

Prince George's County Council

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

Meeting Minutes - Final County Council

Mel Franklin, District 9, Chairman
Will A. Campos, District 2, Vice Chair
Derrick Leon Davis, District 6
Andrea C. Harrison, District 5
Mary A. Lehman, District 1
Eric C. Olson, District 3
Obie Patterson, District 8
Karen R. Toles, District 7
Ingrid M. Turner, District 4

Robert J. Williams, Jr., Council Administrator

Tuesday, July 8, 2014

10:00 AM

Council Hearing Room

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

10:00 A.M. - CALL TO ORDER - (COUNCIL HEARING ROOM)

Present: 8 - Chairman Mel Franklin

Council Member Derrick Davis Council Member Andrea Harrison Council Member Mary Lehman Council Member Eric Olson Council Member Obie Patterson Council Member Karen Toles Council Member Ingrid Turner

Absent: 1 - Vice Chair Will Campos

Also present:

Robert J. Williams, Jr. Council Administrator

William M. Hunt, Jr., Deputy Council Administrator

Redis C. Floyd, Clerk of the Council

Donna J. Brown, Deputy Clerk of the Council

Lisa Jackson, County Executive's Office

Lakeecia Allen, Office of Law

Kathleen Canning, Legislative Officer

Colette Gresham, Legislative Officer

Leroy Maddox, Legislative Officer

Howard Stone, Acting Director, HEHS Committee

Frank Porter, Director, PSFM Committee

Jacqueline Brown, Director, PZED Committee

INVOCATION: Reverend Janelle Johnson, Reid Temple AME Church, Bowie, Maryland

Council Member Olson requested special prayer for the family of Sandy McCay.

PLEDGE OF ALLEGIANCE

The pledge was led by Council Member Lehman.

DESIGNATION OF JULY 8, 2014 AS LEGISLATIVE DAY NO. 21

Chairman Franklin designated July 8, 2014 as Legislative Day number twenty-one.

POINT OF PERSONAL PRIVILEGE

Chairman Franklin read a statement in honor of the life and legacy of former County Executive Wayne K. Curry and offered condolences to his family.

1. PUBLIC HEARINGS - (COUNCIL HEARING ROOM)

APPT-030

Appointment of the following individuals to the Mental Health Advisory Committee for Prince George's County:

Mr. Orlando Barnes; Appointment; Sheriff Department Member; Term Expiration: 6/30/2017

Mr. Reginald Cunningham; Appointment; Replacing: Martha Milhaly; Mental Health Professional; Term Expiration: 6/30/2015; Full Term Expiration: 6/30/2018

Ms. Collette Harris; Appointment; Parent/Relative of Adult Member; Term Expiration: 6/30/2017

Ms. Daphne Klein; Appointment; Consumer Member; Term Expiration: 6/30/2017

Ms. Makeitha Abdulbarr; Reappointment; Mental Health Professional; Term Expiration 6/30/2015; Full Term Expiration: 6/30/2018

Ms. Tomeka Bolden; Reappointment; Community Rehabilitation Provider Member; Terr Expiration: 6/30/2017

Pursuant to proper notice, the public hearing convened at 10:39 a.m. on the above referenced appointments. Council Member Patterson, as Chair of the Health Education and Human Services Committee (HEHS) provided a verbal report of the actions and recommendations of the Committee. Betty Hager Francis, Deputy Chief Administrative Officer for Health, Human Services and Education, introduced the nominees to the Council and spoke to their credentials and qualifications. Each nominee was present, but declined to speak. All persons wishing to speak having don so, the public hearing was declared held.

