Hyattsville City Council Regular Meeting
Monday, July 20, 2015
8:00 PM

Agenda

1. **Call to Order and Council Roll Call**

2. **Pledge of Allegiance to the Flag**

3. **Approval of Agenda**

4. **Approval of Minutes**
   (1) City Council - Regular Meeting - Jan 5, 2015 8:15 PM
   (2) City Council - Work Session - Jan 14, 2015 8:00 PM
   (3) City Council - Regular Meeting - Jan 20, 2015 7:45 PM
   (4) City Council - Work Session - Jan 28, 2015 8:00 PM
   (5) City Council - Regular Meeting - Feb 2, 2015 7:30 PM
   (6) City Council - Work Session - Feb 11, 2015 8:00 PM
   (7) City Council - Special Meeting - Apr 1, 2015 7:30 PM
   (8) City Council - Regular Meeting - Apr 6, 2015 8:00 PM
   (9) City Council - Special Meeting - Apr 29, 2015 8:00 PM
   (10)City Council - Public Hearing - May 4, 2015 7:30 PM
   (11)City Council - Special Meeting - May 13, 2015 8:00 PM
   (12)City Council - Regular Meeting - May 18, 2015 7:00 PM

5. **Public Comment (8:10 p.m. - 8:20 p.m. LIMIT 2 MINUTES PER SPEAKER)**

6. **Presentations (8:20 p.m. - 8:35 p.m.)**
   (1) FY-2013 Audit
   (2) Public Comment: Pyramid Atlantic Arts Center
   (3) Staff Recognition

7. **Consent Items (8:35 p.m. - 8:40 p.m.)**

(1) **84-07-15 Hyattsville Resolution 2015-02, Community Legacy Resolution** I move that the Mayor and Council introduce and adopt Hyattsville Resolution 2015-02 for the application and acceptance of $250,000 in Community Legacy grant funds from the State of Maryland Department of Housing and Community Development for the purpose of funding both a commercial facade improvement program and public place making project and further authorize the Mayor to execute the agreement, upon the review of the City Attorney for legal sufficiency. – **At the Request of the City Administrator**

(2) **85-07-15 Purchase of Rock Salt** I move that the Mayor & Council approve the purchase of rock salt from Cargill for the 2015/2016 winter season. – **At the Request of the City Administrator**

(3) **86-07-15 Website Contract with Civic Plus** I move that the Mayor & Council approve the motion to extend the fiscal year 2016 contract with Civic Plus to host the City's web site. – **At the Request of the City Administrator**

(4) **87-07-15 Schedule Special Election to Fill Ward 5 Vacancy** I move that the Mayor & Council accept the recommendation of the Board of Supervisors of Elections to schedule a Special Election to fill the vacant Ward 5 Council seat on Saturday, September 12, 2015. – **At the Request of the Board of Supervisors of Elections**

(5) **88-07-15 MOU Between Board of Education and Hyattsville City Police - Night School** I move that the Mayor & Council approve an updated MOU between the Board of Education of Prince George's County and the Hyattsville City Police Department to provide police presence during night school at Northwestern High School for a one year term expiring in July 2016. – **At the Request of the City Administrator**

(6) **89-07-15 Hyattsville Education Advisory Committee Appointment** I move that the Mayor and Council appoint the following Hyattsville resident to serve as a member of the Hyattsville Education Advisory Committee for a two-year term expiring on July 31, 2017.

- Dakarai I. Aarons - Ward 5, New Appointment – **Solomon**

(7) **90-07-15 Hyattsville Code Compliance Advisory Committee Appointment** I move that the Mayor and Council appoint the following Hyattsville resident to serve as a member of the Hyattsville Code Compliance Advisory Committee for a two-year term expiring on July 31, 2017.

- Deanna McDermon - Ward 5, New Appointment

Additionally, I move that the Mayor and Council appoint Councilmember Joseph Solomon as a Council Liaison to the Code Compliance Advisory Committee. – **Solomon**

8. Action Items (8:40 p.m. - 9:05 p.m.)

(1) **91-07-15 Kiplinger: Memorandum of Understanding** I move that the Council authorize the Mayor to execute the attached Memorandum of Understanding between the City of Hyattsville and The Kiplinger Washington Editors incorporated upon the legal review and approval of the City Attorney. – **At the Request of the City Administrator**

(2) **92-07-15 Banner, Buchanan, Crittenden, and 40Th Avenue Project** I move that the Mayor & Council approve the contract with NZI Construction to begin the construction phase of the Banner, Buchanan, Crittenden, and 40th Avenue Project, funding not to exceed $350,000.00 – **At the Request of the City Administrator**

(3) **93-07-15 University Hills Sidewalk and Street Improvements** I move that the Mayor & Council approve the contract with NZI Construction to begin the first construction phase of the University Hills Sidewalk and Street Improvement Project, funding not to exceed $1,083,000.00. – **At the Request of the City Administrator**

9. Discussion Items (9:05 p.m. - 10:40 p.m.)

At the Request of the City Administrator

(1) Possible MOU for Afterschool Transport (15 minutes)
(2) Hyattsville Life and Times Contract (10 minutes)
(3) Department of Public Works RFQ Selection (20 minutes)
(4) FY16 - New and Replacement Vehicle Purchases (10 minutes)
(5) MOU for Parking Management of Parcel N at University Town Center (10 minutes)
(6) Kiplinger Phase II: Discussion (10 minutes)
(7) Livescan Fingerprinting Service Fees (10 minutes)

At the Request of the Hyattsville Community Development Corporation, Sponsored by Hollingsworth, Haba & Lawrence

(1) Hyattsville Resolution 2015-03, Hyattsville CDC Community Legacy Application (10 minutes)

10. Council Dialogue (10:40 p.m. - 10:50 p.m.)

11. Community Notices and Meetings

(1) City Calendar: July 21 - August 21, 2015

12. Motion to Close (10:50 p.m.)

(1) **94-07-15 Motion to Close** I move that the Mayor & Council close the Council Meeting of July 20, 2015 in order to discuss performance evaluations and contract negotiations for two employees over whom the Council has jurisdiction and contract negotiations pertaining to the investment of public funds. – **At the Request of the City Administrator**

PRESENTATION OF THE FLAGS – BOY SCOUTS OF AMERICA, TROOP # 224, HYATTSVILLE:

Boy Scouts of America, Troop # 224 presented the flags to the Mayor and Council to open the 2015 Council Meeting Sessions.

CALL TO ORDER AND COUNCIL ROLL CALL:

The meeting was called to order by Mayor Tartaro at 8:59 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Present	
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Present	
Bart Lawrence	Councilmember, Ward 1	Present	
Shani Warner	Councilmember, Ward 2	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Late	9:07 PM
Patrick A. Paschall	Councilmember, Ward 3	Present	
Edouard Haba	Councilmember, Ward 4	Present	
Clayton R. Williams	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Mayor Tartaro noted that Council Member Hunt had stepped out of the meeting for a moment and would return momentarily.

