

City Council of Hyattsville, Maryland

AGENDA

City Council Regular Meeting

Monday, October 2, 2017

8:00 PM



Council Chambers

Hyattsville Municipal Building

4310 Gallatin Street, 3rd Floor

Hyattsville, MD 20781

(301) 985-5000 www.hyattsville.org

CITY COUNCIL

[Mayor Candace B. Hollingsworth](#)

[Edouard Haba, Council President, Ward 4](#)

[Kevin Ward, Council Vice President, Ward 1](#)

[Bart Lawrence, Ward 1](#)

[Robert S. Croslin, Ward 2](#)

[Shani N. Warner, Ward 2](#)

[Carrianna Suiter, Ward 3](#)

[Thomas Wright, Ward 3](#)

[Paula J. Perry, Ward 4](#)

[Joseph Solomon, Ward 5](#)

[Erica Spell, Ward 5](#)

ADMINISTRATION

Tracey E. Nicholson, City Administrator

Laura Reams, City Clerk, 301-985-5009, lreams@hyattsville.org

WELCOME TO THE CITY OF HYATTSVILLE CITY COUNCIL MEETING! Your participation at this public meeting is valued and appreciated.

Agenda/Packet: The Agenda/Packet is available for review at the Hyattsville Municipal Building and online at www.hyattsville.org prior the scheduled meeting (generally available no later than the Friday prior to the scheduled Monday meeting). Please note, times given for agenda items are estimates only. Matters other than those indicated on the agenda may also be considered at Council discretion.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at (301) 985-5009. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Audible Devices: Please ensure all audible devices are turned off or otherwise not audible when the City Council is in session. Thank you.

Consent Agenda: Items listed on the Consent agenda are considered to be routine in nature, and are normally approved by one motion. Please note that most items on the Consent agenda have been discussed at a previous meeting. If a Councilmember wishes to comment on a particular item, that item shall be removed from the Consent agenda to "action" to allow for additional discussion.

Public Input: If you wish to address the Council during the Public Comment period, please submit an Audience Participation Form to the City Clerk prior to the beginning of the meeting. Matters identified during Public Comment that are not on that meeting's agenda will be referred to staff for follow-up or considered on a future agenda. Issues that require a response will be addressed publically at the next regular Council meeting. Speakers are requested to keep their comments to no more than two (2) minutes per speaker. Written comments or supporting documents may be turned in to the City Clerk for distribution to the Mayor and Council.

Ways to Watch the Meetings Live: City Council meetings are broadcast live on cable television channel 71 (Comcast) and channel 12 (Verizon). You may also view meetings live online at hyattsville-md.granicus.com/MediaPlayer.php?camera_id=2

Replay Schedule: The meetings will be re-broadcast on cable television, channel 71 (Comcast) and channel 12 daily at 7:00 a.m., 1 p.m., and 8 p.m. Meetings are also able for replay online at www.hyattsville.org/councilagendas.

City Information: Sign up to receive text and email notifications about Hyattsville events, government, police and programs at www.hyattsville.org/list.aspx

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1. **Call to Order and Council Roll Call**
2. **Pledge of Allegiance to the Flag**
3. **Approval of Agenda**
4. **Public Comment (8:10 p.m. – 8:20 p.m.) Limit 2 minutes per speaker**
5. **Presentations (8:20 p.m. - 8:50 p.m.)**
 - 5.a) **City Administrator Update (5 minutes)**
HCC-83-FY18
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
 - 5.b) **K-9 Video (10 minutes)**
HCC-69-FY18
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
 - 5.c) **Human Relations Commission (10 minutes)**
HCC-67-FY18
Lead Sponsor: Executive Committee
Co-Sponsor(s): N/A
 - 5.d) **FY-2015, FY-2016 & FY-2017 Audit (5 minutes)**
HCC-60-FY18
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
[FY 2015 REP Letter #2 9 28 2017.pdf](#)
6. **Consent Items (8:50 p.m. - 8:55 p.m.)**
 - 6.a) **Sonny Frazier Toy Drive**
HCC-68-FY18
I move that the Mayor & Council authorize a donation to the Sonny Frazier Toy Drive which benefits children and youth of Hyattsville. The donation will have two parts: (1) The City will donate \$500 directly to the Sonny Frazier Toy Drive, and (2) the City will provide a matching grant and will match, dollar for dollar to a maximum of \$1,000, funds raised at the 4th annual Hyattsville Heroes Bowl, scheduled for November 18, 2017 at Magruder Park at 3:00 p.m.
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
 - 6.b) **Breast Cancer Awareness Month**
HCC-71-FY18
I move that the Mayor and Council proclaim October of 2017 Breast Cancer Awareness Month in Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Breast Cancer Awareness Month Proclamation 2017.docx](#)

6.c) Domestic Violence Awareness Month

HCC-70-FY18

I move that the Mayor and Council proclaim October of 2017 Domestic Violence Awareness Month in Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Domestic Violence Awareness Month Proclamation 2017.docx](#)

6.d) Disability Employment Awareness Month

HCC-72-FY18

I move that the Mayor and Council proclaim October of 2017 Disability Employment Awareness Month in Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Disability Employment Awareness Month 2017.docx](#)

6.e) FY18 Budget Amendment: MNCPPC Grant for Recreation Activities

HCC-76-FY18

I move that the Mayor & Council amend the FY18 budget to accept and appropriate the grant award in the amount of \$19,000 from the Maryland National Capital Park and Planning Commission and authorize the City Administrator to sign the contract, upon the review and approval by the City Attorney for legal sufficiency.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

6.f) Energy Efficiency Day Proclamation

HCC-79-FY18

I move that the Mayor and Council adopt a proclamation declaring October 5, 2017 as Energy Efficiency Day in Hyattsville and urge citizens to join us in supporting our clean energy goals and moving toward more energy efficiency now and in the future.

Lead Sponsor: Suiter

Co-Sponsor(s): Solomon, Spell, Ward, Wright

[Energy Efficiency Day Proclamation Oct 5 2017.docx](#)

6.g) Purchase of new Police Department duty sidearms and surplussing of old sidearms

HCC-81-FY18

I move that the Mayor and Council authorize the Police Department to purchase new Heckler and Koch model HK VP9 9mm duty sidearms, holsters, flashlights and other related equipment from A-1 Uniforms and Firearms at a cost not to exceed \$46,000 and surplus all older sidearms by trading them to A-1 Uniforms and Sidearms. The trade-in value will be applied to reduce the overall cost of the purchase of the new equipment.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Weapons transition final memo.docx](#)

[Firearms Purchase Surplus.pdf](#)

7. Action Items (8:55 p.m. - 9:25 p.m.)

7.a) Hyattsville Ordinance 2017-04: Amendment to Section 114-74 - Vehicle Impound Ordinance (5 minutes)

HCC-43-FY18

I move that the Mayor and Council introduce Hyattsville Ordinance 2017-04, an Ordinance whereby the City Council amends the Code to reiterate and clarify that code enforcement and parking enforcement officers have the authority to "boot," take into custody, or impound vehicles in certain situations (FIRST READING).

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[HO 2017-04 Impound Ordinance Amendment 9.26.17.docx](#)

[Memo - Impoundment Ordinance.docx](#)

7.b) Hyattsville Ordinance 2017-05: Pet Waste (5 minutes)

HCC-63-FY18

I move that the Mayor and Council introduce Hyattsville Ordinance, 2017-05, an Ordinance whereby the City of Hyattsville establishes requirements for the proper disposal of solid pet waste in the City of Hyattsville so as to protect public health, safety and welfare (FIRST READING).

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - Pet Waste Ordinance.docx](#)

[HO 2017-05 Pet Waste Ordinance - 10.2.17 First Reading.docx](#)

[MinutesrMarch_15_17 Approved.doc](#)

[Code Committee Recommendation - June 21, 2017.doc](#)

[Pet Waste - Leash Up Poster](#)

7.c) DPW Construction Project - Third Party Review (10 minutes)

HCC-77-FY18

I move that the Mayor and Council authorize the City Administrator to execute a contract, with Hobart Apple Associates, Inc., for the purposes of Third party construction inspection services in an amount not to exceed \$75,000.00, upon the review and approval by the City Attorney for legal sufficiency.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

7.d) Commercial Facade Improvement Program (10 minutes)

HCC-80-FY18

I move that the Mayor and Council accept the recommendations of the Commercial Façade Review Panel and approve grant funding awards for the following properties:

- 4327 Gallatin Street: \$10,000
- 4700 Rhode Island Avenue: \$15,000
- 5804/5806 Baltimore Avenue: \$47,000

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - CFI 2017 Award Recommendations - 9.27.2017 - Final.doc](#)

[Shortcake Bakery - CFI Concept.pdf](#)

[Vigilante Coffee - CFI Concept.pdf](#)

[Dr. Lilly's Concept 2017.pdf](#)

8. Discussion Items (9:25 p.m. - 10:00 p.m.)

8.a) Hyattsville Resolution 2017-02: A Resolution of the City of Hyattsville, Maryland to call on Congress to protect the Temporary Protected Status (TPS) and Deferred Action for Childhood Arrivals (DACA) and reject any initiatives that will separate immigrant families. (10 minutes)

HCC-66-FY18

I move that the Mayor and Council adopt Hyattsville Resolution 2017-02, a Resolution of the City of Hyattsville, Maryland to call on Congress to protect the Temporary Protected Status (TPS) and Deferred Action for Childhood Arrivals (DACA) and reject any initiatives that will separate immigrant families (INTRODUCTION & ADOPTION).

Lead Sponsor: Hollingsworth

Co-Sponsor(s): Haba, Solomon, Spell, Suiter

[Resolution Support DACA & TPS.docx](#)

8.b) Initiating the Development of a Community Benefit Agreement Ordinance for the City of Hyattsville (15 minutes)

ID-653-16

I move that the Mayor and Council direct the City Attorney (in consultation with the Director of Community and Economic Development) to develop an ordinance authorizing the Mayor and Council to enter into Community Benefit Agreements with developers and other private enterprises in the City of Hyattsville. At minimum, the ordinance shall include the type of projects eligible for CBAs, the qualifying thresholds of financial public support (tax credit value, etc.), and the stakeholders to be included in the development of said agreements.

Recommended qualifying thresholds (not exhaustive):

- Projects receiving more than \$200,000 in public benefits from the City of Hyattsville;
- Projects seeking density bonus in areas governed by the Prince George's County TDDP; and
- Multifamily developments of 120+ units.

Recommended eligible public improvements (not exhaustive):

- Projects consistent with or included in the adopted Hyattsville Community Sustainability Plan (effective version as of date of project approval);
- Provision of age-friendly units;
- Provision of affordable units at 60% of area median income; and
- Provision of education enrichment grants up to 10% of the public benefit to be administered by the Education Advisory Committee (EAC)

Recommended qualifying stakeholders (not exhaustive):

- HOAs and registered civic associations;
- PTAs/PTOs/PTSAs for schools serving boundaries students residing in the City of Hyattsville;
- Tax-exempt nonprofit organizations operating in the City of Hyattsville; and
- City of Hyattsville residents residing within a 0.1 mile radius of the proposed project.

Lead Sponsor: Hollingsworth

Co-Sponsor(s): N/A

[Memo - CBA Ordinance Final.pdf](#)

8.c) Health Care, Prescription Drug and Dental Care Rates for CY 2018 (10 minutes)

HCC-75-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

9. Council Dialogue

10. Community Notices and Meetings

10.a) City Calendar: October 3 - October 16, 2017

HCC-74-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s):

[Main City Calendar October 3 - October 16 2017.pdf](#)

11. Motion to Adjourn



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Laura Reams

Submitting Department: Administration

Item Type: Report

Agenda Section: Presentations (8:20 p.m. - 8:50 p.m.)

SUBJECT

City Administrator Update (5 minutes)

HCC-83-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

City Administrator Nicholson will provide a brief update to the Mayor, Council and Residents.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

N/A

Community Engagement:

N/A

Strategic Goals:

Goal 1 - Ensure Transparent & Accessible Governance

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Jake Rollow

Submitting Department: Community Services

Item Type: Presentation

Agenda Section: Presentations (8:20 p.m. - 8:50 p.m.)

SUBJECT

K-9 Video (10 minutes)

HCC-69-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

The City is premiering a video about our police department's K-9s and the officers who work with them.

Next Steps:

Share the video publicly through the City's social media.

