



Prince George's County Council

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

Meeting Minutes - Final County Council

Dannielle M. Glaros, District 3, Chair

Derrick Leon Davis, District 6

Mel Franklin, District 9

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, Vice Chair

Robert J. Williams, Jr., Council Administrator

Tuesday, September 11, 2018

10:00 AM

Council Hearing Room

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

At 10:26 a.m., due to a lack of a quorum of members, a public statement was read and the Agenda Briefing was conducted as an informal discussion in lieu of a public meeting.

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

The meeting was called to order by Chair Glaros at 10:55 a.m. with eight members present at roll call. Council Member Patterson arrived at 11:02 a.m.

Present: 9 - Chair Dannielle Glaros
 Council Member Derrick Davis
 Council Member Mel Franklin
 Council Member Andrea Harrison
 Council Member Mary Lehman
 Council Member Obie Patterson
 Council Member Deni Taveras
 Council Member Karen Toles
 Vice Chair Todd Turner

Also present:

Robert J. Williams, Jr. Council Administrator

William M. Hunt, Deputy Council Administrator

Redis C. Floyd, Clerk of the Council

Donna J. Brown, Deputy Clerk of the Council

Nathaniel Tutt, III, County Executive's Office

Lakeecia Allen, Office of Law

Leroy Maddox, Legislative Officer

Karen Zavakos, Legislative Officer

Jacqueline Brown, Director, PZED Committee

Howard Stone, Director, PSFM Committee

INVOCATION

The Invocation was provided by Howard W. Stone, County Employee. Council Member Toles requested prayer for Leslie Johnson, Former Council Member, in the passing of her mother. Council Member Lehman requested prayer for the residents of North and South Carolina, in light of the impending Hurricane. Council Member Harrison requested prayer for the family of Lonnie McNeil in his passing.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Toles.

REQUESTS BY THE GENERAL PUBLIC TO ADDRESS THE COUNCIL

There were no requests.

DESIGNATION OF SEPTEMBER 11, 2018 AS LEGISLATIVE DAY NO. 21

Chair Glaros designated Legislative Day number twenty-one.

1. CONSENT AGENDA

(a) Approval of County Council Minutes

[MIN 09042018](#)

County Council Minutes dated September 4, 2018.

Draft 1

These minutes were approved

(b) First Reading of Bills (Presentation)[CB-077-2018](#)

Draft 1

AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, AND ITS AFFILIATED LOCALS 2462, 2735, 3389 AND 1170 for the purpose of approving the labor agreement by and between Prince George's County, Maryland and Council 67, American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, and its affiliated Locals 2462, 2735, 3389 and 1170 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.

Attachment(s): [B2018077](#)
[CB-77-2018 AIS](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee

[CB-078-2018](#)

Draft 1

AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - PRINCE GEORGE'S COUNTY POLICE CIVILIAN EMPLOYEES ASSOCIATION for the purpose of approving the labor agreement by and between Prince George's County, Maryland and the Prince George's County Police Civilian Employees Association 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): [B2018078](#)
[CB-78-2018 AIS](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee

[CB-079-2018](#)

Draft 1

AN ACT CONCERNING COLLECTIVE BARGAINING AGREEMENT - PRINCE GEORGE'S CORRECTIONAL OFFICERS' ASSOCIATION, INC. (PGCOA) (CORRECTIONAL OFFICERS) 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) (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.

Attachment(s): [B2018079](#)
[CB-79-2018 AIS](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee

[CB-080-2018](#)

Draft 1

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 personnel classifications certified by the Prince George's County Public Employee Relations Board.

Attachment(s): [B2018080](#)
[CB-80-2018 AIS](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Public Safety and Fiscal Management Committee

[CB-082-2018](#)

Draft 1

AN ORDINANCE CONCERNING C-S-C ZONE for the purpose of permitting Vehicle, mobile home or camping trailer repair and service station with minor sales uses in the C-M Zones of Prince George's County, under certain circumstances. amending the commercial use tables uses in the C-S-C (Commercial Shopping Center) Zones of Prince George's County, under certain specified circumstances.

Sponsor(s): Toles

Attachment(s): [B2018082](#)
[CB-82-2018 AIS](#)

This Council Bill was presented by Council Member Toles and referred to the Planning, Zoning and Economic Development Committee

[CB-083-2018](#)

Draft 1

AN ORDINANCE CONCERNING ZONING DEFINITIONS-BUSINESS ADVANCEMENT AND FOOD ACCESS INFILL for the purpose of amending the definition of the use, 'Business Advancement and Food Access Infill', in the Zoning Ordinance.

