Approval of County Council Minutes dated September 28, 2021

Draft 1

<u>Attachment(s)</u>: <u>09282021</u>

These Minutes were approved.

MIN 09282021-A

Draft 1

Approval of County Council Minutes dated September 28, 2021 - 5pm

Attachment(s):

09282021 5PM

These Minutes were approved.

CONSENT AGENDA (CONTINUED)

(b) First Reading of Bills (Presentation)

CB-110-2021

Draft 1

AN ACT CONCERNING SUPPLEMENTARY APPROPRIATIONS for the purpose of declaring additional revenue and appropriating to the General Fund and Internal Service Fund to provide for costs that were not anticipated and included in the Approved Fiscal Year 2022 Budget.

<u>Attachment(s)</u>: <u>B2021110</u>

CB-110-2021 AIS

CB-110-2021 Transmittal Letter

This Council Bill was presented by The Chair by request of the County Executive and referred to the Sitting as the Committee of the Whole.

A motion was made by Council Member Dernoga, seconded by Council Member Franklin, that the rules be suspended for this Council Bill. The motion carried by the following vote:

Aye 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Harrison, Ivey and Turner

Absent Streeter and Taveras

(c) Introduction of Resolutions

CR-105-2021

Draft 1

A RESOLUTION CONCERNING THE 2018 WATER AND SEWER PLAN (SEPTEMBER 2021 CYCLE OF AMENDMENTS) for the purpose of changing the water and sewer category designations of properties within the 2018 Water and Sewer Plan.

<u>Attachment(s)</u>: R2021105

CR-105-2021 Attachments A and B

CR-105-2021 AIS

CR-105-2021 Transmittal Letter

The 2018 Water and Sewer Plan provides for four cycles of category change requests annually to amend the Plan. This Resolution represents the September 2021 Cycle of Amendments.

The 2018 Water and Sewer Plan was adopted by CR-64-2019, and amended by CR-75-2019, CR-11-2020, CR-45-2020, CR-87-2020, CR-98-2020, CR-22-2021, CR-49-2021 and CR-87-2021.

There is one (1) category change requests located in the Parkway sewer basis, one (1) in the Western Branch sewer basin, three (3) in the Piscataway sewer basin, and two (2) in the Mattawoman sewer basin.

Environment Article, Title 9, Subtitle 5, of the Maryland Annotated Code, sets procedures for amendments and revisions to the Plan. At least 30 days prior to the public hearing on the amendments, the County Council must submit to the Washington Suburban Sanitary Commission and The Maryland-National Capital Park and Planning Commission a copy of the resolution for their recommendations.

This Resolution was introduced by Council Members Hawkins, Turner, Franklin, Davis, and Harrison and referred to the Sitting as the Committee of the Whole.

CR-106-2021

Draft 1

A RESOLUTION CONCERNING LOCAL IMPACT GRANT FUNDS

<u>MULTIYEAR PLAN</u> for the purpose of transmitting the Local Impact Grant Funds Multiyear Plan to the County Council for review and approval.

<u>Attachment(s)</u>: R2021106

CR-106-2021 Attachment A

CR-106-2021 AIS

CR-106-2021 Transmittal Letter

Pursuant to CB-88-2015, this resolution will approve the Local Impact Fund Multiyear Plan for FY 2022 - FY 2024. The spending plan details the planned use of video lottery terminal taxes from FY 2022 - FY 2024. The FY 2022 spending plan totals \$8,653,300 and allots funding to the following areas: Crossland High School Career Academy (\$2,163,300), various Board of Education capital projects (\$2,854,100), Police Department (\$855,500), Fire Department (\$767,700), Employ Prince George's National Harbor Job Training Center (\$437,700), Youth Employment Program (\$400,000), scholarships for high school students attending Friendly, Oxon Hill, Potomac and Crossland high schools (\$200,000), grants to community organizations (\$850,000) and grants to the support the community 2.5 miles northeast of the MGM facility (\$125,000). The FY 2022 portion of the plan has been included in the FY 2022 Approved Budget Ordinance (CB-35-2021).