Fiscal Impact:

N/A

City Administrator Comments:

N/A

Community Engagement:

This video will be shared widely to give residents a deeper understanding of our police department and the special people and animals who serve them.

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Presentation

Agenda Section: Presentations (8:20 p.m. - 8:50 p.m.)

SUBJECT

Human Relations Commission (10 minutes)

HCC-67-FY18

Recommendation:

Sponsor(s):

Executive Committee

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

Kyla Hanington and Langston Clay from the Human Relations Commission will present an overview of the agency, on protected classes in regards to discrimination, and the Commission's role as an investigatory and enforcement body. They will also review the services available to residents and businesses in the City.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

N/A

Community Engagement:

Brochures on the Human Rights Commission will be distributed to Council and available to the public.

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Ron Brooks

Submitting Department: Finance

Item Type: Audit

Agenda Section: Presentations (8:20 p.m. - 8:50 p.m.)

SUBJECT

FY-2015, FY-2016 & FY-2017 Audit (5 minutes)

HCC-60-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[FY 2015 REP Letter #2 9 28 2017.pdf](#)

Summary Background:

The administration received the FY-2015 audit "Rep Letter" from CohnReznick. The letter was reviewed, signed (see attached) and returned to the auditors. The City should receive the Management and Communications Letter on Wednesday, October 4, 2017. The FY-2016 audit activities continues to focus on the current review and analysis of the Trial balance and General ledger for all funds. We anticipate completion of this audit by the end of December 2017. The FY-2017 audit will start directly after completion of the 2016 audit.

Next Steps:

Provide closeout documents to Council and file report with the State of Maryland.

Fiscal Impact:

Late audit filings can result in loss of State Grants and loss of revenues from the State Highway Funds.

City Administrator Comments:

See summary background above.

Community Engagement:

N/A

Strategic Goals:

Goal 1 – Ensure Transparent and Accessible Governance

Legal Review Required?

N/A

DATE

CohnReznick LLP
 500 East Pratt Street
 Suite 200
 Baltimore, MD 21202

This representation letter is provided in connection with your audit of the financial statements of governmental activities and each major fund of the City of Hyattsville ("The City") as of June 30, 2015 and for the year then ended in purpose of expressing opinions as to whether the financial statements present fairly, in all material respects, the respective financial position thereof in conformity with accounting principles generally accepted in the United States (U.S. GAAP). We confirm that we are responsible for the fair presentation of the previously mentioned financial statements in conformity with U.S. GAAP. We are also responsible for adopting sound accounting principles, establishing and maintaining effective internal control over financial reporting, and preventing and detecting fraud.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, as of DATE, the following representations made to you during your audit.

Financial Statements

- We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated July 20, 2015, including our responsibility for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP and for preparation of the supplementary information in accordance with the applicable criteria.
- The financial statements referred to above are fairly presented in conformity with U.S. GAAP and include all properly classified funds and other financial information of the primary government and all component units required by GAAP to be included in the financial reporting entity.
- We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
- We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
- Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
- Related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with U.S. GAAP.
- All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.
- The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial statements as a whole for each opinion unit. A list of the uncorrected misstatements is attached to the representation letter. In addition, you have proposed adjustments that have been posted to the Company's accounts. We are in agreement with those adjustments.
- The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.
- Guarantees, whether written or oral, under which the company is contingently liable, if any, have been properly recorded or disclosed in accordance with U.S. GAAP.

Information Provided

- We have provided you with:
 - Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters.
 - Additional information that you have requested from us for the purpose of the audit.
 - Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
 - Minutes of the meetings of The City or summaries of actions of recent meetings for which minutes have not yet been prepared.
- All material transactions have been recorded in the accounting records and are reflected in the financial statements.
- We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
 - Management,
 - Employees who have significant roles in internal control, or
 - Others where the fraud could have a material effect on the financial statements.
- We have no knowledge of any allegations of fraud or suspected fraud affecting the entity's financial statements communicated by employees, former employees, analysts, regulators, or others.
- We have no knowledge of any instances of noncompliance or suspected noncompliance with laws and regulations whose effects should be considered when preparing financial statements.
- We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.
- We have disclosed to you the identity of The City's related parties and all of the related party relationships and transactions of which we are aware.

Government Specific

- There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
- We have identified to you any previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.
- The City's has no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or equity.
- We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts; and legal and contractual provisions for reporting specific activities in separate funds.
- We have identified and disclosed to you all instances, which have occurred or are likely to have occurred, of fraud and noncompliance with provisions of laws and regulations that we believe have a material effect on the financial statements or other financial data significant to the audit objectives, and any other instances that warrant the attention of those charged with governance.
- We have identified and disclosed to you all instances, which have occurred or are likely to have occurred, of noncompliance with provisions of contracts and grant agreements that we believe have a material effect on the determination of financial statement amounts or other financial data significant to the audit objectives.

- We have identified and disclosed to you all instances that have occurred or are likely to have occurred, of abuse that could be quantitatively or qualitatively material to the financial statements or other financial data significant to the audit objectives.
- There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
- As part of your audit, you assisted with preparation of the financial statements and related notes. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services. We have reviewed, approved, and accepted responsibility for those financial statements and related notes.
- The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- The City has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
- The financial statements include all component units as well as joint ventures with an equity interest, and properly disclose all other joint ventures and other related organizations.
- The financial statements properly classify all funds and activities, in accordance with GASB Statement No. 34.
- All funds that meet the quantitative criteria in GASBS Nos. 34 and 37 for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
- Components of net position (net investment in capital assets; restricted; and unrestricted), and components of fund balance (nonspendable, restricted, committed, assigned, and unassigned) are properly classified and, if applicable, approved.
- Investments, derivative instruments, and land and other real estate held by endowments are properly valued.
- Provisions for uncollectible receivables have been properly identified and recorded.
- Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
- Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
- Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
- Deposits and investment securities and derivative instruments are properly classified as to risk and are properly disclosed.
- Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated.
- We have appropriately disclosed the City's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available and have determined that net position is properly recognized under the policy.
- We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.
- With respect to federal award programs:

Expenditures of federal award were below the \$500,000 threshold for the year ended June 30, 2015, and were not required to have an audit in accordance with OMB Circular A-133.

- We have evaluated and classified any subsequent events as recognized or non-recognized through the date of this letter. No events, including instances of noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements.
- We have evaluated the City's ability to continue as a going concern and have included appropriate disclosures, as necessary, in the financial statements.

Tracey Nicolson, City Administrator

Signature:



Ronald Brooks, Treasurer

Signature:





Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Jake Rollow

Submitting Department: Community Services

Item Type: Legislative

Agenda Section: Consent Items (8:50 p.m. - 8:55 p.m.)

SUBJECT

Sonny Frazier Toy Drive

HCC-68-FY18

Recommendation:

I move that the Mayor & Council authorize a donation to the Sonny Frazier Toy Drive which benefits children and youth of Hyattsville. The donation will have two parts: (1) The City will donate \$500 directly to the Sonny Frazier Toy Drive, and (2) the City will provide a matching grant and will match, dollar for dollar to a maximum of \$1,000, funds raised at the 4th annual Hyattsville Heroes Bowl, scheduled for November 18, 2017 at Magruder Park at 3:00 p.m.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

The Sonny Frazier Toy Drive benefits children and youth of Hyattsville. \$1500 in funds are allocated in the City Council budget.

Next Steps:

Approval and donation.

Fiscal Impact:

Up to \$1,500

City Administrator Comments:

Recommend Approval

Community Engagement:

Outreach to residents promoting the Heroes Bowl.

Strategic Goals:

Goal 5 – Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Jake Rollow

Submitting Department: Community Services

Item Type: Proclamation

Agenda Section: Consent Items (8:50 p.m. - 8:55 p.m.)

SUBJECT

Breast Cancer Awareness Month

HCC-71-FY18

Recommendation:

I move that the Mayor and Council proclaim October of 2017 Breast Cancer Awareness Month in Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Breast Cancer Awareness Month Proclamation 2017.docx](#)

Summary Background:

N/A

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

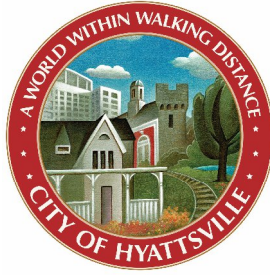
Proclamation will be displayed and advertised.

Strategic Goals:

Goal 5 - Strengthen the City's Identity as a Diverse, Creative and Welcoming Community

Legal Review Required?

N/A



**PROCLAMATION RECOGNIZING OCTOBER 2017
AS BREAST CANCER AWARENESS MONTH
IN THE CITY OF HYATTSVILLE**

This proclamation recognizes the courage of those who have fought, are fighting, or will fight breast cancer in their lifetime. It also honors those who have lost their lives to the disease. For these individuals, and for the loved ones who give them unending support through the most trying times, the City of Hyattsville recommit itself to raising breast cancer awareness in our community.

WHEREAS, the City of Hyattsville is committed to raising awareness about breast cancer and the impact it has on our loved ones, friends, colleagues and community members;

WHEREAS, thousands of women and men in our country take on the fight against breast cancer each year;

WHEREAS, screening and early detection can make a tremendous difference in overcoming breast cancer;

NOW, THEREFORE BE IT RESOLVED, that we acknowledge the importance of raising awareness of breast cancer in our community as we work to support survivors, those currently battling breast cancer and those who might detect it in its early stages, and that we recognize October 2017 as Breast Cancer Awareness Month in the City of Hyattsville.

Candace B. Hollingsworth
Mayor
City of Hyattsville

October 2, 2017



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Jake Rollow

Submitting Department: Community Services

Item Type: Proclamation

Agenda Section: Consent Items (8:50 p.m. - 8:55 p.m.)

SUBJECT

Domestic Violence Awareness Month

HCC-70-FY18

Recommendation:

I move that the Mayor and Council proclaim October of 2017 Domestic Violence Awareness Month in Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Domestic Violence Awareness Month Proclamation 2017.docx](#)

Summary Background:

N/A

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

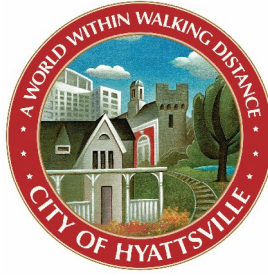
Proclamation will be advertised and displayed.

Strategic Goals:

Goal 5 - Strengthen the City's Identity as a Diverse, Creative and Welcoming Community

Legal Review Required?

N/A



**PROCLAMATION RECOGNIZING OCTOBER 2017
AS DOMESTIC VIOLENCE AWARENESS MONTH
IN THE CITY OF HYATTSVILLE**

This proclamation recognizes that every one of our residents deserves to live a life free from violence and abuse. Through this proclamation, we pledge to ensure that victims of domestic violence know they are not alone, and that our community is here to support survivors of domestic violence as they courageously move forward to enjoy full and healthy lives.

WHEREAS, anyone can be a victim of domestic violence regardless of age, sex, ability, ethnicity, sexual orientation, socioeconomic status, or religion;

WHEREAS, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average;

WHEREAS, Domestic Violence Awareness Month provides an excellent opportunity for our community to learn more about preventing domestic violence and to show support for the numerous organizations and individuals providing critical advocacy, services, and assistance to its victims;

NOW, THEREFORE BE IT RESOLVED, that our City Council, staff, and residents recognize October 2017 as Domestic Violence Awareness Month in the City of Hyattsville, as we work together to eliminate domestic violence from our community.

Candace B. Hollingsworth
Mayor
City of Hyattsville

October 2, 2017



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Jake Rollow

Submitting Department: Community Services

Item Type: Proclamation

Agenda Section: Consent Items (8:50 p.m. - 8:55 p.m.)

SUBJECT

Disability Employment Awareness Month

HCC-72-FY18

Recommendation:

I move that the Mayor and Council proclaim October of 2017 Disability Employment Awareness Month in Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Disability Employment Awareness Month 2017.docx](#)

Summary Background:

N/A

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

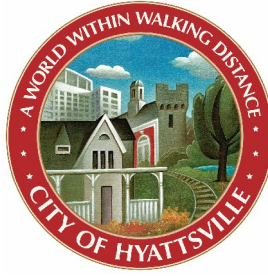
N/A

Strategic Goals:

Goal 5 - Strengthen the City's Identity as a Diverse, Creative and Welcoming Community

Legal Review Required?