Also present were the following City staff members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator & Director of Community and Economic Development Jim Chandler
- City Treasurer Ron Brooks
- Police Chief Douglas Holland
- Director of Human Resources Vivian Snellman
- Director of Public Works Lesley Riddle
- Director of Community Services Jake Rollow
- Director of Human Resources Vivian Snellman
- City Clerk Laura Reams
- City Attorney Richard Colaresi

APPROVAL OF THE AGENDA:

1. Motion to Approve the Agenda for the Council Meeting of January 5, 2015

The agenda for the Council Meeting of January 5, 2015 was approved unanimously with the following amendment: (1) move Motion # 03-01-15 (Communications Policy) to be the first action item on the discussion agenda.

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon

APPROVAL OF THE MINUTES:

1. Council Work Session of October 27, 2014

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Paula J. Perry, Council Vice President
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon

PUBLIC COMMENT:

Ms. Rebecca Bennett, editor of the Hyattsville Life and Times, addressed the Mayor and Council regarding the proposed communications policy. Ms. Bennett said that she was concerned that the policy as drafted would put an unreasonable burden of access on the public and the media for draft documents and did not foster the goal of ensuring transparent and accessible governance. Ms. Bennett urged the Council to make modifications to the proposed policy.

Ms. Nina Faye, a Ward 3 resident, addressed the Mayor and Council regarding the proposed communications policy and commended Director of Public Works Riddle for DPW's efforts in completing several street projects and preserving street trees throughout the City.

Councilmember Robert Croslin read a statement on behalf of Mr. Carl Nielson, a Ward 1 resident regarding the proposed legislation to lower the voting age for City municipal elections. Mr. Nielson said that it was his preference that the issue be put on the May 2015 ballot as a referendum question.

Ms. Caroline Selle, editor of the Hyattsville Life and Times, addressed the Mayor and Council regarding the proposed communications policy stating that she was concerned with the language regarding draft documents.

Ms. Gloria Felix Thompson, a Ward 1 resident and owner of Yoga Space, addressed the Mayor and Council to announce that it was the 10 year anniversary of Yoga Space. Ms. Felix Thompson thanked residents for their support of the studio.

Mr. Stuart Eisenberg, a Ward 1 resident, addressed the Mayor and Council with concerns regarding the draft communications policy.

Mr. Jacob Moschler, a Ward 4 resident, addressed the Council regarding the lighting study. Mr. Moschler urged the Council to fund lighting improvements in high pedestrian traffic areas.

Mr. David Marshall, a Ward 2 resident, addressed the Mayor and Council with a prepared statement regarding the proposal to lower the minimum voting age for City elections. He stated that his family was not in support of lowering the voting age and requested information on the amount of City funds that had been spent on election related legislation.

PRESENTATIONS:

1. 2014 Claus Applause Awards

Community Services Coordinator Cheri Everhart announced the winners for the 2014 Claus Applause Awards. Mayor Tartaro presented prizes to the award winners.

2. FY12 & FY13 City Audit Update

City Treasurer Brooks provided an update on the City's FY12 and FY13 audits. Mr. Brooks reported that the FY12 audit was completed and the City had moved forward with the FY13 audit.

3. Kiplinger Site Plan

Assistant City Administrator Jim Chandler opened the presentation with a brief review of the Kiplinger Project and an introduction to the presenters. Mr. Chandler noted that the property was proposed for subdivision into three parcels, including a parcel for a multifamily residential building with structured property and a parcel for a townhome development.

Mr. William Shipp, attorney for the applicants of both parcels, Fore Property Company and NVR Homes, addressed the Council with an overview of the Development Site Plans. Mr. Shipp stated that Fore Property Company would be developing the multifamily residential building with a structured parking facility and introduced Mr. Jim Sullivan, Project Manager. Mr. Sullivan presented a detailed review of the proposed development. He said that the total estimated development cost was projected to be $73 - 75 million. Mr. Sullivan highlighted various architectural details of the site plan, noting that the goal was to create a visually interesting, modern design to attract public transit oriented young professionals. He also noted that the project was trying to obtain LEED silver status.

Mr. Brian Aftan, representing NVR Homes, presented a review of the proposed town home development and provided background information on NVR Homes. He stated that the townhome development was planned to mimic and complement the design that Fore Properties had developed for the multifamily portion of the project. Mr. Aftan also provided details on the proposed traffic circulation of the site.

In closing, Mr. Shipp summarized the technical details on the application and the proposed timeline of the project. He said that there would be several applications coming to the Council for review and he hoped that by providing an overview of the vision for the whole project, it would provide a sense of context for each development application. Mr. Shipp then invited questions and comments from the Mayor and Council.

Councilmember Hunt thanked the team for investing in Hyattsville. He inquired if the proposed parking ratio of 1.5 to 1 was currently allowed in the Transit District Overlay Zone (TDOZ). Mr. Shipp responded that it was not currently an exception and stated that because the development was located close to the metro they believed that many of the buyers would be metro users and therefore not require as much parking. Councilmember Hunt and Council Vice President Perry said that they were concerned that parking may not be adequate. Mr. Aftan noted that the townhomes would include tandem parking spaces for each unit, parking for two vehicles off the street and some guest parking spaces. Councilmember Warner said that she was also concerned about parking and added that because of the developments proximity to the metro, that it was important to have a mechanism to ensure that residents were the ones are using the parking and not metro riders.

Council Vice President Perry suggested that the planned pool for the multifamily building be saltwater, stating that it was more environmentally friendly. Mr. Shipp responded that he was not sure if saltwater was allowed in the County but said that the developers would look into the suggestion.

There was a brief discussion regarding the decision to remove the retail component from the site plan. Mr.

Shipp said that retail was removed because the market interest was not strong and the surrounding areas currently contained strong retail elements.

Council President Hollingsworth inquired about the pre-sale strategy for the townhomes and the timing for the project. It was stated that the multifamily development would be built first and townhomes would be custom built to buyer specifications as they were purchased.

Assistant City Administrator Chandler noted that applicant would present the proposal to the City's Planning Committee in late January and that the project would return to the Council for further discussion and action in February. Mayor Tartaro thanked Mr. Shipp and team for the presentation.

4. Update on City Street & Lighting Projects, Charles P. Johnson & Associates

Director of Public Works Lesley Riddle introduced Ms. Robin Barnhart from Charles P. Johnson and Associates. Ms. Barnhart provided status updates on various projects the firm was working on for the City, including University Hills, Crittenden, Banner Buchanan and the West Hyattsville Lighting Study.