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

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson, Toles and Turner

PUBLIC HEARINGS - (COUNCIL HEARING ROOM) - (CONTINUED)

APPT-037

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

Mr. Toby L. Burt; Appointment; Replacing Donna Crocker Mason; Current Term Expiration: 12/2/2014; Full Term Expiring 12/02/2018

Mr. Francisco J. Gomez; Appointment; Replacing Robert Duncan; Current Term Expiration: 12/2/2014; Full Term Expiring 12/02/2018

Pursuant to proper notice, the public hearing convened at 10:44 a.m. on the above referenced appointments. Council Member Toles, as Chair of the Public Safety and Fiscal Managment Committee (PSFM) provided a verbal report of the actions and recommendations of the Committee. Andrea Anderson, Appointment's Liaison, introduced the nominees to the Council and spoke to their credentials and qualifications. Each nominee was present, but declined to speak. All persons wishing to speak having done so, the public hearing was declared held.

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

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

PUBLIC HEARINGS - (COUNCIL HEARING ROOM) - (CONTINUED)

APPT-038

Appointment of the following individuals to the Fire Commission of Prince George's County:

Mr. James Robert Breen; Appointment; Volunteer Member; Replacing Leslie Garrett; Term Expiring 07/01/2015

Mr. Kenneth Stack, Jr.; Appointment; Sworn Member; Replacing John Alter; Term Expiring 07/01/2016

Pursuant to proper notice, the public hearing convened at 10:48 a.m. on the above referenced appointments. Council Member Toles, as Chair of the Public Safety and Fiscal Managment Committee (PSFM) provided a verbal report of the actions and recommendations of the Committee. Barry Stanton, Deputy Chief Administrative Officer for Public Safety, introduced the nominees to the Council and spoke to their credentials and qualifications. Each nominee was present, but declined to speak. All persons wishing to speak having done so, the public hearing was declared held. Und discussion, Council Member Lehman thanked each of the nominees for their willingness to serve.

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

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

2. CONSENT AGENDA

A motion was made by Council Member Harrison, seconded by Council Member Davis, that the Consent Agenda be adopted and all actions approved. The motion carried by the following vote:test

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

Absent: 1 - Campos

(a) Approval of County Council Minutes dated 6/30/2014.

Council Minutes dated June 30, 2014 were approved.

(b) First Reading of Bills (Presentation)

CB-057-2014

AN ACT CONCERNING TUITION ASSISTANCE PROGRAM for the purpose of revising the County's Tuition Assistance Program to provide additional educational benefits to further the development and growth of County employees; establishing a Tuition Assistance Fund; specifying the purposes and uses of the Fund; providing for the financing and administration of the Fund, and generally relating to tuition assistance.

Attachment(s): B2014057.doc

This Council Bill was presented by Council Members Turner, Davis, Franklin, Harrison, Lehman, Olson, Patterson and Toles and referred to the Public Safety and Fiscal Management Committee

CR-067-2014

A RESOLUTION CONCERNING PRINCE GEORGE'S COUNTY BUSINESS ANI ENTERTAINMENT DISTRICT for the purpose of establishing a Prince George's County Business and Entertainment District.

Attachment(s): R2014067.doc

This Resolution was removed from Consent Agenda

3. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

CR-067-2014

A RESOLUTION CONCERNING PRINCE GEORGE'S COUNTY BUSINESS ANI ENTERTAINMENT DISTRICT for the purpose of establishing a Prince George's County Business and Entertainment District.

Attachment(s): R2014067.doc

This Resolution establishes a Business and Entertainment District in Prince George's County at National Harbor and along the MD 210 Corridor.

This Resolution was introduced by Council Members Patterson, Lehman, Harrison, Franklin, Turner, and Davis.

A motion was made by Council Member Patterson, seconded by Council Member Davis, to suspend the Council Rules of Procedure to allow for the immediate adoption of this Resolution. The motion carried by the following vote:

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

Absent: 1 - Campos

Under discussion, Council Member Davis congratulated Council Member Patterson on this legislation.

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

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

Absent: 1 - Campos

4. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

There were no items considered.