N/A



**PROCLAMATION CELEBRATING OCTOBER 2017
AS NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH
IN THE CITY OF HYATTSVILLE**

This proclamation shares the U.S. Department of Labor's vision that "inclusion drives innovation," as we celebrate October 2017 as National Disability Employment Awareness Month. In this way, the City of Hyattsville celebrates the wide array of contributions that residents with disabilities make in our community daily.

WHEREAS, the City of Hyattsville is committed to raising awareness about Americans with disabilities and their many and varied contributions to the workforce and our community;

WHEREAS, our City is proud to be a welcoming community that strives to accommodate the needs of all residents, visitors, and employees;

WHEREAS, residents with disabilities strengthen our community's social fabric, as well as increase our knowledge of the human condition, and enrich our society and workforce at local and national levels;

NOW, THEREFORE BE IT RESOLVED, that City Council, staff, and residents acknowledge the many contributions that those with disabilities make to our City daily, and that we recognize and celebrate October 2017 as National Disability Employment Month in the City of Hyattsville.

Candace B. Hollingsworth
Mayor
City of Hyattsville

October 2, 2017



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Jake Rollow

Submitting Department: Community Services

Item Type: Grant

Agenda Section: Consent Items (8:50 p.m. - 8:55 p.m.)

SUBJECT

FY18 Budget Amendment: MNCPPC Grant for Recreation Activities

HCC-76-FY18

Recommendation:

I move that the Mayor & Council amend the FY18 budget to accept and appropriate the grant award in the amount of \$19,000 from the Maryland National Capital Park and Planning Commission and authorize the City Administrator to sign the contract, upon the review and approval by the City Attorney for legal sufficiency.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

The City receives this grant annually from the Maryland-National Capital Park and Planning Commission in order to support recreation programming. Please note that this item is a budget amendment and requires 8 affirmative votes for approval.

Next Steps:

Follow up with MNCPPC and receive funds.

Fiscal Impact:

\$19,000 - Budget Amendment

City Administrator Comments:

Recommend Support

Community Engagement:

NA

Strategic Goals:

Goal 2 - Ensure the Long-Term Economic Viability of the City

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Carrianna Suiter, W3

Submitting Department: Legislative

Item Type: Proclamation

Agenda Section: Consent Items (8:50 p.m. - 8:55 p.m.)

SUBJECT

Energy Efficiency Day Proclamation

HCC-79-FY18

Recommendation:

I move that the Mayor and Council adopt a proclamation declaring October 5, 2017 as Energy Efficiency Day in Hyattsville and urge citizens to join us in supporting our clean energy goals and moving toward more energy efficiency now and in the future.

Sponsor(s):

Suiter

Co-Sponsor(s):

Solomon, Spell, Ward, Wright

ATTACHMENTS

[Energy Efficiency Day_Proclamation_Oct 5 2017.docx](#)

Summary Background:

This proclamation recognizes October 5, 2017 as Energy Efficiency Day in Hyattsville. Energy Efficiency Day is a collaborative effort between a nationwide outwork of organizations, businesses, and governments, working together to promote energy efficiency with the simple message "Save energy. Save money."

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

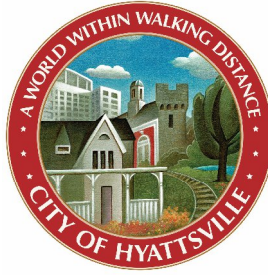
N/A

Strategic Goals:

Goal 5 – Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?

N/A



**PROCLAMATION RECOGNIZING OCTOBER 5, 2017
AS ENERGY EFFICIENCY DAY
IN THE CITY OF HYATTSVILLE**

WHEREAS, energy efficiency is the art of getting the same or better performance using less energy – all while cutting utility bills for residential, business, and industrial customers; and

WHEREAS, reliable, affordable energy is vital to our economic prosperity and energy efficiency is the most productive and cost-effective way to meet our energy needs; and

WHEREAS, implementing clean energy policies and programs helps boost economic opportunities and job creation while continuing to move toward a sustainable future; and

WHEREAS, cutting energy waste saves U.S. consumers billions of dollars on their utility bills annually, up to \$500 per household from appliance efficiency standards alone; and

WHEREAS, more than 2.2 million Americans work in the energy efficiency sector in local, good-paying, clean energy jobs that can't be outsourced and increasing efficiency will create more of them; and

WHEREAS, smarter energy use reduces the amount of electricity we need to power our lives, which helps avoid power plant emissions that can harm our health, pollute our air, and warm our climate; and

WHEREAS, together the residents of Hyattsville can continue to contribute to our sustainability efforts by learning more about energy efficiency and practicing smarter energy use in their daily lives;

NOW, THEREFORE BE IT RESOLVED, that we do hereby declare October 5, 2017, as Energy Efficiency Day in Hyattsville, and urge citizens to join us in supporting our clean energy goals and moving toward more energy efficiency now and in the future.

Candace B. Hollingsworth
Mayor
City of Hyattsville

October 2, 2017



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Douglas Holland

Submitting Department: Police Department

Item Type: Purchase

Agenda Section: Consent Items (8:50 p.m. - 8:55 p.m.)

SUBJECT

Purchase of new Police Department duty sidearms and surplussing of old sidearms

HCC-81-FY18

Recommendation:

I move that the Mayor and Council authorize the Police Department to purchase new Heckler and Koch model HK VP9 9mm duty sidearms, holsters, flashlights and other related equipment from A-1 Uniforms and Firearms at a cost not to exceed \$46,000 and surplus all older sidearms by trading them to A-1 Uniforms and Sidearms. The trade-in value will be applied to reduce the overall cost of the purchase of the new equipment.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Weapons transition final memo.docx](#)

[Firearms_Purchase___Surplus.pdf](#)

Summary Background:

The police departments' issued sidearm inventory is old and in need of replacement. The firearms unit has suggested transitioning from a 40. caliber semi-automatic weapon to a 9 mm semi-automatic weapon. The department evaluated several models and determined that the best match for our agency is the Heckler and Koch model VP9.

The Department has approximately 90 older sidearms that can be traded to the firearms vendor of choice to off-set the overall purchase costs.

The department received cost estimates from four companies to include Atlantic Tactical, Atlantic Guns, Maryland Small Arms and A-1 Uniforms and Firearms. The vendor that provided the best value and lowest overall cost is a local vendor A-1 Uniforms and Firearms.

Funding of the new sidearms will come from the approved FY2018 Police Capital Budget line item 70-202-0015690 funded in the amount of \$46,000.

Next Steps:

Purchase according to the City's procurement policy and approval of the City Treasurer.

Fiscal Impact:

FY2018 Capital expenditure not to exceed \$46,000.

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Hyattsville City Police Department

4310 Gallatin Street
Hyattsville, Maryland 20781
301-985-5060



Candace B. Hollingsworth
Mayor

Douglas K. Holland
Chief of Police

Tracey Nicholson
City Administrator

DATE: September 26th, 2017

TO: Col. Douglas K. Holland, Chief of Police

FROM: Sgt. Zach Nemser, Firearms Unit

RE: Purchase of new duty weapons and associated equipment

In the summer of 2016, the firearms unit began the process of replacing the current assigned duty weapon for the Hyattsville City Police Department. This process involved a number of steps, and was taken very seriously. The first step was determining which weapon we should transition to. The firearms unit came up with three possibilities that would be worth looking into. The Glock, the Smith and Wesson M&P, and the Heckler and Koch (H&K) VP were chosen as the weapons we wished to Test and Evaluate. We came up with a specific course, and allowed each sworn officer and opportunity to handle and fire each weapon. After that process, each officer completed a survey rated the qualities of each weapon. The H&K VP was the overwhelming choice by our officers. They particularly liked the comfortable grip of the weapon. As firearms instructors, we particularly liked the complete ambidexterity of the weapon which will make operations exactly the same whether you are right handed or left handed. This has always been an issue with our current weapon system.

The next decision that had to be made was if we wanted to switch from a 40 caliber weapon to a 9mm weapon. The current trend in Law Enforcement is to move to a 9mm weapon. This is based on of improvements made in quality of the 9mm round. It is also based on an extensive study performed by the FBI that shows the 9mm round can perform just as well as the 40 caliber round. Switching to a 9mm round will allow for more rounds to be carried by each officer, due to the actual size of the round. The 9mm ammunition is significantly cheaper than the 40 caliber ammunition. Based on the last state contract bid, a case (1,000 rounds) of 9mm duty ammunition (what we carry on the street) will cost \$299.95 compared to \$329.90 for the price for the corresponding 40 caliber round. The 9mm practice ammunition (what we use for training and qualification) will cost \$214.95 per case, compared to \$259.95 for the corresponding 40 caliber

Page 1 of 3



round. This would amount to saving thousands of dollars in ammunition cost over the life of the weapon. The Firearms Unit also believes that by switching to a 9mm weapon, the accuracy and shooting ability for our officers will improve. The 9mm weapon will have less recoil than the 40 caliber weapon. This is due to the firing of a 9mm round is a smaller explosion compared to the 40 caliber round. All of these details made the decision very easy to switch to a 9mm weapon. This brought us to the final decision to select the H&K VP9 as our new duty weapon.

The next expense for this project involves the purchase of holsters for the new weapons. Holsters are molded for a specific gun. The holsters that we currently use are made for the Berretta Px4 Storm. Naturally we will have to replace all of the holsters. The cost of this is significant, due to the fact that different officers use different holsters depending on their assignment. Patrol officers use a different holster than K-9 officers. Administrative officers also use different holsters. Everyone also needs a holster for their “Class A” (dress) uniform as well. The firearms unit wanted to keep the retention level of our current holsters, so we plan on keeping the same model holster we currently use, just made for the H&K VP9.

Finally, as part of this process we wanted to find out if the officers wanted a weapon mounted flashlight. This is becoming more common in Law Enforcement. In fact, our K-9 unit and Emergency Response Team already use weapon mounted flashlights. This allows for one handed operation of the weapon and flashlight in a low light situation. Instead of having your weak hand holding the flashlight, it can be used to open doors, or allow you to safely holster your weapon if you have to go “hands on” with an individual, or communicate with other officers using hand signals. A weapon mounted light will be purchased for each officer that is in an operational capacity.

Funding to purchase the new handguns, holsters, and weapon mounted flashlights were requested in the FY18 Capital Budget. Line item **70-202-0015690 Cap Outlay-Weapons-PD-Pat** was funded with \$46,000.00 to cover these costs. It is now time to move forward with the purchase of the weapons, holsters, and flashlights.

To offset these costs, the City has the opportunity to trade in retired weapons that are currently not in use, or will soon be retired when the new weapons are purchased. Based on our current inventory, there are 90 weapons that could be used to offset the cost.

Maryland Public Safety Article 3-501 “Disposal of handguns owned by law enforcement agencies” describes five ways that guns owned by a Law Enforcement Agency can be disposed. They can destroy the hand gun, sell, exchange, or transfer the handgun to another law enforcement agency for official use, sell the handgun to a retired police employee, sell the handgun to the law enforcement officer to whom the handgun was assigned, or sell, exchange, or transfer the handgun to a manufacturer. In discussions with Chief Holland, he determined that the most productive and fiscally responsible way to dispose of the weapons would be to exchange the guns with a manufacturer and use that money to purchase the new weapons.