Ms. Barnhart stated that the University Hills project was currently in the detailed design phase, based on the modifications directed by Council. She provided details on the proposed time line and noted that the project would come back to the Council in February 2015 with a request additional funding. She said that the Crittenden Street project including the street, sidewalk and storm water upgrades was 99% complete. Ms. Barnhart said that in regard to the Banner, Buchanan and 40th Avenue, the project completion date was uncertain, however the funding for the project was to be included in the FY16 budget. Regarding the West Hyattsville Lighting Study, Ms. Barnhart said that the preliminary findings had been submitted to City staff and the final study was anticipated to be complete at the end of the month. Ms. Barnhart and Director Riddle then responded to questions from the Mayor and Council.

Councilmember Paschall inquired what types of construction would be done in University Hills at the 30% level and how the project would be executed, either geographically or by type of construction. Director Riddle said that at the 30% level, the construction would primarily consist of street millings and that typically construction was executed geographically, from the back of an area towards the front. Councilmember Paschall asked if there was a communications plan for the project. Director Riddle responded that the City would work in partnership with the University Hills Civic Association. Councilmember Paschall suggested that the City extend outreach beyond the Civic Association to ensure that all residents were property informed. City Administrator Nicholson noted that community meetings had been held on the project and additional meetings were forthcoming.

Councilmember Paschall asked when the results of the lighting and pedestrian study would be publically available. Director Riddle stated that the City was expecting to receive preliminary results by the end of January. She said that it was anticipated that staff would be able to provide the Council with analysis and recommendations for moving forward in April. Councilmember Paschall said that he hoped the recommendations would be available in time to budget for the upcoming fiscal year.

Councilmember Hunt said that he was concerned and frustrated with the timeframe by which the University Hills project had proceeded and that he hoped the project would be considered the priority to move forward on. Councilmember Haba asked Ms. Barnhart what was the overall percentage complete of the total design for University Hills. Ms. Barnhart said that each block of the project was at a different level of completion but overall the project was approximately 60% complete. Councilmember Haba requested to see the drawings. Councilmember Haba also asked for an overview of the highlights of the lighting and pedestrian study findings. Ms. Barnhart responded that in general, a lot of the areas in the City did not meet current standards for adequate lighting for a variety of reasons including age of bulb and spacing of lighting.

In regard to the University Hills project, Mayor Tartaro said that he was concerned about plans to make "in kind" replacements to certain areas, stating that it was his understanding that the original project scope called for engineered drawings of all streets prior to any work. He added that the City had historically made "in kind" replacements with less than effective results.

ACTION ITEMS:

1. Motion # 03-01-15 City Communications Policy I move that the Mayor and Council adopt the attached City Communications Policy. – Tartaro

City Attorney Colaresi provided a brief overview of the policy and addressed the questions regarding the availability of draft documents and when drafts should be released publicly. Mr. Colaresi said that there were two parts to drafting legislation, an administrative process and a public process. He said that in his opinion, it was important during the administrative process to have a free flow of ideas to allow staff to construct what will ultimately be presented to Council. In the second step, Mr. Colaresi said that the item typically was presented to the Council as a discussion item and at that point, the legislation was a public document. He added that advisory committees, such as the Code Compliance Advisory Committee, were an important part of the administrative drafting process and that the committee provided valuable input to the development of drafts, however he stated that he thought it was in the best interest of the City to protect the confidentiality of the drafting process. Mr. Colaresi also said that in the policy the word "ordinarily" was specifically used to allow for some leeway on the part of the administrators.

Councilmember Hunt said that he would like to table the motion after allowing the Council to speak and ask questions of the City Attorney. He said that committee meetings were public meetings and that he was unsure how enforceable the policy was in a practical situation. Councilmember Solomon stated his support in favor of tabling the policy and added that he was interested in hearing how other cities handled draft documents. There was a brief discussion regarding the structure of committees and how they provide input on policies in the City. City Attorney Colaresi said that the section in question was a small part of the overall policy and he hoped the Council could adopt the policy as it contained other aspects that were important to the City.

Mayor Tartaro asked the Council if the language regarding draft documents was the only sticking issue for the policy. Councilmember Warner said it was not the only issue for her and elaborated that while she understood the policy from a legal perspective, from a legislator perspective, she thought it was restrictive. She detailed concerns regarding the policy for sharing and forwarding emails. Councilmember Warner said that it was her preference to table the item that evening and bring it back after changes were made to address the Council's concerns. City Attorney Colaresi provided clarification on the language regarding the forwarding of emails.

There was a discussion regarding the enforcement of the draft document policy and the language regarding trademarks and logos.

Councilmember Paschall stated that he did not think the policy was ready for adoption, adding that he thought that drafts distributed at public meetings were inherently public information. Council Vice President Perry made a motion to table the policy. Councilmember Hunt seconded the motion. The motion passed.

RESULT:	**TABLED [10 TO 1]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Timothy P. Hunt, Councilmember, Ward 3
AYES:	Hollingsworth, Perry, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
NAYS:	Tartaro

2. Motion # 01-01-15 Hyattsville Resolution 2015-01, Advisory Referendum on Lowering the Minimum Eligible Age to Vote in City Elections (INTRODUCTION & ADOPTION) I move that the Mayor and Council introduce and adopt Hyattsville Resolution 2015-01, a Resolution of the City Council of Hyattsville, Maryland, whereby the City Council directs that a referendum occur at the regular municipal election in 2015 in which the City will seek an advisory opinion of the voters on whether the eligible age to vote

Councilmember Warner opened the discussion with a question regarding the ordering of the motions on the agenda. She said that she thought the ordering of the motions was strategic and suggested tabling the advisory motion until Motion # 02-01-15 was resolved. Mayor Tartaro said that the referendum was advisory and that should it be voted to a referendum, the Council would have to eventually need vote on the issue to make any formal changes to the City's Charter. Mayor Tartaro asked the Council if there was a desire to move the order of the motions. There was a brief discussion regarding the number of votes each motion needed to pass. Mayor Tartaro asked for a sense of the Council. Councilmember Hunt said that he was in support of following the order on the agenda.

Council President Hollingsworth asked City Attorney Colaresi if the Council could pass both the advisory referendum and also pass the Charter Amendment. City Attorney Colaresi responded that it was possible to do that. Council President Hollingsworth then inquired what passing both items would do to the effective date of the Charter Amendment. Mr. Colaresi responded that the Charter Amendment would be effective at 50 days and could not be prolonged longer than that.

Councilmember Hunt said that it was his desire to have an understanding of the sense of the constituency and he believed that a good deal of his constituents would appreciate the referendum. Council Vice President Perry agreed with Councilmember Hunt, stating that in her experience, the residents wanted to have their voice heard on issues of structural changes. Councilmember Haba said that he was in favor of sending the question to referendum but only if the 16 and 17 year olds could vote in the referendum. There was a discussion regarding the legality and logistics of allowing 16 and 17 year olds to vote only on the referendum question in the May election.