Sponsor(s): Toles

Attachment(s): [B2018083](#)
[CB-83-2018 AIS](#)

This Council Bill was presented by Council Member Toles and referred

to the Planning, Zoning and Economic Development Committee[CB-084-2018](#)

Draft 1

AN ORDINANCE CONCERNING C-O ZONE for the purpose of amending the commercial table of uses in the Zoning Ordinance to permit food and beverage store uses in combination with gas station uses in the C-O (Commercial Office) Zones of Prince George's County, under certain specified circumstances.

Sponsor(s): Toles

Attachment(s): [B2018084](#)
[CB-84-2018 AIS](#)

This Council Bill was presented by the Chairman, by request of the County Executive, and referred to the Planning, Zoning and Economic Development Committee

(c) Introduction of Resolutions[CR-058-2018](#)

Draft 1

A RESOLUTION CONCERNING COMPENSATION AND BENEFITS COUNCIL 67, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES ("AFSCME"), AFL-CIO, AND ITS AFFILIATED LOCALS 1170, 2462, 2735, AND 3389 - SALARY SCHEDULE A for the purpose of approving the Salary Plan of Prince George's County, Maryland to reflect the terms of the labor agreement by and between Prince George's County, Maryland and Council 67, AFSCME Locals 2462, 2735, 3389 and 1170.

Sponsor(s): Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, T

Attachment(s): [R2018058](#)
[CR-58-2018 AIS](#)

CR-58-2018 approves the Salary Plan of Prince George's County, Maryland to reflect the terms of the labor agreement by and between Prince George's County, Maryland and Council 67, AFSCME Locals 2462, 2735, 3389 and 1170.

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

[CR-059-2018](#)

Draft 1

A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, PRINCE GEORGE'S COUNTY POLICE CIVILIAN EMPLOYEES ASSOCIATION (PCEA) SALARY SCHEDULE P, 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 County Police Civilian Employees Association (PCEA).

Sponsor(s): Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, T

Attachment(s): [R2018059](#)
[CR-59-2018 AIS](#)

CR-59-2018 amends 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 County Police Civilian Employees Association (PCEA).

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

[CR-060-2018](#)

Draft 1

A RESOLUTION CONCERNING COMPENSATION AND BENEFITS, PRINCE GEORGE'S CORRECTIONAL OFFICERS' ASSOCIATION, INC. (CORRECTIONAL OFFICERS) SALARY SCHEDULE D 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).

Sponsor(s): Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, T

Attachment(s): [R2018060](#)
[CR-60-2018 AIS](#)

CR-60-2018 amends 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).

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

[CR-061-2018](#)

Draft 1

A RESOLUTION CONCERNING COMPENSATION AND BENEFITS - PRINCE GEORGE'S CORRECTIONAL 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).

Sponsor(s): Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, T

Attachment(s): [R2018061](#)
[CR-61-2018 AIS](#)

CR-61-2018 amends 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).

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

[CR-062-2018](#)

Draft 1

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.

Sponsor(s): Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, T

Attachment(s): [R2018062](#)
[CR-62-2018 AIS](#)

CR-62-2018 amends the Salary Plan of the County to reflect pay rates and other modified benefits for General Schedule Employees.

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

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

[Consent27-18](#)

Draft 1

MOTION TO ADOPT CONSENT AGENDA

A motion was made by Vice Chair Turner, seconded by Council Member Franklin, that the Consent Agenda be adopted. The motion carried by the following vote:

Aye 9 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

3. PROPOSED CORRESPONDENCE/ADMINISTRATIVE OFFICER'S REPORT

There were no items considered.

4. PUBLIC HEARINGS: - (COUNCIL HEARING ROOM)

[APPT-10-18](#)

Draft 1

Appointment of the following individual to the Enterprise Road Corridor Development Review District Commission for Prince George's County:

Dr. Jacqueline L. Brown
Appointment: Resident Member/Chair

Attachment(s): [B2018016](#)
[CB-16-2018 AIS](#)
[CB-016-2018 Report](#)

Council Member Turner, as Chair of the Transportation, Housing and the Environment Committee (THE), provided a verbal report of the actions and recommendations of the committee. CB-16-2018, Draft 2 seeks to clarify adequate care, adequate shelter and cruelty, as related to animal welfare, and provides for civil and criminal violations and penalties for violators of the County's animal control laws.