With all of these decisions made, we decided it was best to find a company that would sell us the new weapons and equipment as well as take the old weapons in an exchange for the new



weapons. We reached out to four companies. Atlantic Tactical, Atlantic Guns, Maryland Small Arms, and A-1 Uniforms and Firearms. All four of these companies qualifies as a gun manufacturer, which means that they can take possession of the exchanged Law Enforcement handguns. Unfortunately, Atlantic Guns, and Atlantic Tactical are not in the business of selling holsters. This narrowed the list down to A-1 Uniforms and Firearms and Maryland Small Arms. We requested quotes from each company for the purchase of the new weapons, the new holsters, the new flashlights, and the gun trade-ins. Here are the results of those quote requests:

Quote Request for 50 H&K VP9 handguns, w/ three 15 round magazines, w/ night sights

A1 Uniforms and Firearms- \$28,690.00

Maryland Small Arms- \$40,950.00

**Quote Request for 100 Holsters of varying models for different departmental assignments
(See quotes for breakdown)**

A1 Uniforms and Firearms- \$11,605.50

Maryland Small Arms- \$12,537.80

Quote request for 34 Streamlight TLR1-HL weapon mounted flashlights

A1 Uniforms and Firearms- \$4,131.00

Maryland Small Arms- \$4,139.16

Quote request for the trade-in of 90 guns of different types and calibers:

A1 Uniforms and Firearms- \$14,401.00

Maryland Small Arms- \$15,600.00

Total Equipment minus gun trade-in:

A-1 Uniforms and Firearms- \$30,025.50

Maryland Small Arms- \$42,026.96

Based on these totals, I recommend going with A-1 uniforms and Firearms for the entire transaction. Based on this recommendation I received a final quote from A-1 Uniforms and Firearms. The total was adjusted slightly because I requested additional holsters, based on the possibility of some upcoming new-hires. The final cost of this transaction will be:

Line item 70-202-0015690 Cap Outlay-Weapons-PD-Pat

A-1 Uniforms and Firearms- **\$31,666.50**





PO BOX 236 • VOLTA AVE • SUITE 200
BRENTWOOD, MARYLAND 20722
P: (301)277-9100 F: (301)277-0200
TOLL: 1-(800) 334-2205
WWW.A1UNIFORMS.COM

Estimate

DATE	9/26/2017
Estimate No:	6412

Created For:

Hyattsville Police
4310 Gallatin Street
Hyattsville, MD 20781

						Requested from		
						Z. Nemser		
TERMS		Salesperson	VIA	Main Contact	Main Contact Phone	Contact Phone#		
Due on receipt		MJF		Michelle Dunklee	301-985-5084	301-985-5077		
QTY.	ITEM	DESCRIPTION			Size	Color	Price	Total
50	700009LE-A5	HK VP9 9mm 3 15 Rnd NS					573.80	28,690.00T
38	080926692602	Streamlight TLR-1 HL					121.50	4,617.00T
12	7378-593-411	Model 7378 7TS™ ALS® Concealment Paddle and Belt Loop Combo Holster VP9, Black, RH					36.00	432.00T
1	7378-593-412	Model 7378 7TS™ ALS® Concealment Paddle and Belt Loop Combo Holster VP9, BLK, LH					36.00	36.00T
14	6305-5932-131	Model 6305 ALS®/SLS Tactical Holster w/ Quick-Release Leg Strap VP9, BLK, RH, TLR-1					165.00	2,310.00T
2	6305-5932-132	Model 6305 ALS®/SLS Tactical Holster w/ Quick-Release Leg Strap VP9, BLK, LH, TLR-1					165.00	330.00T
36	6360-5932-131	ALS Level III Duty Holster Finish: STX Tactical Black Gun Fit: Heckler & Koch VP9 with TLR-1 (5.41" BBL) Hand: Right Option: Hood Guard Size: 2.25"					110.00	3,960.00T
3	6360-5932-132	ALS Level III Duty Holster Finish: STX Tactical Black Gun Fit: Heckler & Koch VP9 with TLR-1 (5.41" BBL) Hand: LEFT Option: Hood Guard Size: 2.25"					110.00	330.00T
36	6365-593-81	Model 6365 ALS® Low-Ride, Level III Retention™ Duty Holster w/ SLS VP9, Leather Look, BW, RH					137.50	4,950.00T
3	6365-593-82	Safariland 6365 ALS/SLS Low-Ride Level-III Retention, H&K VP9, Basketweave, Black, Left Hand					137.50	412.50T
-48	Trade-In	Trade in Gun: Beretta Px4 Storm .40					125.00	-6,000.00T
-25	Trade-In	Trade in Gun: Beretta 96FS .40 Cal Handgun					200.00	-5,000.00T
-8	Trade-In	Trade In Gun: Smith & Wesson 4013 .40 cal handgun					175.50	-1,404.00T
-1	Trade-In	Trade in Gun: Beretta Cougar .40 cal handgun					199.00	-199.00T
					Subtotal			
					Sales Tax (0.0%)			
					Total			
				Remit to: A1 Uniform Sales Co, Inc. PO Box 236 Brentwood, MD 20722				



PO BOX 236 • VOLTA AVE • SUITE 200
BRENTWOOD, MARYLAND 20722
P: (301)277-9100 F: (301)277-0200
TOLL: 1-(800) 334-2205
WWW.A1UNIFORMS.COM

Estimate

DATE	9/26/2017
Estimate No:	6412

Created For:

Hyattsville Police
4310 Gallatin Street
Hyattsville, MD 20781

					Requested from			
					Z. Nemser			
TERMS		Salesperson	VIA	Main Contact	Main Contact Phone	Contact Phone#		
Due on receipt		MJF		Michelle Dunklee	301-985-5084	301-985-5077		
QTY.	ITEM	DESCRIPTION			Size	Color	Price	Total
-1	Trade-In	Trade in Gun:Astra Constabe II .57 Handgun					99.00	-99.00T
-1	Trade-In	Trade in Gun: Glock 20 10mm handgun					250.00	-250.00T
-1	Trade-In	Trade in Gun: Ruger P91 DC handgun					175.00	-175.00T
-1	Trade-In	Trade in Gun: Smith & Wesson .357					250.00	-250.00T
-1	Trade-In	Trade in Gun: Colt Lawman MKII .357 revolver					250.00	-250.00T
-1	Trade-In	Trade in Gun: SMith & Wesson Mod 28-2 .357 revolver					250.00	-250.00T
-1	Trade-In	Trade in Gun: Colt Cobra .38 spl revolver					275.00	-275.00T
-1	Trade-In	Trade in Gun: Beretta 85F 9mm handgun					249.00	-249.00T

	Make	Model	Nite Sights	Grip	Caliber	Condition	Magazine(s)	Serial Number
1	Beretta	96FS	yes	Hogue	40 cal	Fair	2	Ber047673
2	Beretta	96FS	missing front site	Factory	40 cal	Fair	2	Ber194861
3	Beretta	96FS	yes	Hogue	40 cal	Fair	2	Ber155085
4	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000313
5	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000304
6	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000346
7	Beretta	96FS	missing front site	Pachmayr Grip	40 cal	Fair	2	Ber000305
8	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber001634
9	Beretta	96FS	yes	Hogue	40 cal	Fair	2	Ber000324
10	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000307
11	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000303
12	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber075524M
13	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000329
14	Beretta	96FS	yes	Hogue	40 cal	Fair	2	Ber001625
15	Beretta	96FS	yes	Hogue	40 cal	Fair	2	Ber147659
16	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000302
17	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000306
18	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000326
19	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000308
20	Beretta	96 FS	yes	Factory	40 cal	Fair	2	Ber000317
21	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000311
22	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000321
23	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000318
24	Beretta	96FS	yes	Factory	40 cal	Fair	2	Ber000315
25	Beretta	96FS	yes	Hogue	40 cal	Fair	2	Ber000301
26	Smith & Wesson	MOD 4013	yes	Factory	40 cal	Fair	2	VDM7487
27	Smith & Wesson	MOD 4013	yes	Factory	40 cal	Fair	2	VDM7539
28	Smith & Wesson	MOD 4013	yes	Factory	40 cal	Fair	2	VDM7499
29	Smith & Wesson	MOD 4013	yes	Factory	40 cal	Fair	2	VDM7529
30	Smith & Wesson	MOD 4013	yes	Factory	40 cal	Fair	2	VDM7509
31	Smith & Wesson	MOD 4013	yes	Factory	40 cal	Fair	2	VDM7538
32	Smith & Wesson	MOD 4013	yes	Factory	40 cal	Fair	2	VDM4360

7C	33	Smith & Wesson	MOD 4013	yes	Factory	40 cal	Fair	2	VDM7528
	34	Beretta	Cougar	yes	Factory	40 cal	Fair	2	BER000311
	35	Astra	Constable II	None	Factory	357	Fair	0	F3571
	36	Glock	20	None	Factory	10mm	Fair	1	VC365
	37	Ruger	P91DC	None	Factory	40 cal	Fair	1	340-11060
	38	Smith & Wesson		None	Factory	357	Fair	Revolver	2K31555
	39	Colt	Lawman MKIII	None	Factory	357	Fair	Revolver	L17554
	40	Smith & Wesson	MOD 28-2	None	Pachmayr	357	Fair	Revolver	N98116
	41	Colt	Cobra	None	Factory	.38 special	Fair	Revolver	M54202
	42	Beretta	85F	None	Factory	9mm	Fair	1	F22440Y
	43	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY10720
	44	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY10741
	45	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11117
	46	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11122
	47	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11126
	48	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11168
	49	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11173
	50	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11176
	51	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11208
	52	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11234
	53	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11248
	54	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11272
	55	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11281
	56	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY11284
	57	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY14106
	58	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18104
	59	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18116
	60	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18176
	61	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18203
	62	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18281
	63	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18470

64	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18500
65	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18515
66	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18580
67	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18623
68	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18630
69	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18649
70	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18692
71	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18698
72	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18725
73	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY18807
74	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY27233
75	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY27243
76	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY27252
77	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY27447
78	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY27779
79	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY30322
80	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY30482
81	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY30488
82	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY30500
83	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY39561
84	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY39669
85	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY40862
86	Beretta	Px4 Storm	yes	Factory	40 cal	Fair	3	PY40924
87	Beretta	Px4 Storm	yes	Factory	40 cal	Needs F.S.	3	PY11100
88	Beretta	Px4 Storm	yes	Factory	40 cal	Needs R.S.	3	PY11192
89	Beretta	Px4 Storm	yes	Factory	40 cal	Needs F.S.	3	PY18393
90	Beretta	Px4 Storm	yes	Factory	40 cal	F.S. & Springs	3	PY18823



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Ordinance

Agenda Section: Action Items (8:55 p.m. - 9:25 p.m.)

SUBJECT

Hyattsville Ordinance 2017-04: Amendment to Section 114-74 - Vehicle Impound Ordinance (5 minutes)

HCC-43-FY18

Recommendation:

I move that the Mayor and Council introduce Hyattsville Ordinance 2017-04, an Ordinance whereby the City Council amends the Code to reiterate and clarify that code enforcement and parking enforcement officers have the authority to "boot," take into custody, or impound vehicles in certain situations (FIRST READING).

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[HO 2017-04 Impound Ordinance Amendment 9.26.17.docx](#)

[Memo - Impoundment Ordinance.docx](#)

Summary Background:

In FY-2012, Parking Compliance operations were transferred from the Police Department to Community & Economic Development. The City Code was not revised to transfer administrative operations regarding impounding of vehicles as defined within Chapter 114-74. As an interim procedure, when vehicles require impounding, the Parking Compliance staff secure the verbal approval of the Police Department Lieutenant on-duty by contacting the PD Communications Staff. A police officer responds to the scene and if required, attends any potential adjudication proceedings.

The City Attorney has recommended an amendment to Chapter 114-74 for the City Council's consideration. The intent of the amendment is for the City Code to reflect consistency with the efficient administration of City operations. The proposed amendment language is as follows:

"B. Pursuant to Maryland Annotated Code, Transportation Article, section 25-201(e)(6), as may be amended, and section 114-3 of this Code, code enforcement officers and parking enforcement officers are designated as having the authority to "boot," take into custody, and impound vehicles in accordance with this section and procedures established by the Police Department. Nothing herein shall be construed to limit the City of Hyattsville Police Department's authority."

Next Steps:

The Council discussed this item on September 18. Adoption of the ordinance is scheduled for October 16, 2017 with an effective date of November 5, 2017.

Fiscal Impact:

N/A

City Administrator Comments:

The code was written when parking compliance was part of the Hyattsville Police Department. The current process requires police approval and presence of an officer which competes with higher priority, time sensitive police assignments. The City will draft administrative procedures for internal approvals.

Community Engagement:

The proposed ordinance was not referred to the Code Committee as revisions to Chapter 114-74 are administrative and do not modify the intent of the Chapter.

Strategic Goals:

Goal 4 – Foster Excellence in all City Operations

Legal Review Required?

Complete

CITY OF HYATTSVILLE
ORDINANCE 2017-04

An Ordinance whereby the City Council amends the Code to reiterate and clarify that code enforcement and parking enforcement officers have the authority to “boot,” take into custody, or impound vehicles in certain situations.