Councilmember Williams said that the speakers at the meeting were not necessarily representative of the constituency, but noted that voters in an election may not be representative of the entire constituency either. He said that it was his intention to vote against the referendum. Council President Hollingsworth said that she was in support of lowering the voting age but noted that she had heard from some residents that this question should go to the voters. For that reason, she said that she was going to vote in favor of both of the motions.

Councilmember Warner said that she saw it as her job as a Councilmember to vote on the issue and not send it to referendum. Councilmember Paschall agreed, stating that he believed it was the Council's job to vote on hard issues and that citizens had a mechanism direct a referendum if they did not agree with the Council's decision.

Mayor Tartaro requested a roll call vote. The motion failed.

RESULT:	**DEFEATED [5 TO 5]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Perry, Croslin, Hunt, Solomon
NAYS:	Lawrence, Warner, Paschall, Haba, Williams
RECUSED:	Tartaro

3. Motion # 02-01-15 Hyattsville Charter Amendment 2015-01 (FIRST READING) I move that the Mayor and Council introduce and adopt Hyattsville Charter Amendment 2015-01, a Resolution of the Mayor and City Council of Hyattsville, Maryland, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland (2013 Edition, as amended), to amend the Charter of said City, said Charter being a part of th

Councilmember Warner stated her support for increasing the voting franchise in the City, saying that it was clear to her that 16 and 17 year olds were capable of voting and she said that the benefits to civic engagement were numerous.

Councilmember Croslin said that he was glad to see the turnout for the meeting and that while he thought that the City needed to find better ways for youth to communicate with the Council he didn't think that lowering the voting age was the way to accomplish that. He stated that there was an educational component needed, as well as, additional outreach efforts to the youth demographic. Councilmember Croslin also said that he found comments made in reference to the civil rights movement not relevant and offensive to the current discussion.

Councilmember Haba said that the City saw historic turnout to the Council meeting that night and had heard from young, smart residents in favor of lowering the minimum voting age. He added that in his opinion, no argument or research would be more eloquent than what he had heard and seen at the meeting. Councilmember Paschall said that he was proud to sponsor the legislation and he thought that the turnout for the meeting was truly impressive. He added that he would find it difficult to look the young residents who testified in the eye and deny them the right to vote.

Mayor Tartaro called for a roll call vote. The motion passed.

RESULT:	**APPROVED [7 TO 4]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Patrick A. Paschall, Councilmember, Ward 3
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Paschall, Haba, Williams
NAYS:	Perry, Croslin, Hunt, Solomon

DISCUSSION ITEMS:

1. Establishment of a Quiet Zone

Due to the late hour, the discussion on the proposed Quiet Zone was rescheduled for the next Council Meeting.

COUNCIL DIALOGUE:

Council President Hollingsworth commended Councilmember Paschall on his successful initiative to lower the minimum voting age in the City. She also noted that she hoped the Council would be mindful in the language used from the dais in regard to the underage voters and refer to them as young adults instead of children. Additionally, she said that she hoped to see the City extend outreach on other subjects with the same fervor as was done in regard to the voting age.

Councilmember Warner made remarks in honor of Mr. David Levy, a recently deceased long time Hyattsville resident.

MOTION TO ADJOURN:

1. Motion to Adjourn the Council Meeting of January 5, 2015

The meeting adjourned at 11:32 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon

WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE, MD
WEDNESDAY, JANUARY 14, 2015

CALL TO ORDER:

Mayor Tartaro called the Council Work Session of January 14, 2015 to order at 8:03 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Present	
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Present	
Bart Lawrence	Councilmember, Ward 1	Absent	
Shani Warner	Councilmember, Ward 2	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Absent	
Patrick A. Paschall	Councilmember, Ward 3	Present	
Edouard Haba	Councilmember, Ward 4	Present	
Clayton R. Williams	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following staff members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator & Director of Community and Economic Development Jim Chandler
- City Treasurer Ron Brooks
- Police Chief Douglas Holland
- Director of Public Works Lesley Riddle
- Director of Human Resources Vivian Snellman
- City Clerk Laura Reams

PUBLIC COMMENT:

There were no individuals who wished to address the Mayor and Council.

DISCUSSION ITEMS:

City Administrator Tracey E. Nicholson addressed the Mayor and Council with opening remarks that provided details on the structure of the planned discussion items. Ms. Nicholson stated that the conversations would focus on Council proposed initiatives for the FY16 Capital and Operating Budget and that staff was prepared to provide input as requested. In the interest of time, Ms. Nicholson suggested that the Council limit the dialogue to eight minutes per subject.

1. **Council Budget Priority Discussion: Operating Budget**

Student Writing Contest
Councilmember Paschall provided background information on the proposed student writing contest and requested input from the Council on the proposal.

Councilmember Solomon inquired if the intention was to limit the contest to schools within the City limits or to include residents that attend schools outside of the City limits. There was a brief discussion on this topic and the age range to be included in the contest. Councilmember Paschall stated his support for the contest to be inclusive of all residents of Hyattsville, regardless of the location of the school attended.

Councilmember Haba inquired about the estimated funds needed for the proposal. Councilmember Paschall responded that he felt that an estimation of $1,000 was a good starting place, noting that if the item was approved, he would return to the Council with a more detailed cost estimate. He added that he would like to have the City's Education Advisory Committee run the contest and have the Council vote on the winners.

Funds for the Education and the Environment Committee
Councilmember Paschall proposed the allocation of funds in the FY16 budget to implement recommendations from the Education Advisory Committee and the Environment Committee, clarifying that the Council would have final approval on the expense of funds. Councilmember Paschall suggested a sum of $5,000 be allocated to fund committee recommendations.

There was a brief discussion regarding allocation of budgeted funds. Council Vice President Perry expressed concern regarding the allocation of funds to a committee. Councilmember Paschall responded that the allocation of funds was, in his opinion, part of a predictive budgeting process. He said that although the Council did not have specific implementations to immediately act on, he anticipated at some point throughout the year the Council would be interested in implementation of committee recommendations and he wanted to ensure funding was available at that time.

Mayor Tartaro stated that the topic would return to the Council for further review and staff comment.

Public Listening Initiative
Council President Hollingsworth introduced the topic stating that the motivation for the proposal was for the City to do more with information received from residents and to improve communication with residents. She suggested that the City have a mechanism to provide follow up information for public comment speakers. Council President Hollingsworth also stated that she was interested in obtaining demographical information to help determine if similar requests were coming from the same area of the City. Councilmember Williams inquired if the initiative was to be an internal or an external tool. Council President Hollingsworth stated that the intention was to establish an internal tool with some external applications. After some additional discussion, Mayor Tartaro requested staff input on the proposal and a review of staff capacity to implement the program in a phased approach.

Graffiti Abatement Program
Council President Hollingsworth provided background information on the proposed program, noting that a key feature was a public education campaign. She added that a policy would need to be implemented to enable the City to respond to requests for Graffiti abatement from commercial and residential properties while also protecting the City from liability. Council President Hollingsworth said that the program could be set up to provide the City with the ability to collect a fee after a certain number of times graffiti was removed.