This Council Bill was introduced by Council Members Lehman, Turner, Taveras, Franklin and Patterson

[CB-059-2018](#)

Draft 1

AN ORDINANCE CONCERNING VALIDITY PERIODS FOR DETAILED SITE PLANS AND SPECIFIC DESIGN PLANS for the purpose of temporarily extending the validity periods of all approved applications for Detailed Site Plans and Specific Design Plans that were in a valid status of January 1, 2018.

Sponsor(s): Davis, Franklin, Glaros, Taveras, Turner, Patterson and Harrison

Attachment(s): [B2018059](#)
[CB-59-2018 AIS](#)
[CB-59-2018 Report](#)

Council Member Harrison, as Chair of the Planning, Zoning and Economic Development Committee (PZED), provided a verbal report of the actions and recommendations of the committee. CB-59-2018 temporarily extends the validity period, until December 31, 2020, for all approved applications for Detailed Site Plans and Specific Design Plans with a valid status as of January 1, 2018.

This Council Bill was introduced by Council Members Davis, Franklin, Glaros, Taveras, Turner, Patterson and Harrison

[CB-060-2018](#)

Draft 1

(SUBDIVISION BILL) AN ACT CONCERNING VALIDITY PERIODS FOR PRELIMINARY PLANS OF SUBDIVISION for the purpose of temporarily extending the validity periods of all approved applications for Preliminary Plans of Subdivision that were in a valid status as of January 1, 2018.

Sponsor(s): Davis, Franklin, Glaros, Taveras, Turner, Patterson and Harrison

Attachment(s): [B2018060](#)
[CB-60-2018 AIS](#)
[CB-60-2018 Report](#)

Council Member Harrison, as Chair of the Planning, Zoning and Economic

Development Committee (PZED), provided a verbal report of the actions and recommendations of the committee. CB-60-2018 temporarily extends the validity period, until December 31, 2020, for all approved applications for Preliminary Plans of Subdivision with a valid status as of January 1, 2018.

This Council Bill was introduced by Council Members Davis, Franklin, Glaros, Taveras, Turner, Harrison and Patterson

[CB-074-2018](#)

Draft 1

AN ACT CONCERNING THE ISSUANCE AND SALE OF SPECIAL OBLIGATION BONDS FOR THE KARINGTON DEVELOPMENT DISTRICT AND THE KARINGTON SPECIAL TAXING DISTRICT

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 of the Economic Development Article of the Annotated Code of Maryland, as amended (the “Tax Increment Act”), Section 10-269 of Prince George’s County Code, as amended, and Sections 21-501 through 21-523 of the Local Government Article of the Annotated Code of Maryland, as amended (collectively, the “Special Tax Act”), CR-73-2016 and CR-57-2018, each of the County Council of Prince George’s County, Maryland, in an amount not to exceed the aggregate principal amount of Thirty-Three Million Dollars (\$33,000,000) in order for the County to finance or reimburse, in accordance with the Tax Increment Act and the Special Tax Act (together, the “Acts”), costs related to the construction and installation of certain of the public infrastructure improvements as more particularly described herein; making certain findings and determinations, among others, concerning the public benefit and purpose of such special obligation bonds, including that prior to the issuance of such bonds the criteria set forth in CR-38-2011, including but not limited to the “But-For Test,” the “Trigger Mechanism/Look Back Provision,” LMBE participation and the impact of the County credit/bond rating, have been satisfied; providing for the modification of certain requirements of CR-73-2016 related to Hotel Taxes; providing that the special obligation bonds authorized to be issued hereby shall be payable, from the amounts levied and deposited in the Tax Increment Fund (as defined in the Development District Formation Resolution) and the Special Taxing District Fund (as defined in the Special Taxing District Formation Resolution) 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 (as defined in the Development District Formation Resolution) and the Special Tax (as defined in the Special Taxing District 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 financing of the infrastructure improvements 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.

Attachment(s): [B2018074](#)
[CB-74-2018 AIS](#)
[CB-74-2018 Report](#)

Howard Stone, Director of the Public Safety and Fiscal Management Committee (PSFM), provided a verbal report of the actions and recommendations of the Committee of the Whole. CB-74-2017, Draft 2 authorizes the issuance of up to \$33 million in special obligation bonds supported by tax increment revenues and special taxes for the Karington Development District and Karington Special Taxing District along Route 301 in Bowie, Maryland.