WHEREAS, Maryland Annotated Code, Local Government Article, Section 5-202 grants to municipal corporations of the State of Maryland, including the City of Hyattsville, the power to protect the health, comfort and convenience of their citizens; and

WHEREAS, Section 3, Chapter 114 of the City Code, specifically designates City police, code enforcement, and parking enforcement officers as persons vested with the authority to enforce the provisions of said Chapter and have been so vested since at least the enactment of section 114-3; and

WHEREAS, the Mayor and City Council deem it in the best interest of its citizens to amend section 114-74 of the City Code to reiterate and clarify that code enforcement and parking enforcement officers are designated with the authority to take into custody and impound vehicles that are unattended and/or vehicles that are abandoned.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hyattsville in regular session assembled that section 114-74 of the Hyattsville Code is hereby amended to read as follows:

1 **§ 114-74. Impoundment procedures; reclamation. [Amended 3-5-14 by HO 2014-02]**

2 A. The Police Department may “boot” or take into custody and impound:

3 (1) Any unattended vehicle parked or left standing on any highway or street in the city or on
4 any property owned or leased by the city in violation of any traffic or parking regulation.

5 (2) Any unattended vehicle for which five (5) or more outstanding parking or parking meter
6 violation citations have accumulated and matured to the maximum fine.

7 B. Pursuant to Maryland Annotated Code, Transportation Article, section 25-201(e)(6), as may
8 be amended, and section 114-3 of this Code, code enforcement officers and parking enforcement
9 officers are designated as having the authority to “boot,” take into custody, and impound vehicles
10 in accordance with this section and procedures established by the Police Department. Nothing
11 herein shall be construed to limit the City of Hyattsville Police Department’s authority.

12 C. ~~B.~~ The provisions of Title 25, Subtitle 2, of the Maryland Vehicle Law (§ 25-201 et seq. of
13 the Transportation Article of the Annotated Code of Maryland) shall apply with respect to the
14 removal, storage, reclamation and disposal of any vehicle taken into custody pursuant to
15 Subsection A and B above.

16 D. ~~€.~~ In addition to any information required to be contained in the notices given under Title
17 25, Subtitle 2, of the Maryland Vehicle Law, information as to the nature and circumstances of
18 the traffic or parking violation or violations on account of which a vehicle is impounded shall be
19 given to the owner or other person normally in charge of such vehicle.

20 E. ~~Đ.~~ In addition to paying all towing, preservation and storage charges resulting from taking or
21 placing the vehicle in custody, the owner ~~or person normally in charge~~ of such vehicle shall also
22 be liable for any fine or forfeiture resulting from the violation or violations for which the vehicle

1 was impounded, and such vehicle shall not be released until either written receipt is displayed
2 showing payment of such fine or forfeiture or collateral in the sum of twenty-five dollars
3 (\$25.00) per violation is posted for appearance of the owner or person normally in charge of such
4 vehicle in the people's court of the county to answer the violation or violations on account of
5 which the vehicle was impounded.

6 **AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the
7 application thereof to any person or circumstance is held invalid for any reason, such invalidity
8 shall not affect the other provisions or any other applications of the Ordinance which can be given
9 effect without the invalid provision or applications, and to this end, all the provisions of this
10 Ordinance are hereby declared to be severable;

11 **AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect twenty (20)
12 days from the date of its adoption;

13 **AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall
14 forthwith be published twice in a newspaper having general circulation in the City and otherwise
15 be made available to the public.

16 **INTRODUCED** by the City Council of the City of Hyattsville, Maryland, at a regular
17 public meeting on October 2, 2017.

18 **ADOPTED** by the City Council of the City of Hyattsville, Maryland, at a regular public
19 meeting on _____, 2017.

Adopted: _____

Attest: _____

Candace B, Mayor

20
21
22 { } indicate deletions

23 Underline indicates additions

24 Asterisks * * * Indicate matter retained in existing law but omitted herein



Memo

To: City Council

From: Jim Chandler, Director, Community and Economic Development

CC: Tracey Nicholson, City Administrator
Douglas K. Holland, Chief of Police
Chris Giunta, Manager, Code & Parking Compliance

Date: September 5, 2017

Re: Chapter 114-74 – Vehicle Impound Ordinance

This memorandum provides the City Council with details regarding a proposed administrative amendment to Chapter 114-74.

Background Information

In FY2012, Parking Compliance operations were transferred from the Police Department to Community & Economic Development. Chapter 114-74 of the City Code. The transfer of administrative operations did not include revisions to the City Code to reflect authorities for impounding of vehicles defined within Chapter 114.

The City Attorney has recommended an amendment to Chapter 114-74 for the City Council's consideration. The intent of the amendment is for the City Code to reflect consistency with the administration of City operations. The proposed amendment language is as follows:

"B. Pursuant to Maryland Annotated Code, Transportation Article, section 25-201(e)(6), as may be amended, and section 114-3 of this Code, code enforcement officers and parking enforcement officers are designated as having the authority to "boot," take into custody, and impound vehicles in accordance with this section and procedures established by the Police Department. Nothing herein shall be construed to limit the City of Hyattsville Police Department's authority."

Staff Comments

As an interim procedure, when vehicles are eligible for impounding, CED Parking Compliance staff has secured the verbal approval of the Police Department Lieutenant on-duty, through PD Communications Staff. This interim process is not intended as a long-term operational solution, as it requires additional Police Department resources both in the administration of impounding services and cases requiring City Staff to be present during adjudication.



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Jim Chandler

Submitting Department: Legislative

Item Type: Legislative

Agenda Section: Action Items (8:55 p.m. - 9:25 p.m.)

SUBJECT

Hyattsville Ordinance 2017-05: Pet Waste (5 minutes)

HCC-63-FY18

Recommendation:

I move that the Mayor and Council introduce Hyattsville Ordinance, 2017-05, an Ordinance whereby the City of Hyattsville establishes requirements for the proper disposal of solid pet waste in the City of Hyattsville so as to protect public health, safety and welfare (FIRST READING).

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - Pet Waste Ordinance.docx](#)

[HO 2017-05 Pet Waste Ordinance - 10.2.17 First Reading.docx](#)

[MinutesrMarch_15_17_Approved.doc](#)

[Code Committee Recommendation - June 21, 2017.doc](#)

[Pet Waste - Leash Up Poster](#)

Summary Background:

The attached ordinance was drafted by the City Attorney in response to the Council's directive to provide residents with clear regulations for disposal of pet waste for domesticated animals to help maintain clean, healthy, and safe communities. The staff will identify required equipment, supplies, and administrative procedures to provide for sufficient disposal in public spaces.

Next Steps:

This item was discussed by the City Council on September 18, 2017. Adoption of the ordinance is scheduled for October 16, 2017 with an effective date of November 5, 2017.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Approval.

Community Engagement:

The Code Compliance Committee reviewed the draft ordinance in April and June 2017 and requested a public awareness campaign as detailed in the attached. City Staff reviewed the proposed language and created a public awareness poster, which will be widely distributed and available in English and Spanish.

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

Complete



Memo

To: City Council

From: Jim Chandler, Director, Community and Economic Development

CC: Tracey Nicholson, City Administrator
Douglas K. Holland, Chief of Police
Chris Giunta, Manager, Code & Parking Compliance

Date: September 14, 2017

Re: Pet Waste Ordinance

As directed the City Attorney has drafted a 'Pet Waste' Ordinance for the purposes of further defining the City of Hyattsville's regulations regarding the disposal of pet waste/matter.

Staff Comments

The term 'domesticated' was inserted into the ordinance to define the types of animals subject to the provisions of the ordinance, intentionally excluding migratory animals. The language as drafted enables the City to retain the word 'harboring' without creating a conflict with Prince George's County law.

Staff is recommending that enforcement of this ordinance through the establishment of administrative procedures.

CITY OF HYATTSVILLE
ORDINANCE 2017-05

An Ordinance whereby the City of Hyattsville establishes requirements for the proper disposal of solid pet waste in the City of Hyattsville so as to protect public health, safety and welfare, ~~and to prescribe the penalties for failure to comply.~~

WHEREAS, Maryland Annotated Code, Local Government Article, Section 5-202 grants to municipal corporations of the State of Maryland, including the City of Hyattsville, the power to protect the health, comfort and convenience of their citizens; and

WHEREAS, the Mayor and Council desire to establish requirements for the proper disposal of solid pet waste in order to protect the health, comfort and convenience of the residents of the City of Hyattsville; and

WHEREAS, the addition of the new provisions regarding pet waste to Chapter 65 require Chapter 65's existing Article VII, which contains the penalty provisions for Chapter 65, to be recodified as Chapter 65, Article VIII; and

WHEREAS, the Mayor and Council desire that the new Pet Waste Article in Chapter 65 and existing Chapter 52, Dogs and Other Animals, each contain a cross-reference to the other so that these provisions may be located more easily.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hyattsville in regular session assembled that the penalty provision presently codified as Chapter 65, Article VII, § 65-27 of the City Code is repealed and reenacted without substantive change in the City of Hyattsville Code to read as follows:

ARTICLE VIII

Penalty

§ 65-29. Violations and penalties.

In addition to any remedy provided by this Chapter, violations of this Chapter shall be punishable as a municipal infraction as provided in Chapter 20 of this Code. The fine for any single initial

1 violation shall be one hundred dollars (\$100.00), and the fine for each repeat of that offense shall
2 be two hundred dollars (\$200.00).

3 **AND BE IT FURTHER ORDAINED** by the City Council of the City of Hyattsville in
4 regular session assembled that Chapter 65 of the City of Hyattsville Code is hereby amended to
5 add Article VII, Solid Pet Waste, which is to read as follows:

6 **ARTICLE VII†**

7 **Solid Pet Waste**

8 **§ 65-27. Requirements for disposal.**

9 A. All pet owners are required to dispose of a pet's solid waste deposited on any property,
10 public or private, not owned or possessed by that person. Disposal of said waste shall occur
11 immediately and without delay.

12 B. All domesticated animals kept for amusement or companionship shall be considered pets
13 within the meaning of this Article.

14 C. For the purposes of this Article, a pet owner shall be any person who possesses, maintains,
15 houses, or harbors any pet or otherwise has custody of any pet, regardless of whether the person
16 is the actual owner of such pet.

17 D. Disposal of a pet's solid waste shall consist of placing the solid waste in a designated waste
18 receptacle or other suitable container, or discarded in a refuse container which is regularly
19 emptied by the municipality or some other refuse collector; or introducing the solid waste, free
20 of any container, bag, or handling device, into a system designed to convey domestic sewage for
21 proper treatment and disposal.

22 **§ 65-28. Animals exempt from requirements for disposal.**

23 A. A professionally trained disability assistance animal shall be exempt from the provisions
24 of this Article while such animal is being used for that purpose.

25 B. An animal owned by a law enforcement or other governmental agency shall be exempt
26 from the provisions of this Article while such animal is being used for that purpose.

27 †Related legislation is found in Chapter 52, Dogs and Other Animals.

28 **AND BE IT FURTHER ORDAINED** by the City Council of the City of Hyattsville in
29 regular session assembled that Chapter 52 is amended to include the following cross-reference:

30 **Chapter 52†**

†Related legislation is found in Chapter 65, Article VII, Solid Pet Waste.

AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect twenty (20) days from the date of its adoption;

AND BE IT FURTHER ORDAINED that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public.

INTRODUCED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on October 2, 2017.

ADOPTED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on _____, 2017.

Adopted: _____

Effective: _____

Attest: _____

Mayor

{-} indicate deletions

Underline indicates additions

Asterisks * * * Indicate matter retained in existing law but omitted herein

CITY OF HYATTSVILLE
CODE COMPLIANCE ADVISORY COMMITTEE MINUTES
WEDNESDAY, APRIL 19 2017

Jeff Moulton, Vice Chair
Gloria Felix-Thompson, Secretary
Joy M. Jeffries, Member
Nicolas Michels
Joy Jeffries (arrived at 7:05pm)
Chris Giunta, Manager, Code & Parking Compliance

Agenda: Introductions
Review and approval of the March 2017, meeting minutes
Update on Code issues, Chris Giunta

The committee voted unanimously to approve the January 2017 meeting minutes.