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

CB-012-2014

AN ORDINANCE CONCERNING RURAL RESIDENTIAL (R-R) ZONE for the purpose of permitting commercial uses in the Rural Residential (R-R) Zone, under certain circumstances.

Sponsor(s): Franklin and Campos

Attachment(s): CB-012-2014 Report

B2014012.doc

Pursuant to proper notice, the public hearing was convened on this Bill. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held on this Council Bill.

A motion was made by Council Member Davis, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

Absent: 1 - Campos

CB-015-2014

AN ORDINANCE CONCERNING TRANSIT DISTRICT OVERLAY ZONE for the purpose of amending the authority of a Transit District Overlay Zoning Map Amendment to change underlying zones, clarifying certain applicability and procedural requirements, and authorizing Transit District Development Plans to amend certain design regulations and standards.

Sponsor(s): Franklin

Attachment(s): B2014015.doc

CB-015-2014 Report

Pursuant to proper notice, the public hearing was convened on this Bill. There were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held on this Council Bill.

A motion was made by Council Member Davis, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

Absent: 1 - Campos

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

CB-016-2014

AN ORDINANCE CONCERNING M-X-T ZONE for the purpose of amending the Mixed Use Zone Tables of Uses to permit a vehicle parts store including minor installation services with no outdoor storage as a permitted use in the Mixed Use - Transportation Oriented (M-X-T) Zone, and prohibiting the use in the Mixed Use Community (M-X-C) Zone.

Sponsor(s): Franklin and Harrison

Attachment(s): B2014016.doc

CB-016-2014 Report

Pursuant to proper notice, the public hearing was convened on this Council Bill. Matthew Tedesco, Esq., spoke in support of the legislation. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held on this Council Bill.

A motion was made by Council Member Davis, seconded by Council Member Turner, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

Absent: 1 - Campos

6. PUBLIC HEARING - (COUNCIL HEARING ROOM)

CR-042-2014

A RESOLUTION CONCERNING COUNTY REAL PROPERTY for the purpose of declaring certain parcels of County-owned real property as surplus, and approving the County Executive's plan for disposal of such parcels.

Sponsor(s): Franklin

Attachment(s): R2014042.doc

I-CR-42-2014 Attachment A.pdf

Pursuant to proper notice, the public hearing was convened on this Council Bill. The were no speakers. All persons wishing to speak having done so, the public hearing was declared held.

The public hearing was held on this Resolution.

7. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

CR-044-2014

A RESOLUTION CONCERNING COMPENSATION AND BENEFITS GENERAL SCHEDULE EMPLOYEES - SALARY SCHEDULE G for the purpose of amending the Salary Plan of the County to reflect pay rates and other modified benefits for General Schedule Employees.

Attachment(s): R2014044.doc

CR-44-2014 Report

Council Member Toles, as Chair of the Public Safety and Fiscal Managment Committee (PSFM) provided a verbal report of the actions and recommendations of the Committee.

A motion was made by Council Member Toles, seconded by Council Member Patterson, that this Resolution be adopted. The motion carried by the following vote:

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

Absent: 1 - Campos

CR-045-2014

<u>A RESOLUTION CONCERNING COMPENSATION AND BENEFITS,</u> CORRECTIONS OFFICIALS - SALARY SCHEDULE "C-O" SCHEDULE OF PA'

GRADES for the purpose of amending the Salary Plan of the County to reflect wage and benefit modifications of the Department of Corrections Officials.

Attachment(s): R2014045.doc

CR-44-2014 Report

Council Member Toles, as Chair of the Public Safety and Fiscal Managment Committee (PSFM) provided a verbal report of the actions and recommendations of the Committee.

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

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

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

CR-046-2014

A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, FIRE

OFFICIALS - SALARY SCHEDULE "F-O" SCHEDULE OF PAY GRADES for the purpose of amending the Salary Plan of the County to reflect certain wage and benefit modifications of Fire Officials.