The plan also has funding totaling \$8,891,300 in FY 2023 and \$9,136,200 in FY 2024. The

spending plan is subject to change based upon the County's budget process and adjustments to out-year revenue projections.

This Resolution was introduced by Council Members Hawkins, Franklin, Turner, Davis, and Harrison and referred to the Sitting as the Committee of the Whole.

Consent50-21

MOTION TO ADOPT CONSENT AGENDA

Draft 1

A motion was made by Council Member Davis, seconded by Council Member Franklin, that this consent agenda be adopted. The motion carried by the following vote:

Aye 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Harrison, Ivey and Turner

Absent Streeter and Taveras

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

4. PUBLIC HEARINGS: - (VIRTUAL MEETING)

<u>APPT-13-21</u>

Draft 1

Appointment of the following individuals to the Redevelopment Authority Board for Prince George's County:

Ms. Alicia A. Doney

Appointment

Replacing: Harmon L. "Monty" Cooper

Term Expiration: 7/28/2024

Ms. Michelle L. Rice

Appointment

Replacing: John Tabori Term Expiration: 7/28/2024

Attachment(s): Redevelopment Authority Transmittal letter

Appointments to the Redevelopment Authority Board

Report

Pursuant to proper notice, the public hearing convened at 10:22 a.m. on the appointment to the Redevelopment Authority Board for Prince George's County. Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided a verbal report of the actions and recommendations of the Committee of the Whole. The appointees spoke on their behalf. All persons wishing to speak having done so, the public hearing was declared held.

A motion was made by Council Member Ivey, seconded by Council Member Davis, that this Appointment be confirmed. The motion carried by the following vote:

Aye 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin,

Glaros, Harrison, Ivey and Turner

Absent Streeter and Taveras

5. PUBLIC HEARING – RESOLUTIONS

<u>CR-081-2021</u>

Draft 1

A RESOLUTION CONCERNING FISCAL YEAR ("FY") 2022 ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT for

the purpose of amending the Prince George's County Fiscal Year ("FY") 2022 Annual Action Plan for Housing and Community Development by adding the Hill House at Beechfield project, an eligible activity not originally funded or described in the FY 2022 Annual Action Plan, and the reprogramming and reallocating of One million dollars (\$1,000,000) in HOME Investment Partnerships ("HOME") Program funds from the FY 2020 and FY 2021 Annual Action Plans to support the Hill House at Beechfield project.

<u>Attachment(s)</u>: <u>R2021081</u>

CR-081-2021 Attachment B CR-081-2021 Attachment C

CR-081-2021 AIS

CR-081-2021 Transmittal Letter

Pursuant to proper notice, the public hearing convened on CR-081-2021 at 10:30 a.m. There were no speakers. All persons wishing to speak having done so this public hearing was declared held. The Committee of the Whole worksession on this item is scheduled October 7, 2021.

This Resolution public hearing was held.

<u>CR-086-2021</u>

Draft 1

A RESOLUTION CONCERNING FISCAL YEAR ("FY") 2020 ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT for

the purpose of amending the Prince George's County Fiscal Year ("FY") 2020 Annual Action Plan for Housing and Community Development in order to allow for change in the use of Community Development Block Grant COVID-19 Round 1 ("CDBG-CV1") Program funds, in the amount of One million, Seven hundred fifty thousand dollars (\$1,750,000) from existing activities to other existing eligible activities; by adding eligible CDBG-CV1 Program activities not originally funded or described in the FY 2020 Annual Action Plan; and by changing the description of CDBG-CV1 Program activities originally described in the FY 2020 Annual Action Plan.

<u>Attachment(s)</u>: R2021086

CR-086-2021 Attachment A CR-086-2021 Attachment B CR-086-2021 Attachment C

CR-086-2021 AIS

CR-086-2021 Transmittal Letter

Pursuant to proper notice, the public hearing convened on CR-086-2021 at 10:31 a.m. There were no speakers. All persons wishing to speak having done so this public hearing was declared held. The Committee of the Whole worksession on this item is scheduled October 7, 2021.