The Model Chapter 52 (Dogs & Other Animals) Chapter 52-2 (Actions Considered Public Nuisance) was accepted and shall be forwarded as a recommendation to Council

It was decided that the next meeting will be June 21, 2017

Adjourned at 7:40pm

Respectfully submitted Gloria Felix-Thompson, Secretary

On Wednesday, June 21, 2017, the Code Compliance Advisory Committee voted to recommend that the City Council direct staff to:

- ❖ create temporary signs (so that they can be moved to locations where lots of loose dogs are sighted) that show an **attention getting** dog on a leash, states: "By order of the City of Hyattsville: all Dogs/Pets must be Leashed and under Owner Control at **ALL** Times. Violators will be fined. For Animal Emergencies please contact Prince George's County Animal Control at 301-780-7200 or the City of Hyattsville Police Department at 301-985-5050."
- ❖ that the city engage in a public awareness campaign by posting the leash requirement frequently to its social media pages, the Hyattsville Reporter and on Hyattsville TV.

so that greater awareness of the leash law and its consequences by residents is created.

Leash Up! It's the Law.

The City of Hyattsville requires that all pets must be leashed and under owner control at all times. Violators are subject to fines of up to \$200.



For **Animal Emergencies**
contact Prince George's
County Animal Control at
301-780-7200

or the City of Hyattsville
Police Department at
301-985-5050

50





Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Lesley Riddle

Submitting Department: Public Works

Item Type: Contract

Agenda Section: Action Items (8:55 p.m. - 9:25 p.m.)

SUBJECT

DPW Construction Project - Third Party Review (10 minutes)

HCC-77-FY18

Recommendation:

I move that the Mayor and Council authorize the City Administrator to execute a contract, with Hobart Apple Associates, Inc., for the purposes of Third party construction inspection services in an amount not to exceed \$75,000.00, upon the review and approval by the City Attorney for legal sufficiency.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

The City entered into a design build contract with KellerCM in March of 2016 to provide the renovation of the DPW complex at 4633 Arundel Place. KellerCM budgeted the project and began the design portion of the project. In the spring of 2016 the Prince George's County Department of Permitting, Inspection, and Enforcement (DPIE) began requiring municipal projects to use the Third Party Plan Review process. This new requirement was not a part of the contract with KellerCM.

On August 14th, 2017, the City of Hyattsville released a Request for Proposal (RFP) #DPW17-001R to solicit a contractor to provide 3rd Party Plan Review as required by DPIE. The RFP was published on the City's Website as well as to the eMaryland website where it was sent to numerous businesses that provide 3rd party plan review. Proposals were received and opened on August 30th, 2017. At that time, the city received 4 proposals and 3 were found to be responsive and responsible. The proposal from Holbert Apple Associates, Inc. was responsible, responsive, and lowest cost, and therefore was selected for Award pursuant to Section 11 of the City Procurement Manual. The cost of the services will not exceed \$75,000.00.

Next Steps:

With Council approval we will facilitate a contract with Hobart Apple Associates, Inc. for the third party inspections during the DPW facility construction.

Fiscal Impact:

\$75,000. The cost for this service is in the DPW Administration budget under Professional Services within the operating budget.

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

Goal 2 – Ensure the Long-Term Economic Viability of the City

Legal Review Required?

Pending



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section: Action Items (8:55 p.m. - 9:25 p.m.)

SUBJECT

Commercial Facade Improvement Program (10 minutes)

HCC-80-FY18

Recommendation:

I move that the Mayor and Council accept the recommendations of the Commercial Façade Review Panel and approve grant funding awards for the following properties:

- 4327 Gallatin Street: \$10,000
- 4700 Rhode Island Avenue: \$15,000
- 5804/5806 Baltimore Avenue: \$47,000

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - CFI 2017 Award Recommendations - 9.27.2017 - Final.doc](#)

[Shortcake Bakery - CFI Concept.pdf](#)

[Vigilante Coffee - CFI Concept.pdf](#)

[Dr. Lilly's Concept 2017.pdf](#)

Summary Background:

Each of the business owners at the subject properties applied for the City's Commercial Façade Improvement Program (CFI) along with using their own private equity to improve the conditions of the property. All properties are tenanted and operational. Two of the buildings have utilized the CFI program before. Dan Simon, owner of 4327 Gallatin Street used the CFI program in 2012 to paint the exterior of the building and install garage doors in the space currently utilized by Vigilante Coffee.

The CFI program currently has \$100,000 in funding. \$50,000 are for projects to be completed by the end of Fiscal Year 2018 and the remaining \$50,000 are to be expended by the end of Fiscal Year 2019. Staff is recommending the Mayor and City Council approve and authorize distribution as follows:

- 4327 Gallatin Street: \$10,000
- 4700 Rhode Island Avenue: \$15,000
- 5804/5806 Baltimore Avenue: \$47,000

Work on all façade projects are scheduled to take place immediately upon execution of a contract and issuance of Notice to Proceed. All three projects are scheduled to be completed by May 2018.

Staff is requesting approval of the proposed recommendations.

Community & Economic Development staff are planning to highlight the CFI program and the most recent awards as part of National Economic Development Week, which runs October 23 – 27, 2017. The City is preparing to make the next round of application funding available on May 23, 2018.

Next Steps:

Upon Council approval, staff will proceed with the distribution of awarded funds.

Fiscal Impact:

Funding for the Commercial Facade Improvement Program is provided by the State of Maryland Community Legacy grant program.

City Administrator Comments:

Recommend Approval

Community Engagement:

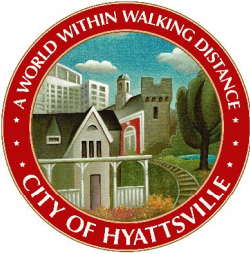
In April 2017, the application and program guidelines were posted to the City website, and printed application packets were available at the City Administration Building. City staff also issued direct solicitations and went door to door to locations that we determined could benefit from exterior improvements. The City received five (5) inquiries and three (3) applications from commercial property owners.

Strategic Goals:

Goal 2 – Ensure the Long-Term Economic Viability of the City

Legal Review Required?

N/A



Memo

To: Mayor and Council
From: Jim Chandler, Director, Community & Economic Development
Katie Gerbes, Community Planner
Date: September 27, 2017
Re: Commercial Façade Improvement Program – 2017 Grant Awards

The purpose of this memorandum is to provide the Mayor and City Council with a briefing of the applicants recommended for commercial façade improvement grant awards for the City's 2017 grant application cycle.

Program Summary

In April 2017, the City issued its sixth application cycle for the Commercial Façade Improvement Program, which provides Hyattsville business and commercial property owners with competitive 1:1 matching grant awards of up to \$45,000 per building.

The City's funding source is the State of Maryland Department of Housing & Community Development's Community Legacy Grant. The grant funds are eligible to assist with the cost of labor, materials and design, permitting fees and physical improvements including re-painting, exterior shutters, gutters, windows, siding, doors, masonry, finishes, lighting and signage.

The program requires the applicant to provide three (3) contractor bids and the selected projects will operate under a single contract, signed by the contractor, property/business owner and the City of Hyattsville.

Commercial Façade Improvement Program Application – Summer 2017 Cycle

In April, the application and program guidelines were posted to the City website, and printed application packets were available at the City Administration Building. City staff also issued direct solicitations and went door to door to locations that we determined could benefit from exterior improvements. The City received five (5) inquiries and a total of three (3) applications from commercial property owners.

Commercial Façade Review – Application Review & Analysis

The City received a total of three (3) applications submitted by three (3) different applicants. Copies of each application and materials were distributed to City Staff consisting of the following individuals:

- Jim Chandler, Director, Community & Economic Development
- Katie Gerbes, Community Planner, Community & Economic Development
- Joseph Brewer, Code Inspector III, Community & Economic Development
- Abby Tesfaye, Community Development Intern, Community & Economic Development

Members were asked to review and evaluate the applications independently prior to meeting as a group. Each member of the Review Panel was asked to evaluate the applications based on the following criteria:

- Completeness of Grant Application
- Intent of work to be performed (Accessibility, code compliance, aesthetics, etc.)
- Private investment leveraged
- Economic revitalization impact (removal of blight, job creation potential)

The evaluations were completed and on July 12, 2017 Staff discussed their evaluations of each application and proposed façade improvements.

Owner	Doing Business As	Property Address	Scope of Improvements	Private Equity	Grant Request	Project Total
Dan Simon	Vigilante Coffee	4327 Gallatin Street Hyattsville, MD 20781	Neon light signage on the corner of Baltimore Avenue and Gallatin Street; awning over outdoor seating; mural on south facing side of building	\$10,000	\$10,000	\$20,000
Stuart Eisenberg	Shortcake Bakery	4700 Rhode Island Avenue Hyattsville, MD 20781	Replacement of two doors; paint on front of building; mural on south facing side of building; exterior lighting fixtures; restoration of signage	\$15,000	\$15,000	\$30,000
Richard Lilly	J. Richard Lilly, MD and Associates	5804 and 5806 Baltimore Avenue, Hyattsville, MD 20781	Replacement of windows; exterior painting; gutter replacement	\$47,000	\$47,000	\$94,000
Total				\$72,000	\$72,000	\$144,000

Recommendation & Actions

Each of the business owners at the subject properties have proposed utilizing the City's Commercial Façade Improvement Program (CFI) along with their own private equity to improve the conditions of the property. All three properties are currently tenanted and operated out of. Coincidentally, two of the buildings have utilized the CFI program before. Dan Simon, owner of 4327 Gallatin Street, used the CFI program in 2012 to paint the exterior of the building and install garage doors in the space currently utilized by Vigilante Coffee.

The CFI program currently has \$100,000 in CFI funding of which \$50,000 in grants are for projects to be completed by the end of Fiscal Year 2018 and an additional \$50,000 to be expended by the end of Fiscal Year 2019. Staff is recommending the following approval and authorization to the Mayor and City Council:

- 4327 Gallatin Street: \$10,000
- 4700 Rhode Island Avenue: \$15,000
- 5804/5806 Baltimore Avenue: \$47,000

Work on all façade projects are scheduled to take place immediately upon execution of a contract and issuance of Notice to Proceed. All three projects are scheduled to be completed by May 2018.

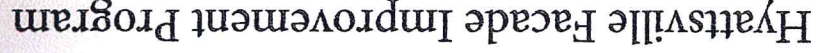
Staff is requesting that this item be scheduled for discussion on October 2, 2017 and consideration that this item be approved at the same meeting, provided the Mayor and Council are satisfied with the proposed recommendations. If the Council would like additional time to discuss the item, it should be placed on the action agenda for October 16, 2017.

Community & Economic Development staff are planning to highlight the CFI program and the most recent awards as part of National Economic Development Week, which runs October 23 – 27, 2017. The City is preparing to make the next round of application funding available on May 23, 2018.

Staff is recommending the Council's consideration of the following motion:

"I move that the Mayor and Council accept the recommendations of the Commercial Façade Review Panel and approve grant funding awards for the following properties:

- 4327 Gallatin Street: \$10,000
- 4700 Rhode Island Avenue: \$15,000
- 5804/5806 Baltimore Avenue: \$47,000