Attachment(s): R2014046.doc

CR-46-2014 Report

Council Member Toles, as Chair of the Public Safety and Fiscal Managment Committee (PSFM) provided a verbal report of the actions and recommendations of the Committee.

A motion was made by Council Member Toles, seconded by Council Member Harrison, that this Resolution be adopted. The motion carried by the following vote:

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

Absent: 1 - Campos

CR-047-2014

A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, POLICE OFFICIALS - SALARY SCHEDULE P-O SCHEDULE OF PAY GRADES for the purpose of amending the Salary Plan of the County to reflect certain wage and benefit modifications of Police Officials.

Attachment(s): R2014047.doc

CR-47-2014 Report

Council Member Toles, as Chair of the Public Safety and Fiscal Managment Committee (PSFM) provided a verbal report of the actions and recommendations of the Committee.

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

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

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

CR-048-2014

<u>A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, SHERIFF</u>
<u>OFFICIALS - SALARY SCHEDULE "S-O" SCHEDULE OF PAY GRADES</u> for the purpose of amending the Salary Plan of the County to reflect wage and benefit modifications of Sheriff Officials.

Attachment(s): R2014048.doc

CR-48-2014 Report

Council Member Toles, as Chair of the Public Safety and Fiscal Managment Committee (PSFM) provided a verbal report of the actions and recommendations of the Committee.

A motion was made by Council Member Toles, seconded by Council Member Harrison, that this Resolution be adopted. The motion carried by the following vote:

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

ADDITIONS TO THE AGENDA

A motion was made by Council Member Harrison, seconded by Council Member Davis, to accept the additions package. The motion carried by the following vote:

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

Absent: 1 - Campos

2. CONSENT AGENDA

(c) Introduction of Resolutions

CR-069-2014

A RESOLUTION CONCERNING AUTOMATED PURCHASING MACHINES for

the purpose of designating a principal law enforcement unit to comply with State law, pertaining to the State regulation and State licensing of automated purchasing machines, and generally relating to automated purchasing machines.

Attachment(s): R2014069.doc

This resolution designates The Prince George's County Police as the principal law enforcement unit to comply with State automated purchasing machine laws.

This Resolution was introduced by Council Members Harrison, Franklin, Lehman, Olson, Turner, Davis, and Patterson and referred to the Public Safety and Fiscal Management Committee.

8. SECOND READING OF BILLS – (INTRODUCTION)

CB-049-2014

AN ACT CONCERNING AUTOMATED PURCHASING MACHINES for the purpose of defining automated purchasing machines, prohibiting automated purchasing machines; providing for certain fines and penalties; and generally relating to automated purchasing machines.

Attachment(s): B2014049.doc

This bill is to expressly prohibit the installation or operation of automated purchasing machines within Prince George's County.

This Council Bill was introduced by Council Members Harrison, Lehman, Franklin, Turner, Davis, Patterson and Olson and referred to the Public Safety and Fiscal Management Committee

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

EX 07082014

Discussion of personnel issues in accordance with Maryland Annotated Code, State Government, Section 10-508 (a) (1) (ii).

Topic Discussed: Update on status of Legislative Branch employee

A motion was made by Council Member Patterson, seconded by Council Member Harrison, to convene into Executive Session. The motion carried by the following vote:

Aye: 8 - Franklin, Davis, Harrison, Lehman, Olson, Patterson,

Toles and Turner

Absent: 1 - Campos

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

POINT OF PERSONAL PRIVILEGE

Council Member Toles acknowledged student employees of the Council hired through the County's Summer Youth Emplyment Initiative.

ADJOURN

The meeting was adjourned at 11:20 a.m.

COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

The Committee of the Whole was convened at 11:26 a.m. with eight members present. The meeting concluded at 11:47 a.m.

CB-050-2014

AN ACT CONCERNING AMENDMENT OF SECTION 822, CHARTER OF

PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 822 of the Charter of Prince George's County to clarify that general obligation bonds shall be in serial and/or term form.