This Resolution public hearing was held.

<u>PUBLIC HEARING – RESOLUTION ELIGIBLE FOR FINAL READING (ADOPTION)</u> (CONTINUED)

6. SECOND READING OF BILLS – (INTRODUCTION)

CB-055-2021

Draft 1

<u>AN ORDINANCE CONCERNING R-55 ZONE - REGULATIONS</u> for the purpose of modifying certain regulations related to single family development in the R-55 zone on transit-oriented properties.

Attachment(s): B2021055

<u>CB-055-2021 AIS</u> <u>CB-055-2021 Report</u>

Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided a verbal report of the actions and recommendations of the Committee of the Whole.

This bill will modify certain regulations related to single family development in the R-55 zone on transit-oriented properties.

This Council Bill was introduced by Council Members Hawkins, Davis, Franklin, Glaros, and Harrison.

CB-056-2021

Draft 1

AN ACT CONCERNING PRINCE GEORGE'S COUNTY DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT SUBPOENA POWER

for the purpose of establishing additional enforcement methods to effectuate service of subpoenas by the Prince George's County Department of Permitting, Inspections and Enforcement.

Attachment(s): B2021056

CB-056-2021 AIS

CB-056-2021 Transmittal CB-056-2021 Report

Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided a verbal report of the actions and recommendations of the Committee of the Whole. The purpose of this Bill is to provide additional enforcement methods to effectuate service of subpoenas by DPIE. The subpoena power will assist DPIE in obtaining licensing information for short-term rentals and enforcement of the Housing and Building Code.

This Council Bill was introduced by Council Members Turner, Hawkins, Davis, Glaros, Franklin, and Harrison.

SECOND READING OF BILLS – (INTRODUCTION) (CONTINUED)

CB-057-2021

Draft 1

<u>AN ACT CONCERNING PERSONNEL LAW</u> for the purpose of amending certain provisions of the Personnel Law to align with new administrative procedures relating to performance management.

Attachment(s): B2021057

CB-057-2021 AIS

CB-057-2021 Transmittal

CB-057-2021 Report

Howard W. Stone, Director of the Government Operations and Fiscal Policy Committee (GOFP) provided a verbal report of the actions and recommendations of the Committee of the Whole.

This bill will amend certain provisions of Subtitle 16 of the County Code to align with new administrative procedures relating to performance management. This legislation will add a provision that will enable the performance cycle to be based on the employee's anniversary date or the fiscal year (July 1 - June 30), as determined by the Office of Human Resources Management to enable certain performance measures to be taken. This legislation will also clarify practices around pay increases based on performance and update performance ratings to meet current standards.

This Council Bill was introduced by Council Members Hawkins, Turner, Davis, Glaros, Harrison, Franklin, and Dernoga

CB-058-2021

Draft 1

AN ACT CONCERNING HOMESTEAD PROPERTY TAX CREDIT for the purpose of establishing the homestead property tax credit for the County property tax for the taxable year beginning July 1, 2022.

Attachment(s): B2021058

CB-058-2021 AIS

CB-058-2021 Transmittal

CB-058-2021 Report

Howard W. Stone, Director of the Government Operations and Fiscal Policy

Committee (GOFP) provided a verbal report of the actions and recommendations of the Committee of the Whole.

This legislation will establish the homestead property tax credit for the County property tax for the taxable year beginning July 1, 2022, as required by State law. Based on the official Consumer Price Index (CPI) for June 2021, the Homestead Property Tax Credit needs to be set at 105% for the taxable year beginning July 1, 2022. The Homestead Property Tax Credit was created to limit taxable assessment increases on a property owner's principal residence.

This Council Bill was introduced by Council Members Hawkins, Franklin, Davis, Harrison, Anderson-Walker, Turner, and Ivey.