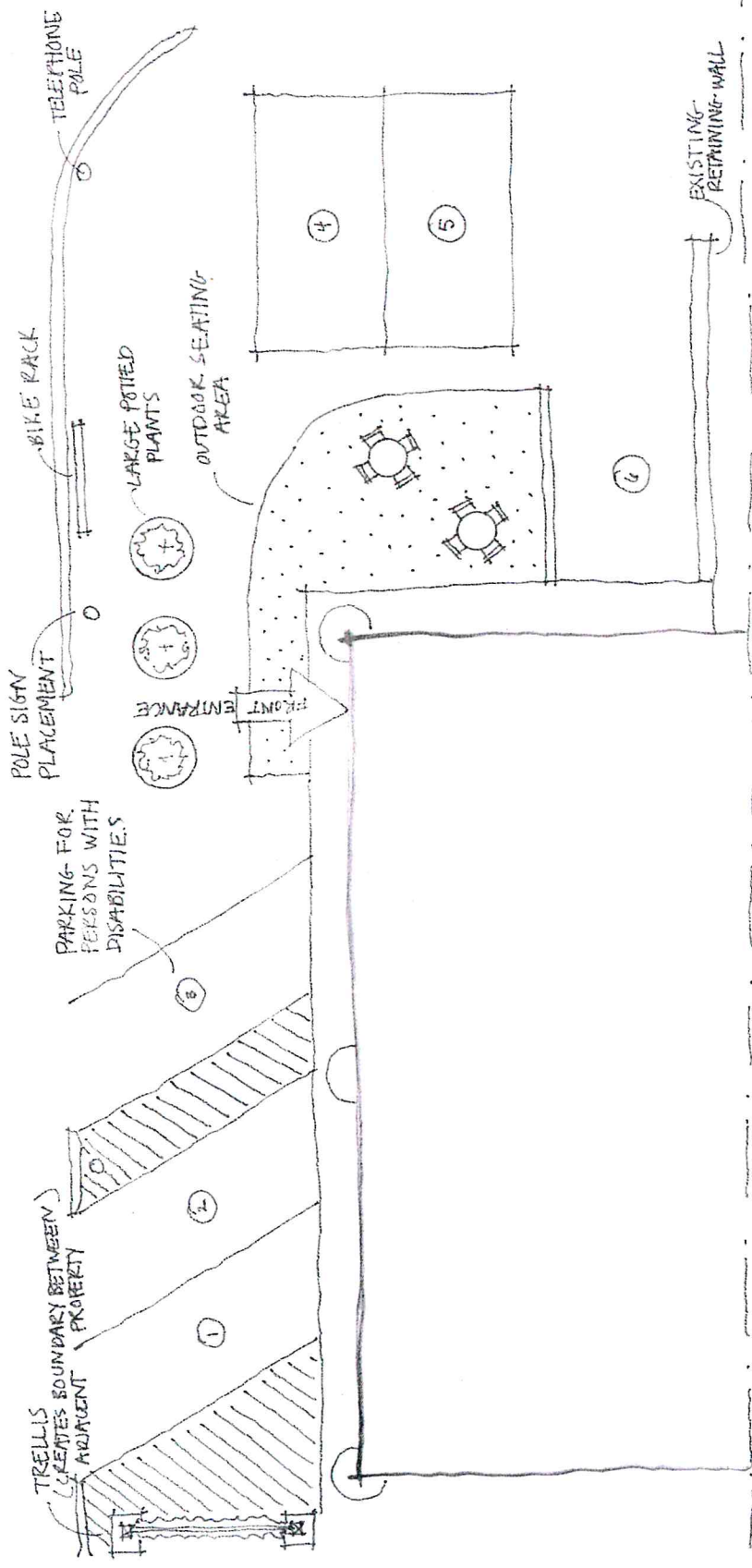


Hyattsville Facade Improvement
Shortcake Bakery
4700 Rhode Island Avenue
85

58



BENJ
117



Facade Design

Shortcake Bakery needs a vibrant exterior to help the business stand out along Rhode Island Avenue, which can be easily overlooked by the many DC commuters and local drivers. The design includes lots of signage with a simple, yet memorable logo, many light fixtures to help illuminate the facade at all times of day, and awnings to screen some of the direct sunlight that raises the interior temperature.

The mural on the blank side wall will help attract drivers heading north, as will the visible seating area.

Overall, the color scheme is bright, graphic, and matches the recently renovated interior of the bakery. With changes, the building will look more attractive and have an eye-catching presence for people entering Hyattsville.

Parking Plan

The elements in the parking plan utilize the available space, within parking regulations, and streamline the use of space on the lot. Customers can pull into the angled spaces while driving south on Rhode Island Avenue, or can turn in to the perpendicular spaces from 41st Place.

The planters act as bollards to prohibit drivers from using the space in front of the entrance as a driving lane which would take up a lot of area as well as increase the chance of an accident.

With this plan, the bakery will have six parking spaces as well as a newly defined outdoor seating area which turns the corner creating a well-defined path to the front door.

There are also several spaces for plants and greenery.



draft of mural to be done on side of
building

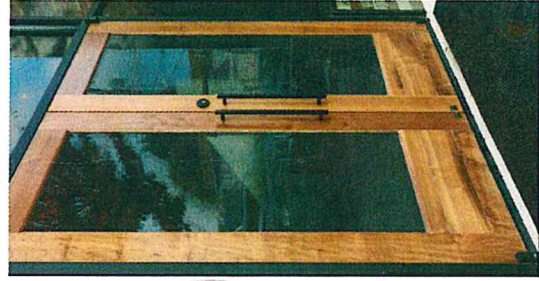


Similar to design we would
be doing for signage on Baltimore Ave

DR. J. RICHARD LILLY OFFICE FAÇADE IMPROVEMENTS



EXISTING FAÇADE



NEW GLASS FRONT ENTRY DOOR
WITH STAINED WOOD SURROUND

PAINT SCHEME ON BOTH
BUILDINGS TO BRING
COHESION AND IDENTIFY
BOTH BUILDINGS AS ONE
BUSINESS

GREEN OWL
DESIGN

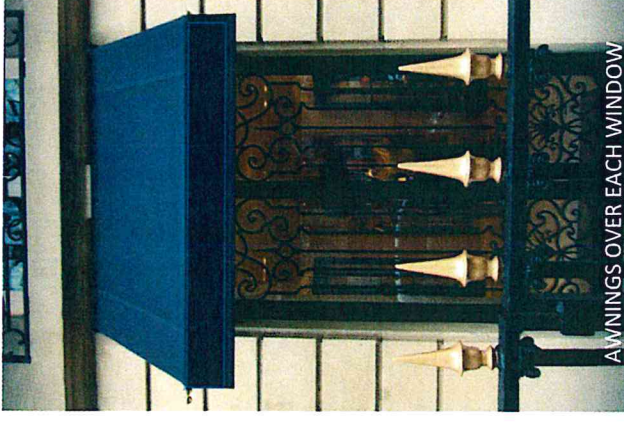
5303 Baltimore Ave | Hyattsville, MD 20781
greenowldesigners.com
301-660-3426



NEW LARGE SIGNAGE WITH LESS WORDING THAT CAN
BE EASILY AND QUICKLY READ AND IDENTIFIED.



BLADE SIGNAGE AT
DRIVEWAY- AT LOCATION OF
EXISTING BRACKET.



AWNINGS OVER EACH WINDOW



DECORATIVE PLANTERS WILL BE PLACED IN FRONT OF
OFFICE BUILDINGS TO CREATE A BARRIER FROM STREET
TRAFFIC AND ADDS A NATURAL ELEMENT TO THE FAÇADE.



EXISTING FACADE



NEW MATCHING SCONCES AT BOTH BUILDING'S ENTRANCES TO IDENTIFY AS ONE BUSINESS



CHANGE FRAMING AROUND WINDOW- TO MORE SUBSTANTIAL MOLDING

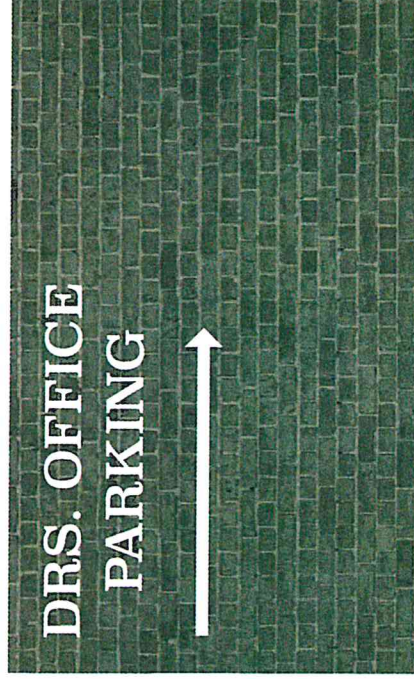
NEW ADDRESS NUMBERS IN TRADITIONAL STYLE



REPLACE METAL RAILING AT STAIRS



PAINT SCHEME ON BOTH BUILDINGS TO BRING COHESION AND IDENTIFY BOTH BUILDINGS AS ONE BUSINESS



EXPAMPLE OF SYTLE OF HAND PAINTED LETTERING FOR PARKING. TO BE PAINTED DIRECTLY ON SIDE OF BUILDING S TO DIRECT TRAFFIC TO PARKING AREA.

GREEN OWL
DESIGN

5303 baltimore ave | hyattsville, md 20781
greenowldesigners.com
301-660-3426





Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Candace Hollingsworth, Mayor

Submitting Department: Legislative

Item Type: Resolution

Agenda Section: Discussion Items (9:25 p.m. - 10:00 p.m.)

SUBJECT

Hyattsville Resolution 2017-02: A Resolution of the City of Hyattsville, Maryland to call on Congress to protect the Temporary Protected Status (TPS) and Deferred Action for Childhood Arrivals (DACA) and reject any initiatives that will separate immigrant families. (10 minutes)

HCC-66-FY18

Recommendation:

I move that the Mayor and Council adopt Hyattsville Resolution 2017-02, a Resolution of the City of Hyattsville, Maryland to call on Congress to protect the Temporary Protected Status (TPS) and Deferred Action for Childhood Arrivals (DACA) and reject any initiatives that will separate immigrant families (INTRODUCTION & ADOPTION).

Sponsor(s):

Hollingsworth

Co-Sponsor(s):

Haba, Solomon, Spell, Suiter

ATTACHMENTS

[Resolution Support DACA & TPS.docx](#)

Summary Background:

On September 18, 2017, the Hyattsville city council received a presentation and testimony from residents to a) request the Council's support of DACA and TPS and b) express the economic and social impacts that the termination of those programs could have on residents in the City of Hyattsville.

Next Steps:

The council will discuss and adopt the resolution. As indicated in the resolution, a copy of the resolution will be forwarded to certain parties stated therein.

Fiscal Impact:

N/A

City Administrator Comments:

N/A

Community Engagement:

Resolution will be posted.

Strategic Goals:

Goal 5 – Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?

Pending

Introduced:
Adopted:

**CITY OF HYATTSVILLE, MARYLAND
RESOLUTION NO. XX-2017**

Introduced by:

Support of the Federal Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status Programs (TPS)

A RESOLUTION for the purpose of calling on Congress to protect the Temporary Protected Status (TPS) and Deferred Action for Childhood Arrivals (DACA) and reject any initiatives that will separate immigrant families;

WHEREAS: The City of Hyattsville is committed to and maintains a long history of supporting, celebrating, and empowering immigrants and refugees, many of whom are escaping war and natural disasters, regardless of their immigration status; and

WHEREAS: Temporary Protected Status (TPS) is a form of immigration status created by Congress in 1990 that provides employment authorization and protection from deportation for foreign nationals who cannot safely return to their home countries; and

WHEREAS: In light of the Trump Administration's radical increase of anti-immigrant enforcement through executive orders, funding requests, and policy guidance, the continued existence of TPS is very much at risk; and

WHEREAS: The Trump Administration is currently deciding whether to terminate the Temporary Protected status for all current TPS holders, more than 434,588 people including 263,000 people from El Salvador, the source country of the largest number of immigrants in the region; and

WHEREAS: It is estimated that ending TPS for immigrants from El Salvador, Honduras, and Haiti would result in a more than \$6.9 billion reduction to Social Security and Medicare Contributions over a decade, and the deportation of these individuals would cost taxpayers more than \$3.1 Billion Dollars; TPS holders are home and Business owners, in outstanding legal standing and

WHEREAS: TPS holders have significantly high levels of labor force participation: 94.0% of men and 82.1% are working, with 83.3% of men and 54.9% of women working more than 40 hours per week; and

WHEREAS: Deferred Action for Childhood Arrivals (DACA or Dreamers) is a form of immigration status for young immigrants who were brought to the United States at a young age, are attending school or have successfully completed their education, and successfully passed background checks. The program has allowed young immigrants to work and study and has protected them from deportation; and

WHEREAS: DACA has been a resounding success. Nearly 800,000 young men and women have been able to contribute to their communities, to work, go to school and to live their lives without fear of being ripped away from their families and from a country they consider home; and

WHEREAS: Maryland has over 9,700 Dreamers who have deep roots throughout the state, including in the City of Hyattsville, and if immigrant with DACA status are not provided with an alternate option to legalize their status, Maryland will lose more than \$500 million annually in Gross Domestic Product; and

WHEREAS: The City of Hyattsville recognizes the overwhelmingly positive contribution that TPS holders and Dreamers have on our economy, social fabric, diversity and the well-being of our community;

NOW THEREFORE BE IT

RESOLVED: That the City of Hyattsville, Maryland supports the Temporary Protected Status program and calls on the Department of Homeland Security to continue the TPS program and support refugees escaping war, natural disasters and crime; **AND BE IT FURTHER**

RESOLVED: That the City of Hyattsville supports a permanent solution for TPS and DACA beneficiaries to obtain a legal permanent status with a pathway to citizenship and calls on Congress to expeditiously adopt legislation that would permanently legalize the status of DACA and TPS holders, and those that fulfill similar criteria, including a pathway to citizenship; **AND BE IT FURTHER**

RESOLVED: That the City of Hyattsville urges all City residents and businesses to urge the Department of Homeland Security and Congress to protect TPS and DACA holders, **AND BE IT FURTHER**

RESOLVED: That the City Administrator be and hereby is requested to forward a suitably engrossed copy of this Resolution to the Acting Secretary of the Department of Homeland Security, Maryland Senator Ben Cardin, Maryland Senator Chris Van Hollen, Congressman Anthony G. Brown, Congressman Steny Hoyer, State Senator Paul Pinsky, State Senator Victor Ramirez, County Executive Rushern Baker, III, County Councilmember Deni Taveras, and State Delegates Diana

Fennell, Tawanna Gaines, Anne Healey, Carlo Sanchez, Jimmy Tarlau, and
Alonzo Washington.