Sponsor(s): Franklin, Davis, Harrison and Lehman

Attachment(s): B2014050.doc

CB-050-2014 Report

COMMITTEE OF THE WHOLE RECOMMENDATION: FAVORABLE

Kathy Canning, Legislative Officer, provided an overview of the legislation. Council Member Harrison; seconded by Council Member Davis moved a favorable committee recommendation. The motion carried 7-0 (Absent: Council Members Campos and Toles).

CB-051-2014

AN ACT CONCERNING AMENDMENT OF SECTION 407, CHARTER OF

PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 407 of the Charter of Prince George's County to provide that immediately upon a vacancy in the Office of the County Executive, the Chief Administrative Officer shall become the Acting County Executive until a County Executive is chosen by the methods established i this Section of the Charter.

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

Attachment(s): B2014051.doc

CB-051-2014 Report

COMMITTEE OF THE WHOLE RECOMMENDATION: FAVORABLE

Kathy Canning, Legislative Officer, provided an overview of the legislation. Council Member Davis; seconded by Council Member Harrison moved a favorable committee recommendation. The motion carried 8-0 (Absent: Council Member Campos).

CB-052-2014

AN ACT CONCERNING AMENDMENT OF SECTIONS 317, 809, 1008, AND 1105 CHARTER OF PRINCE GEORGE'S COUNTY for the purpose of proposing amendments to Sections 317, 809, 1008, and 1105 of the Charter of Prince George's County to change the number of designated newspapers of record from three to one or more; and to designate at minimum one primary source of County maintained electronic media available to the public for publication and transmission of official County notices.

Sponsor(s): Franklin, Davis and Harrison

Attachment(s): B2014052.doc

CB-052-2014 Report

COMMITTEE OF THE WHOLE RECOMMENDATION: FAVORABLE WITH RECOMMENDED AMENDMENTS

Kathy Canning, Legislative Officer, provided an overview of the legislation. She and Colette Gresham, Legislative Officer, responded to questions regarding the current and suggested newspaper of record designations and electronic media sources as well as the need for a such a change. Council Member Lehman; seconded by Council Member Patterson moved a favorable committee recommendation with recommended amendments. The motion carried 8-0 (Absent: Council Member Campos).

CB-053-2014

AN ACT CONCERNING AMENDMENT OF SECTION 901, CHARTER OF

PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 901 of the Charter of Prince George's County to include disability and sexual orientation ε additional bases of prohibited discrimination in the County personnel system.

Sponsor(s): Franklin, Davis, Harrison, Lehman, Olson, Patterson and Turner

Attachment(s): B2014053.doc

CB-053-2014 Report

COMMITTEE OF THE WHOLE RECOMMENDATION: FAVORABLE

Kathy Canning, Legislative Officer, provided an overview of the legislation. Council Member Harrison; seconded by Council Member Olson moved a favorable committee recommendation. The motion carried 8-0 (Absent: Council Member Campos).

CB-054-2014

AN ACT CONCERNING AMENDMENT OF SECTION 307A, CHARTER OF

PRINCE GEORGE'S COUNTY for the purpose of proposing an amendment to Section 307A of the Charter of Prince George's County to increase the number of consecutive terms that a person may serve on the County Council or as County Executive from two terms to three terms.

Sponsor(s): Franklin, Davis, Harrison and Lehman

Attachment(s): B2014054.doc

CB-054-2014 Report

COMMITTEE OF THE WHOLE RECOMMENDATION: FAVORABLE

Kathy Canning, Legislative Officer, provided an overview of the legislation. Council Memer Davis; seconded by Council Member Harrison moved a favorable committee recommendation. The motion carried 7-0-1 (Absent: Council Member Campos; Abstained: Council Member Turner).

Prepared by:	
Donna J. Brown, Deputy Clerk of the Counci	1
Submitted by:	

Redis C. Floyd, Clerk of the Council