SECOND READING OF BILLS – (INTRODUCTION) (CONTINUED)

CB-062-2021 Draft 1 AN ACT CONCERNING THE ISSUANCE AND SALE OF SPECIAL

OBLIGATION BONDS for the purpose of providing that special obligation bonds may be issued from time to time under the provisions of this Act, Sections 12-201 through 12-213, inclusive, of the Economic Development Article of the Annotated Code of Maryland, as amended (the "Tax Increment Act"), Section 10-269 of the Prince George's County Code, as amended and Section 21-501 through Section 21-523 of the Local Government Article of the Annotated Code of Maryland, as amended (collectively, the "Special Taxing District Act") and CR-25-2004 of the County Council of Prince George's County, Maryland (the "Formation Resolution") in an amount not to exceed the aggregate principal amount of Fifty Million Dollars (\$50,000,000) in order for the County to refund the outstanding aggregate principal amount of Prince George's County, Maryland Special Obligation Bonds (National Harbor Project) Series 2004 (the "2004 Bonds"); 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, first, from the amounts levied and deposited in the Tax Increment Fund (as defined in the Formation Resolution) including certain County hotel occupancy taxes and other tax revenues, secondly, to the extent the Tax Increment Fund does not contain monies in an amount sufficient for payment of debt service on such special obligation bonds and to the extent amounts are required for deposit in funds and accounts created within the indenture providing for the issuance of the special obligation bonds to replenish deficiencies therein and to pay the administrative expenses of the County, from the special tax to be levied and deposited in the Special Taxing District Fund (as defined in the Formation Resolution) and, lastly, to the extent amounts in the Tax Increment Fund and the Special Taxing District Fund are not sufficient to meet the obligations referenced above, from payments made, subject to appropriation, by the County pursuant to a funding agreement approved

by the County under the provisions of Section 819 of the County Charter, (the "County Contract Payments") 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, the Hotel Tax, the National Harbor Convention Center Excess Development District Taxes and the Special Tax (each 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; authorizing the County Executive to take certain actions, to execute documents 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 refunding of the 2004 Bonds 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.

<u>Attachment(s)</u>: <u>B2021062</u>

CB-062-2021 AIS

CB-062-2021 Transmittal Letter

CB-062-2021 Report

Howard W. Stone, Director of the Government Operations and Fiscal Policy Committee (GOFP) provided a verbal report of the actions and recommendations of the Committee of the Whole.

The County will realize debt service savings by refinancing the Prince George's County, Maryland Special Obligation Bonds (National Harbor Project) Series 2004 under current favorable bond market conditions.

This Council Bill was introduced by Council Members Hawkins, Davis, Turner, Harrison, Dernoga, and Franklin.

CB-071-2021 Draft 1 AN ACT CONCERNING TRANSPORTATION AND

<u>CIRCULATION-PRIVATE ROADS AND EASEMENTS</u> for the purpose of permitting to authorize the Prince George's Planning Board to approve preliminary plans of subdivision for development containing certain easements to serve a private school as a permitted use, subject to specified circumstances.

Attachment(s): B2021071

<u>CB-071-2021 AIS</u> <u>CB-071-2021 Report</u>

Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided a verbal report of the actions and recommendations of the Committee of the Whole.

This bill authorizes the Planning Board to approve preliminary plans of subdivision for development in the M-X-C Zone containing private easements for a public school--a permitted use--of a specified minimum width.

This Council Bill was introduced by Council Members Davis, Turner and Franklin.

SECOND READING OF BILLS – (INTRODUCTION) (CONTINUED)

CB-088-2021

Draft 1

AN ACT CONCERNING SUBDIVISION REGULATIONS for the purpose of reconciling certain terms, procedures, and other language of the new Subdivision Regulations adopted as CB-15-2018 Attachment A on October 23, 2018, revising certain procedures and regulations, incorporating technical and administrative revisions, and adding clarification language to effectuate successful implementation and met the County's goals for new, modern, streamlined Subdivision Regulations.

Attachment(s): B2021088

<u>CB-088-2021 AIS</u> CB-088-2021 Report

Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided a verbal report of the actions and recommendations of the Committee of the Whole.