**THIS RESOLUTION IS ADOPTED BY THE COUNCIL OF THE CITY OF
HYATTSVILLE THIS ____ DAY OF _____, 2017.**

Attest:



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Candace Hollingsworth, Mayor

Submitting Department: Legislative

Item Type: Ordinance

Agenda Section: Discussion Items (9:25 p.m. - 10:00 p.m.)

SUBJECT

Initiating the Development of a Community Benefit Agreement Ordinance for the City of Hyattsville (15 minutes)

ID-653-16

Recommendation:

I move that the Mayor and Council direct the City Attorney (in consultation with the Director of Community and Economic Development) to develop an ordinance authorizing the Mayor and Council to enter into Community Benefit Agreements with developers and other private enterprises in the City of Hyattsville. At minimum, the ordinance shall include the type of projects eligible for CBAs, the qualifying thresholds of financial public support (tax credit value, etc.), and the stakeholders to be included in the development of said agreements.

Recommended qualifying thresholds (not exhaustive):

- Projects receiving more than \$200,000 in public benefits from the City of Hyattsville;
- Projects seeking density bonus in areas governed by the Prince George's County TDDP; and
- Multifamily developments of 120+ units.

Recommended eligible public improvements (not exhaustive):

- Projects consistent with or included in the adopted Hyattsville Community Sustainability Plan (effective version as of date of project approval);
- Provision of age-friendly units;
- Provision of affordable units at 60% of area median income; and
- Provision of education enrichment grants up to 10% of the public benefit to be administered by the Education Advisory Committee (EAC)

Recommended qualifying stakeholders (not exhaustive):

- HOAs and registered civic associations;
- PTAs/PTOs/PTSA's for schools serving boundaries students residing in the City of Hyattsville;
- Tax-exempt nonprofit organizations operating in the City of Hyattsville; and
- City of Hyattsville residents residing within a 0.1 mile radius of the proposed project.

Sponsor(s):

Hollingsworth

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - CBA Ordinance Final.pdf](#)

Summary Background:

Community Benefit Agreements enable community groups to attain defined benefits from local development projects that have considerable impact on neighborhoods and/or receive substantial public support via tax credits or other financing vehicles.

This ordinance shall not make Community Benefit Agreements a requirement, but create an additional tool for the City of Hyattsville to use to deliver additional public benefits through private development.

It is intended that the resulting draft ordinance will complement the existing Revitalization Tax Credit program adopted by the Hyattsville City Council on October 7, 2013.

This item was originally submitted for consideration in the 2015-16 legislative year. The 2015 memo from staff is provided for consideration.

Next Steps:

1) Discussion 2) Referral of the draft to the planning committee 3) Action

Fiscal Impact:

TBD - Legal Review

City Administrator Comments:

TBD

Community Engagement:

None to date.

Strategic Goals:

Goal 1 – Ensure Transparent and Accessible Governance

Legal Review Required?

Pending



Memo

To: Mayor and Council

From: Jim Chandler, Assistant CA, Director, Community & Economic Development

CC: Tracey Nicholson, City Administrator
Ron Brooks, City Treasurer
Katie Gerbes, Community Planner

Date: November 20, 2015

Re: Initiating the Development of a Community Benefits Agreement Ordinance for the City of Hyattsville.

The purpose of this memorandum is to advise the Mayor and City Council regarding the proposed legislation to establish a Community Benefits Agreement framework through a local ordinance.

Summary

Community Benefits Agreements (CBA's) are written agreements that detail the specific set of conditions a developer will provide in order to secure the cooperation and/or support by a government or community organization for a developer's development application. CBA's are a relatively new negotiating tool that serve as a formalized document in which the developer agrees to provide the community with specific benefits to address existing or anticipated issues created by the development. Some of the common benefits include:

- Local hiring for temporary or permanent jobs;
- Job training and/or apprenticeship programs;
- Affordable housing to reduce displacement;
- Public parks and other infrastructure improvements;
- Historic preservation of selected sites/buildings;
- Funding of local cultural arts and/or non-profit programming;

- Local no/low-interest loan programs

CBA's are used as a replacement of the traditional method of developers informally negotiating with land-use authorities and public officials on behalf of the affected community. CBA's have been utilized as a community investment tool in a variety of US cities including Atlanta, Boston, Charleston, Seattle, New Haven, Washington D.C. and Los Angeles.

The most prominent CBA was signed in 2001 and known as the Los Angeles Staples Center agreement, which is detailed on page 17 of the attached reference document titled *Summary and Index of Community Benefits Agreements* published by The Public Law Center. The CBA was negotiated by the City of Los Angeles along with three local community organizations and the developer. The CBA terms provided formalized community support for the arena, parking lots, a residential complex and 250,000 square feet of retail space in exchange for a variety of public investments including \$1 million for public park improvements, \$25,000 per year for five years for a residential parking permit program and a set percentage of affordable housing within the newly constructed residential development.

Courts and state legislatures initially took significant issue with CBA's, citing them as "negotiated" zoning and ruled against the legality of such an agreement. More recently, courts have recognized the value of negotiating over the details of proposed land use and its impacts on the affected community, and have sought to minimize "quid pro quos" by establishing set criteria for negotiating public investment by developers. In *Nollan v California Coastal Commission* and *Dolan v City of Tigard*, the US Supreme Court imposed a "nexus" requirement that required the benefit sought by the local government must have an "essential nexus" to the legitimate state interest and the amount of the benefit must be proportional to the impact of that particular development would impose.

Local governments may approach CBA's as either a restrictive land-use regulatory tool to reduce the negative impacts of privately financed projects or a subsidy based economic development tool that is utilized in conjunction with public financing.

CBA's are primarily used on a case-by-case basis by governments in response to specific land-use development, however there are cases where they are used in a proactive manner. In 2014, the City of Detroit approved a CBA ordinance intended to pro-actively establish the eligibility criteria for proposed development to trigger a community benefits agreement. The ordinance proposed that new projects with an investment of at least \$15 million, expansions or renovations of at least \$3 million, or projects seeking at least \$300,000 in public tax subsidies, developers would have to create legally binding documents guaranteeing jobs or quality-of-life protections for the community that is going to be impacted by the development. The ordinance will essentially take the Los Angeles Staples Center CBA one step further by

requiring developers that have been awarded a set amount of public financing to engage in a CBA based on a pre-set threshold. Any project that is funded entirely by private funds would be exempt of the ordinance requirements.

Staff Analysis

The proposed motion is intended as an enabling ordinance that would authorize the City of Hyattsville to establish CBA's as an optional tool to negotiate public benefits as part of a private land-use development. An enabling ordinance would establish the basic criteria for CCBBA eligibility including the types of development, minimum qualifying threshold of public financial support and stakeholders involved in the process. Defining the appropriate thresholds and proposed improvements in advance allow potential investors to anticipate these additional development costs and build those public amenity costs into a development financial statement (pro forma), rather than having to adjust the project financing after public investment asks are made known during the development review process. The CBA would add an additional cost to any potential development and in certain cases may be viewed as a disincentive by firms seeking to develop parcels within the City.

In order for the ordinance to be an effective tool, the CBA should clearly identify the eligibility of participating community organizations, the specific types of public improvements that are eligible through the negotiated process and should also omit public improvements that are considered as part of routine maintenance or do not fit within priority structure of the adopted Mission and Vision of the City.

The application of an adopted CBA ordinance may be limited due to market feasibility or the lack of projects that are impactful enough to meet or exceed the minimum threshold of the adopted eligibility requirements and therefore it may be necessary for the City Council to periodically adjust the criteria of the CBA eligibility to meet market realities.

Lastly, the motion as proposed, prescribes that the CBA ordinance be authored as an economic development tool intended to work in tandem with the City's existing Revitalization Tax Credit program. The City of Hyattsville's Revitalization Tax Credit Program provides real property tax incentives to encourage development within specific revitalization districts within the City. The credit may be provided by the City if the property is substantially improved, constructed upon or redeveloped and is reassessed as a result of the improvement, construction or redevelopment at a substantially higher value than that assessed prior to the improvement, construction or redevelopment. Eligibility for this credit requires that the project be consistent with mission and goals of the City and that it provide a significant fiscal benefit to the City and its citizens to justify extending a tax credit.

Staff is requesting that the Council affirm that the CBA ordinance is intended strictly as an economic development tool to effectively prioritize investment in defined areas or whether the CBA ordinance is intended as land-use tool to be utilized as a means for addressing displacement and/or mitigating negative impacts to existing land uses.

Recommendation

Staff is supportive of the proposed motion to authorize the drafting of a CBA ordinance for the City of Hyattsville as is proposed in the motion and we anticipate additional discussions with the City Council once a drafted ordinance is introduced.



Hyattsville City Council Agenda Item Report

Meeting Date: October 2, 2017

Submitted by: Laura Reams

Submitting Department: Finance

Item Type: Personnel

Agenda Section: Discussion Items (9:25 p.m. - 10:00 p.m.)

SUBJECT

Health Care, Prescription Drug and Dental Care Rates for CY 2018 (10 minutes)

HCC-75-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

On September 28, 2017, the City received the new State of Maryland calendar year (CY) 2018 Health Care Program guidance. The Director of Human Resources and City Treasurer will provide an update on the CY-2018 rates.

The Open Enrollment period for employees will begin October 12, 2017 through November 15, 2017. During this period, employees will be given the opportunity to add, drop or change coverage plans to best meet their individual or family needs. These new rates will become effective January 1, 2018.

Next Steps:

Council will approve the 2018 rates at the Council Meeting of October 16, 2017. The administration will meet with City employees to provide a overview of the 2018 Health Care Plans and rates.

Fiscal Impact:

TBD

City Administrator Comments:

For Discussion.

Community Engagement:

N/A

Strategic Goals:

Foster Excellence in all City Operations.

Legal Review Required?

N/A

Weekly Program Offerings

Ageless Grace Senior Exercise Classes

Wednesdays and Fridays, 10:00 AM @ City Municipal Building

Creative Minds

Tuesdays and Thursdays, 10:00 AM @ Magruder Park Recreation Center

Call-A-Bus Grocery Trips

Our Call-a-Bus takes seniors and residents with disabilities to grocery stores located in the City of Hyattsville each week. Call (301) 985-5000 to join a trip or add yourself to our Call-A-Bus calendar mailing list.

City Calendar: October 3 – October 16, 2017

Walk to School Day

October 4, 2017, 7:15 AM @ City-Wide

City of Hyattsville officials will walk with you and your kids to Felegy Elementary, Hyattsville Elementary, and Rosa Parks Elementary schools. Meet us at the beginning of your school's route at 7:15 AM. Visit www.hyattsville.org/walktoschoolday to find your route!

Art Works Now Senior Summer Camp

October 4, 2017, 1:00 PM – 3:00 PM @ Art Works Now

Police and Public Safety Advisory Committee Meeting

October 4, 2017, 7:30 PM @ Location TBD

Fall Community Yard Sale

October 6 – October 8, 2017 @ City-Wide

You can register (for free!) until 5 PM on Thursday, October 5. If you'd like to rent a table from Friendship Arms Apartments for \$10 a day, contact Jackie Johnson at (301) 277-6658. (No charge for Friendship Arms Residents.) For more information and to register, call (301) 985-5000.

Art Works Now Senior Summer Camp

October 11, 2017, 1:00 PM – 3:00 PM @ Art Works Now

New Police Department Open House

October 11, 2017, 6:00 PM – 8:00 PM @ 3505 Hamilton Street

Hyattsville Elementary Zombie Run 5K, 1K, and 1 Mile

October 14, 2017, All Day

Council Meeting

October 16, 2017 8:00 PM – 10:00 PM @ City Municipal Building, 3rd Floor Council Chambers