Mayor Tartaro asked if the City currently had a graffiti removal system and Director Riddle responded in the affirmative. Council Vice President Perry stated that the program needed to clearly inform residents that they could not remove graffiti from private or commercial properties without permission.

Assistant City Administrator Chandler said that staff had reviewed the proposal and generated initial ideas for a framework for the policy. City Administrator Nicholson stated that staff would do an in depth review of the proposal and return to Council with detailed feedback.

Historic Resource Survey
Council President Hollingsworth suggested that the City implement a list or survey of properties in the City that may not be historic but are considered significant to the community. Councilmember Williams asked if the topic could be included as part of the Resident Satisfaction Survey. Council President Hollingsworth said that it could be added as a data point to the survey but that originally she envisioned the survey working through a memorandum of understanding to allow for an outside organization to could conduct the survey on their own time, of a format of their choosing, analyze the data and compile a narrative around the data.

There was a discussion regarding terminology of the program. Councilmember Williams inquired how the City would utilize the information. Council President Hollingsworth stated that she thought the information would be useful for incoming businesses to provide information on areas of significant value to the community. Assistant City Administrator Chandler said that he was not sure the proposal was best suited for a survey format and recommended that the topic be included in the City's sustainability plan update.

NOTE FOR THE RECORD: Councilmember Paschall left the meeting at 8:44 p.m. and returned at 8:51 p.m.

Council President Hollingsworth said that she was in favor of the recommendation with some refinement.

Legislative Breakfast

Mayor Tartaro stated his support for the proposal from Council President Hollingsworth and noted that the City had held legislative events in the past. Councilmember Solomon stated his support for the proposal and recommended that the Council determine its legislative priorities.

Economic Development Report

Council President Hollingsworth stated that this report was currently included in the implementation list of the sustainability plan and that the intention was to provide funding for this item. Assistant City Administrator Chandler recommended that staff produce a semi-annual digital report.

Campaign to Address Litter

Council President Hollingsworth provided details on the proposed campaign stating that it would include regular notices in Hyattsville Reporter, additional trash cans, and the inclusion of multi-unit homes in the Mary Prangley Clean Up Day. Director of Public Works Riddle stated her support for the proposal. Regarding the additional trash cans, Director Riddle said that she was in favor of the Environment Committee's recommendation to utilize "Bigbelly" solar powered trash compactors but that more trash cans were not necessarily the answer, stating that outreach and education were the most effective tools.

Councilmember Solomon said that he was concerned about additional trash cans because the City may not have the resources to pick the additional trash up regularly. Director Riddle noted that some trash cans were the City's responsibility and some were the County's responsibility. She stated that adding more trashcans would require more manpower and preplanning to ensure the City's capacity to successfully implement the program.

Council Vice President Perry said that in regard to placement of additional trash cans, she would like them placed on major pedestrian thoroughfares such as metro access routes. Councilmember Williams thanked Council President Hollingsworth for putting the proposal together and said that litter was one of the most common items he heard feedback on from constituents.

Assistant Treasurer Position

Councilmember Haba said that the proposal was motivated by a recommendation from the FY12 audit report to add additional staff to the finance department. He said that additional resources may prevent the city from outsourcing work pertaining to the audits. Treasurer Brooks said that he appreciated the support from the Council and that while there was a need for an additional accountant, he felt that need should be weighed against the other FY16 position requests.

Funding for Citizenship Celebration Day Activities

Councilmember Haba provided an overview of the previous year's Citizenship Celebration Day and inquired with City staff if additional funding needed to be allocated to the event. Community Services Coordinator Cheri Everhart stated that the event was fully funded for FY16.

2. **Council Budget Priority Discussion: Capital Budget**

Left Turn Arrows on Adelphi Road at the Intersection of Wells Blvd.

Mayor Tartaro provided a brief background on the item and noted that the item had been discussed and ultimately unfunded in the last budget cycle, with an anticipated cost of $75,000 - $150,000. Mayor Tartaro said that University Park was not interested in picking up a portion of the cost for the installation of signalizing the intersection, leaving the total cost with the City. Mayor Tartaro said that the item would come back for additional discussion when Councilmember Hunt was present, as it was his proposed initiative.

Athletic Field Renovations
Mayor Tartaro provided background information on the proposed capital budget request, stating that funds for field renovations had been included in the budget two years prior but that the funds had not been expended. He estimated the cost at approximately $450,000 and added that the City had all of the required drawings and the permits for a three phase project. Additionally, he noted that the soccer field and football field were owned by the City but the rest of the athletic field area was owned by M-NCPPC.

Councilmember Solomon asked if the funding was part of a bond. Mayor Tartaro responded that the funding was part of a bond that was reprogrammed. There was a brief discussion on the current condition of the fields, the scope of the proposed work and possible liability pertaining to the current conditions of the fields.

Funding for lighting in West Hyattsville
Mayor Tartaro stated that the study was recently completed and a report would be shared with the Council at a later date. Director Riddle confirmed that implementation was currently funded for a phased approach.

Surface Parking Lot on Hamilton Street
Mayor Tartaro provided brief background information on the proposal for a surface lot on Hamilton Street. City Administrator Nicholson said that staff was currently working on the project and would provide an update to the Council.

Councilmember Paschall said that he was aware that the County was interested in the parking garage project but that a partnership would likely take a longer time for implementation and there was an immediate critical need. There was a discussion regarding the cost of the project. Assistant City Administrator Chandler said that the projected cost was $500,000 and that the revenue estimate was unknown. Councilmember Solomon said that he was concerned that the City would spend a significant amount of funds to build a surface lot only to tear it down at a later date to put a garage there.

There was an additional discussion about short term and long term solutions to the parking situation on Route One. Council President Hollingsworth noted that a surface lot could be a good short term solution to a long term project and said that the City may have potential partners in this project. She additionally said that additional development in the Route One corridor made it critical to find a timely solution to the parking problem.

There was a discussion regarding the challenges of the project, the timing of implementation, surfacing materials to be utilized and stormwater management.

Sidewalk Design & Construction on Kelliher Road, Kimberly Road, 31st Place (between Lancer Place & Madison Street)
Councilmember Haba provided background information on the request for sidewalks on Kelliher Road, Kimberly Road and 31st Place. After a brief discussion, Mayor Tartaro said that there was currently a $50,000 allocation in the FY16 budget for sidewalk improvements that could potentially be used for this project.

Nicholson Street (between Ager Road & Queens Chapel Road) Traffic Calming & Green Improvements
Councilmember Haba provided background details on the request for traffic calming improvements on Nicholson Street, citing safety concerns with excessive speeding on the street. Councilmember Solomon stated his support and mentioned additional areas in need of traffic calming devices. Director Riddle responded that

the City was currently working on several traffic mitigation efforts and was aware of the need in multiple areas of the City. Council Vice President Perry said that in addition to the streets mentioned by Councilmembers Haba and Solomon, she would like to include funds for a traffic study once the State Highway Administration's MD500 project was completed to determine impact on traffic volume and speed on Nicholson Street, Lancer Street and Jamestown Road.