This bill makes certain corrective amendments to the new County Subdivision Regulations adopted by the Council via enactment of CB-15-2018. These amendments clarify the intention of the County Council in enacting a new code of County Subdivision Regulations and make certain reconciliatory changes and other corrective amendments prior to taking effect by operation of law as a result of potential adoption of a Countywide Map Amendment for Prince George's County.

This Council Bill was introduced by Council Members Glaros, Hawkins,

Harrison, Taveras, Turner, Davis and Franklin.

CB-093-2021

Draft 1

AN ACT CONCERNING VALIDITY PERIOD AND EXTENSIONS for the

purpose of permitting the Prince George's Planning Board of the Maryland-National Capital Park and Planning Commission to approve certain extensions to validity period of subdivisions, subject to specified circumstances.

Attachment(s): B2021093

CB-093-2021 AIS CB-093-2021 Report

Jackie Brown, Director of the Planning, Housing and Economic Development Committee (PHED) provided a verbal report of the actions and recommendations of the Committee of the Whole.

This bill would allow extensions to projects in certain zones over 300,000 square feet to for up to six years before expiration.

This Council Bill was introduced by Council Members Hawkins, Davis, Turner, Franklin, Glaros, and Harrison.

CB-090-2021

Draft 1

AN ORDINANCE CONCERNING NEIGHBORHOOD CONSERVATION

OVERLAY ZONE for the purpose of revising certain requirements pertaining to the designation of and potential development standards applicable to the Neighborhood Conservation Overlay (NCO) Zone within the new Zoning Ordinance enacted by the Council on October 23, 2018, via adoption of Chapter 37, 2018 Laws of Prince George's County, Maryland (CB-13-2018 Attachment A).

Attachment(s): B2021090

CB-090-2021 AIS

CB-090-2021 Report

CB-090-2021.DR-2.PostCOW.DMG.ktz.10042021

Council Member Glaros made a motion to introduce CB-090-2021 from the floor. Karen Zavakos, Zoning and Legislative Counsel, provided a verbal report of the actions and recommendations of the Committee of the Whole.

This bill will make minor amendments to the regulations adopted via the Council's approval of CB-13-2018, the text of a new Subtitle 27 being also the County Zoning Ordinance, governing Neighborhood Conservation Overlay (NCO) Zones that are established in the County.

A motion was made by Council Member Glaros, seconded by Council Member Davis, that this Council Bill be introduced. CB-090-2021 DR-2

was introduced by Council Members Glaros, Turner, Harrison, Hawkins, Davis, Franklin. The motion carried by the following vote:

Aye 8 - Hawkins, Anderson-Walker, Davis, Franklin, Glaros,

Harrison, Ivey and Turner

Absent Dernoga, Streeter and Taveras

EXECUTIVE SESSION – (VIRTUAL MEETING)

EX 10052021 Draft 1 Motion to convene in Executive Session pursuant to Section 3-305(b)(1), and (4), General Provisions Article, Annotated Code of Maryland, in order to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; and to consider a matter related to a proposal for a business to locate, expand, or remain in the State.

The Chair read the following closing statement/motion to convene in executive session: "Motion to convene in Executive Session pursuant to Section 3-305(b)(1), and (4), General Provisions Article, Annotated Code of Maryland, in order to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction, specifically the appointments to the Revenue Authority for Prince George's County; and to consider a matter related to a proposal for a business to locate, expand, or remain in the State, specifically, to discuss UMCRH updates." The Executive Session was held (See County Council Minutes dated October 12, 2021 for details).

A motion was made by Council Member Franklin, seconded by Council Member Davis, that this Executive Session be convened. The motion carried by the following vote:

Aye

9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Turner

Absent

Streeter and Taveras

ADJOURN

THE MEETING WAS ADJOURNED AT 11:02 AM.

12:30 PM COMMITTEE OF THE WHOLE

Prepared by:
Leonard Moses, Office of the Clerk of the Council
Submitted by:
Donna I Brown Clerk of the Council