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

[CB-010-2018](#)

Draft 1

AN ORDINANCE CONCERNING SHORT-TERM RENTALS for the purpose of adding and defining the term Short-Term Rentals and its permitted uses in the Zoning Ordinance; and generally regarding Short-Term Rentals.

Attachment(s): [B2018010](#)
[CB-10-2018 AIS](#)

Chair Glaros announced that CB-10-2018 was held in the Committee of the Whole and would therefore not be introduced.

No action was taken on this Council Bill

[CB-011-2018](#)

Draft 1

AN ACT CONCERNING SHORT-TERM RENTALS for the purpose of establishing permitting and licensing requirements, fees and applicable standards for short-term rentals and generally related to short-term rentals.

Attachment(s): [B2018011](#)
[CB-11-2018 AIS](#)

Chair Glaros announced that CB-11-2018 was held in the Committee of the Whole and would therefore not be introduced.

No action was taken on this Council Bill

[CB-014-2018](#)

Draft 1

AN ORDINANCE CONCERNING COUNTYWIDE MAP AMENDMENTS for the purpose of establishing procedures to reclassify all real property in the Planning Areas of Prince George's County, Maryland through the comprehensive amendment of the Zoning Map.

Attachment(s): [B2018014](#)
[CB-14-2018 AIS](#)

Karen Zavakos, Legislative Office, provided a verbal report of the actions and recommendations of the Committee of the Whole. CB-14-2018, Draft 2 establishes procedures for a Countywide (zoning) Map Amendment.

This Council Bill was introduced by Council Members Davis, Glaros, Turner, Taveras, Franklin and Patterson

[CB-015-2018](#)

Draft 1

(SUBDIVISION BILL) - AN ACT CONCERNING THE SUBDIVISION REGULATIONS OF PRINCE GEORGE'S COUNTY for the purpose of replacing the Subdivision Regulations of Prince George's County, being also and the same Subtitle 24 of the County Code, with new Subdivision Regulations.

Attachment(s): [B2018015](#)
[SUBTITLE 24 Table of Contents](#)
[DIVISION 24-1 General Provisions](#)
[DIVISION 24-2 Subdivision Administration](#)
[DIVISION 24-3 Subdivision Standards](#)
[DIVISION 24-4 Chesapeake Bay Critical Area Standards](#)
[DIVISION 24-5 Enforcement](#)
[ATTACHMENT B - CB-15-2018 \(DR-2\)](#)
[CB-15-2018 AIS](#)

Karen Zavakos, Legislative Office, provided a verbal report of the actions and recommendations of the Committee of the Whole. CB-15-2018, Draft 2 replaces the Subdivision Regulations of Prince George's County with new Subdivision Regulations.

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

[CB-081-2018](#)

Draft 1

(SUBDIVISION BILL) - AN ACT CONCERNING PRIVATE ROADS AND EASEMENTS for the purpose of permitting the Planning Board to approve private roads and alleys in the C-M (Commercial Miscellaneous), C-S-C (Commercial Shopping Center), C-O (Commercial Office), I-3 (Planned Industrial/Employment Park), R-55 (One-Family Detached Residential), R-R (Rural Residential), and R-T (Residential Townhouse) Zones of Prince George's County, under certain specified circumstances.

specifically as to enhancements to the legislative process and clarifications in the subdivision application approval process. In light of the prior vote of County Council, the Chair exercised her discretion not to refer this bill to a standing committee, pursuant to Rule 11.2(d) of the County Council Rules of Procedure.

This Council Bill was introduced by Council Members Franklin, Glaros, Turner, Davis, Lehman, Taveras and Patterson

ADJOURN

The meeting was adjourned at 3:53 p.m.

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

[EX 09112018](#)

Draft 1

Motion to convene in executive session in accordance with Section 3-305(b),(7) and (8), General Provisions Article, Annotated Code of Maryland as follows: 1. to consult with legal counsel to seek legal advice; and 2. to discuss pending or potential litigation.

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)(7),(8), General Provisions Article, Annotated Code Of Maryland, only to discuss the recent rulings by the Court of Special Appeals of Maryland in the matters of "Convenience and Dollar Mart" and "FCW Justice" against the Council." The Executive Session was held (See County Council Minutes dated September 18, 2018 for details).

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

Aye 9 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Prepared by:

Donna J. Brown, Deputy Clerk of the Council

Submitted by:

Redis C. Floyd, Clerk of the Council