COUNCIL DIALOGUE:

There was no additional discussion. Mayor Tartaro listed the upcoming budget meetings.

MOTION TO ADJOURN:

1. Motion to Adjourn the Budget Work Session of January 14, 2015

The meeting adjourned at 9:48 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Hunt

CALL TO ORDER AND COUNCIL ROLL CALL:

Mayor Tartaro called the meeting to order at 7:45 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Present	
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Absent	
Bart Lawrence	Councilmember, Ward 1	Present	
Shani Warner	Councilmember, Ward 2	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Present	
Patrick A. Paschall	Councilmember, Ward 3	Late	8:40 PM
Edouard Haba	Councilmember, Ward 4	Present	
Clayton R. Williams	Councilmember, Ward 5	Late	7:48 PM
Joseph Solomon	Councilmember, Ward 5	Late	8:39 PM

Also present were the following individuals:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator & Director of Community and Economic Development Jim Chandler
- City Treasurer Ron Brooks
- Police Chief Douglas Holland
- Director of Human Resources Vivian Snellman
- City Clerk Laura Reams
- City Attorney Richard Colaresi (left at 8:30 p.m.)

MOTION TO CLOSE:

1. Motion # 04-01-15 Motion to Close I move that the Mayor and Council close the Council Meeting of January 20, 2015 to discuss contract negotiations with the City Attorney. - Tartaro

Pursuant to the requirement of Annotated Code of Maryland State Government Article Section 10-509(c) (2), this statement is included in these minutes:

A closed session of the Council of the City of Hyattsville was held at 7:46 p.m., Tuesday, January 20, 2015, in the City of Hyattsville Municipal Building, Third Floor Council Chambers.

In addition to the City Council, the following staff members were present: City Administrator Nicholson, Assistant City Administrator Chandler, Director of Human Resources Snellman, City Treasurer Brooks, City Attorney Colaresi and City Clerk Reams.

The authority under which the session was closed was Annotated Code of Maryland State Government Article Section Section 10-508(a)(7) - consult with counsel to obtain legal advice.

Topics Discussed: The City Attorney and Assistant City Administrator Chandler provided the Council with a summary of the proposed lease contract terms between the City and Pyramid Atlantic for the use of the building located at 4318 Gallatin Street.

Action Taken: None taken.

The closed session ended at 8:25 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Shani Warner, Councilmember, Ward 2
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Croslin, Hunt, Haba
ABSENT:	Perry, Paschall, Williams, Solomon

RETURN TO OPEN SESSION:

1. Motion to Return to Open Session

The Council returned to open session at 8:25 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Bart Lawrence, Councilmember, Ward 1
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Croslin, Hunt, Haba, Williams
ABSENT:	Perry, Paschall, Solomon

APPROVAL OF AGENDA:

1. Motion to Approve the Agenda of January 20, 2015

The agenda of January 20, 2015 was amended to remove the presentation item pertaining to the Commission on Accreditation for Law Enforcement Agencies (CALEA) .

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams
ABSENT:	Perry, Solomon

APPROVAL OF MINUTES:

1. Council Meeting Minutes of November 3, 2014

2. Motion to Approve the Council Meeting Minutes of November 3, 2014

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Timothy P. Hunt, Councilmember, Ward 3
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Perry

PUBLIC COMMENT:

Ms. Kirstin Barrett, a Ward 1 resident, addressed the Mayor and Council, in favor of traffic calming devices on Oliver Street, specifically requesting the installation of speed humps on the road.

Mr. Adam Watson, a Ward 1 resident, addressed the Mayor and Council, in favor of the installation of speed humps on Oliver Street.

Mr. William Jenne, a Ward 1 resident, addressed the Mayor and Council, in favor of the installation of speed humps on Oliver Street.

Ms. Joanna Meikle, a Ward 1 resident, addressed the Mayor and Council, in favor of the installation of speed humps on Oliver Street. Ms. Meikle said that she was grateful for the additional signage but felt that speed humps were necessary.

Ms. Nina Faye, a Ward 3 resident, addressed the Mayor and Council on three topics. First, Ms. Faye stated her concerns regarding a delay in the reappointment of members to the City's Code Compliance Advisory Committee. Ms. Faye stated that the planned discussion item for the City's residential parking program had been discussed by the committee previously and she hoped that the issue would return to the committee for additional discussion. Finally, Ms. Faye said that she was concerned with PEPCO's process of notification to residents for tree trimming.

Ms. Jocelyn Nolesco, a Ward 1 resident, addressed the Mayor and Council on behalf of the Prince George's Regional Association of Student Governments (PGRASG). Ms. Nolesco said that she was in support of the legislation to lower the minimum voting age and that PGRASG was working with the Northwestern High School Student Government Association to hold a voter registration drive.

Mr. David Marshall, a Ward 2 resident, addressed the Mayor and Council on several items. Mr. Marshall offered his congratulations to Mr. Kwame Rush as the Hyattsville City Employee of the Year. In regard to traffic calming devices on Oliver Street, he stated that he was opposed to the installation of speed humps. On the topic of the City's residential parking program, he said that he was not in favor of the proposed requirement to renew permits on a biannual basis or other proposals that would require residents to pay for a single service multiple times. On the topic of a proposed CSX Quiet Zone, Mr. Marshall said that he was not in favor of a quiet zone and noted that the potential cost to the City was substantial.

Ms. Shirley Fisher, a Ward 5 resident, addressed the Mayor and Council regarding the legislation to lower the minimum voting age and the City's lighting study. Ms. Fisher said that she was concerned that the City was spending money on lowering the voting age while the lighting study recommendations had not been discussed or implemented. Ms. Fisher said that she was not in support of lowering the minimum voting age. Ms. Fisher also mentioned concerns with illegal placement of commercial signs in the City and unsafe traffic conditions on Jefferson Street.

PRESENTATIONS:

1. FY-2013 Audit Update

City Treasurer Brooks provided an update on the City's FY-2013 audit. Mr. Brooks stated that the City was moving forward with the audit and he estimated that the completion date would be in mid-April.

2. Commission on Accreditation for Law Enforcement Agencies (CALEA) Presentation

This item was removed from the agenda.

3. 2014 Employee of the Year, Kwame Rush

Mayor Tartaro presented the 2014 Employee of the Year award to Mr. Kwame Rush, Department of Public Works, Solid Waste Driver.

4. PEPCO Presentation

City Administrator Nicholson introduced Mr Jerry Pasternak, Region Vice President, Maryland Affairs, for PEPCO. Mr. Pasternak provided the Council with a broad overview of the PEPCO's forestry program and details on the programs vegetation management philosophy. Mr. Pasternak said that the program was a shared, cooperative effort between the utility company and the City, adding that PEPCO understood and recognized the value of trees in the community. He stated that PEPCO trimmed trees for two reasons, safety and reliability of the utility. He provided details on the framework, legal construct and outreach strategy for PEPCO's reliability action plan. Mr. Pasternak said that the work currently done in the City included both removal of trees and pruning work. After a brief overview of the approval and notification process, Mr. Pasternak then responded to questions of clarification from the Mayor and Council.

There was a brief discussion on pruning techniques, scheduling of work and the notification process for residents. Several Councilmembers expressed concern with the current notification process and with pruning techniques. Mayor Tartaro thanked Mr. Pasternak for the presentation and suggested that City staff meet with PEPCO to address any outstanding issues.

CONSENT ITEMS:

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Shani Warner, Councilmember, Ward 2
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Perry

1. Motion # 05-01-15 Retain Taylor Amusements for 2015 City Anniversary Carnival

ACTION ITEMS:

1. Motion # 06-01-15 Traffic Calming Devices - 4400 Block of Oliver Street

City Administrator Nicholson provided an overview of the staff recommendation for traffic calming devices on the 4400 block of Oliver Street. Ms. Nicholson stated that as an initial mitigation strategy, the City had installed highly visible traffic signs and a pedestrian crosswalk on the street. She said that the staff recommendation was to reevaluate the street in three months to see if initial mitigations efforts had made an improvement and if not, to proceed with the installation of additional traffic calming devices, such as speed humps.

There was a brief discussion regarding the use of bump outs as a traffic calming device. A concern was raised that bump outs would take away street parking. Councilmember Lawrence noted that the Council had recently approved the installation of speed humps on Burlington Road and asked why the Council was not presented with the option of immediately installing speed humps. He added that he believed that the volume and speed of traffic on Oliver Street were likely greater than that on Burlington Road. Councilmember Lawrence also suggested that the City consider the possibility of making Oliver Street one way.

City Administrator Nicholson provided details on several factors that the staff was looking at and noted that the City currently had several applications and requests for traffic calming devices. She said that it was a staff recommendation that the City not default to speed humps without efforts at initial mitigation through signs, bump outs or other creative traffic mitigation measures.

There was a discussion regarding the timing of installation of speed humps. It was stated that the earliest speed humps could be installed was either March or April, depending on street temperatures. Council President Hollingsworth said that she was supportive of the staff recommendation, however requested details on what the process would be moving forward and how a determination to install speed humps would be made. City Administrator Nicholson said that there may need to be revisions to the current policy in the City Code. Councilmember Hunt said that he was concerned the City was not following the existing policy and said that he would like to see the residents request for speed humps honored. Councilmember Williams inquired about the timeline for the development of a new policy. City Administrator Nicholson said that a policy would be drafted and presented to the Council in the spring for review.

Councilmember Paschall thanked staff for putting together a plan and said that he thought it was important that the City consider alternative solutions. He added that he thought this was an opportunity to combine initiatives on safety and sustainability. Councilmember Solomon noted that Ward 5 also had petitions for traffic calming devices coming forward and he was supportive of waiting until April to install speed humps on Oliver Street. Councilmember Haba said that he was supportive of alternative environmentally friendly traffic mitigation measures and he was glad that a City wide policy would be drafted.

Councilmember Lawrence said that it was important to note that even if a petitioner received the necessary number of signatures, it was not a guarantee that speed humps would be installed. Councilmember Warner said that she was supportive of the staff recommendation to consider the larger picture of traffic mitigation throughout the City and noted that it seemed that the presumption was that there would be an installation of speed humps on Oliver Street in April.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Shani Warner, Councilmember, Ward 2
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Perry

2. Motion # 07-01-15 Hyattsville Charter Amendment 2015-01, SECOND READING

Councilmember Croslin said that it was his intention to vote for the Charter Amendment and that he would also bring forth a motion to establish a student advisory committee. Councilmember Croslin stated that he had received a lot of emails and phone calls from those that do not live in the City in regard to the proposed Charter Amendment and that he did not think those voices were relevant to the discussion. He added that he was concerned by some references made to the Civil Rights Movement as part of the discussion on the legislation and invited residents to attend the Building Cultural Bridges Book Club.

Councilmember Paschall expressed his surprise for Councilmember Croslin changing his vote. He said that he was proud of the City and pleased to see the civic engagement of the youth in the City.

Councilmember Solomon said that he was also changing his vote for the second reading. He stated that he viewed the previous vote on one on the process and the second vote as more about the substance of the motion. While he was in support of the legislation, he said that it was his opinion that extending the vote to 16 and 17 year olds was a privilege instead of a right and he thought it was important to make that distinction.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Patrick A. Paschall, Councilmember, Ward 3
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Perry

3. Motion to Remove 08-01-15 from the table

The Motion for Charter Amendment 2015-02 was tabled during the Council Meeting of December 15, 2014. Motion # 08-01-15 was removed from the table and opened for discussion.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Edouard Haba, Councilmember, Ward 4
SECONDER:	Candace Hollingsworth, Council President
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Perry

4. Motion # 08-01-15 Hyattsville Charter Amendment 2015-02, FIRST READING

Councilmember Williams opened the discussion item by stating that it was his preference to not have a minimum age to run for office. Councilmember Solomon stated that with the lowered voting age, he felt that all those eligible to vote should also be eligible to run for office. Councilmember Solomon inquired if the Council could bifurcate the changes to make the language gender neutral and the minimum age to run for office into two motions.

Councilmember Paschall said that it was originally his intention to vote against the proposed Charter Amendment to set a minimum age to run for office but noted that he was in favor of the changes that establishing gender neutral language in the proposed Charter Amendment. *Councilmember Paschall moved to amend the ordinance to strike the provisions pertaining to the minimum age to run for office. Councilmember Warner seconded the motion to amend.*

There was a lengthy discussion regarding public notice for changes to proposed Charter Amendments and legal considerations pertaining to someone under the age of 18 performing duties of the Mayor or Council, including the signing of legal documents. Councilmember Hunt said that without a definitive answer to the outstanding legal questions, he would like to table the motion. There was also a discussion regarding the timing of the effective date of the proposed ordinance and the upcoming election calendar. *Councilmember Paschall's motion to amend failed.*

There was a brief discussion regarding tabling the motion. *Councilmember Solomon moved to table the motion, Councilmember Hunt seconded the motion. The motion to table failed.* The Council voted on the original motion.

RESULT:	**DEFEATED [5 TO 2]**
MOVER:	Marc Tartaro, Candace Hollingsworth
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Tartaro, Lawrence, Croslin, Haba, Williams
NAYS:	Warner, Paschall
ABSTAIN:	Hollingsworth, Hunt, Solomon
ABSENT:	Perry

5. Motion # 09-01-15 Renewal of Lasercraft Contract for Red Light Camera Program

In response to a question from Councilmember Solomon, Chief Holland clarified that the revenue from red light cameras went into the City's general fund.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Perry

DISCUSSION ITEMS:

1. Designation of a Quiet Zone

Assistant City Administrator Chandler provided background information on the procedures for establishing a quiet zone and responded to questions of clarification from the Mayor and Council. Councilmember Lawrence requested a timeline for the initial assessment of the City's train crossings by the State. City Administrator Nicholson responded that it was projected for February. Assistant City Administrator Chandler noted that even if it was found that the crossings required safety upgrades, it was not a guarantee for a quiet zone designation.

There was a brief discussion regarding the City's working relationship between the State for the designation of a quiet zone. Councilmember Hunt said that he thought proceeding with the initial diagnostic review was a good approach but added that he was concerned with the possible spending of significant funds to establish a quiet zone for individuals who presumably were aware of the train when they moved to the area.

2. Discussion of Residential Parking Program

Assistant City Administrator Chandler provided an overview of the proposed residential parking zone program and an analysis of the current program. He noted common concerns/traits of the current parking program and requested initial feedback from the Council on the proposed program. Councilmember Hunt provided detailed feedback on several aspects of the memo and said that he looked forward to discussing the parking program with the Code Compliance Advisory Committee. Councilmember Haba said that parking was an important topic for residents and he was glad to start this process, adding that the current system was not enforceable.

Council President Hollingsworth said that she felt that the policy was attempting to answer the right kinds of questions, adding that inconsistency in signage was an item that came up often. She inquired if the policy could be combined with the traffic mitigation policy. Additionally she said she was interested in hearing what the strategy would be for engaging the public in the implementation of the policy.

Mayor Tartaro requested that additional feedback be sent to staff and said that it was his observation that the

City was an older community, with streets not built to handle the current volume of cars and that with a limited number of spaces it was key to determine how spaces would be allocated. Mayor Tartaro said that the discussion was a great start to the process of revising the policy.

COUNCIL DIALOGUE:

Councilmember Lawrence asked staff if a resident could check on the status of a code violation without calling the City. Assistant City Administrator Chandler said that there was not currently a system to provide code violation statue information online and residents would need to call the City to obtain the information.

Councilmember Croslin said that he had a recent meeting with local artists and was interested in bringing the Artspin event back to Hyattsville.

Councilmember Warner said that she wanted to draw the public's attention to the fact that this was the second reading about the voting age. She noted that had some Councilmembers had changed their initial votes and said that she wanted to thank those who thought about it and changed their vote. Councilmember Warner added that she did not think the question of lowering the voting age was an easy one and she was thankful that the Council was able to come together on the issue.

MOTION TO ADJOURN:

1. Motion to Adjourn

The Council Meeting of January 20, 2015 ended at 10:56 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Robert S. Croslin, Councilmember, Ward 2
SECONDER:	Timothy P. Hunt, Councilmember, Ward 3
AYES:	Tartaro, Hollingsworth, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Perry

CALL TO ORDER AND COUNCIL ROLL CALL:

Council Vice President Perry called the Council Work Session of January 28, 2015 at 8:02 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Absent	
Candace Hollingsworth	Council President	Late	9:03 PM
Paula J. Perry	Council Vice President	Present	
Bart Lawrence	Councilmember, Ward 1	Late	8:10 PM
Shani Warner	Councilmember, Ward 2	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Absent	
Patrick A. Paschall	Councilmember, Ward 3	Present	
Edouard Haba	Councilmember, Ward 4	Present	
Clayton R. Williams	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following staff members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator & Director of Community and Economic Development Jim Chandler
- City Treasurer Ron Brooks
- Police Chief Douglas Holland
- City Clerk Laura Reams

APPROVAL OF AGENDA:

1. Motion to Approve the Agenda for the Council Budget Work Session of January 28, 2015

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Timothy P. Hunt, Councilmember, Ward 3
AYES:	Perry, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Hollingsworth, Lawrence

PUBLIC COMMENT:

There were no individuals present who wished to address the Council.

PRESENTATIONS:

1. Hyattsville Environment Committee: FY16 Budget Recommendations

Mr. Jim Groves, a Ward 2 resident and Chair of the Hyattsville Environment Committee, addressed the Council to present the committee's budget recommendations for Fiscal Year 2016. Mr. Groves thanked City staff for their work on environmental initiatives, noting several recommendations that had been implemented, including work pertaining to City trees and use of electric and environmentally friendly vehicles. Mr. Groves then provided details on the FY16 budget recommendations which included display cases and trail signs on native & invasive plants for parks, a gas powered lawn mower replacement program, use of solar powered trash compactors in City parks, a native tree rebate program, an English ivy education program and a hazardous waste drop off day. Mr. Groves then responded to questions from the Council.

Councilmember Solomon asked what the estimated cost would be to implement all of recommendations. It was stated that a ballpark figure was approximately $35,000, not including staff time. Councilmember Solomon inquired if the committee had prioritized the recommendations or looked into grants to fund the projects. Mr. Groves said that the committee felt that all of the recommendations were equally worthy of funding and stated that the committee was hopeful that the City's Contracts and Grants Supervisor could assist in locating potential grant funding. Finally Councilmember Solomon asked if the committee could provide examples of how the proposed recommendations worked in other municipalities.

Councilmember Paschall thanked the committee for their recommendations and asked if there were one or two recommendations that the committee felt would have the largest impact on improving the City's environment. Mr. Groves responded that the hazardous waste day and English ivy program were likely the easiest recommendations to implement, the solar powered trash compactors were likely the most expensive and that personally he would like to see the gas powered lawn mower replacement program implemented.

Councilmember Haba thanked Mr. Groves for the presentation and said that he hoped the City could find a way to accomplish most of the ideas. In regard to the English ivy education program, Councilmember Haba asked if the Environment Committee could write the brochure for the City to distribute and Mr. Groves responded that the Committee would be able to do that. There was a brief discussion with Director of Public Works Riddle on the cost and logistics of implementing a hazardous waste drop collection day. Council Vice President Perry suggested that the City include information on the committee's webpage on how to remove English ivy from trees.

DISCUSSION ITEMS:

Council Vice President Perry opened the discussion on the Council budget priorities for the FY16 Capital and Operating Budgets.

1. Council Budget Priority Discussion: Operating Budget

Establishment of a Quiet Zone at the Decatur Street Railroad Crossing
Councilmember Lawrence provided an overview of the previous discussions on the proposed quiet zone and proposed to allocate FY16 funding towards the cost of hiring a consultant to assist in the beginning stages of exploring establishing a train quiet zone. Councilmember Lawrence said that this was just one of the initial steps necessary in the establishment of a quiet zone and noted that the topic would return to the Council for additional discussion after a diagnostic visit of the site by the State Highway Administration. Additionally, he said that the had been concerned with comments made about the quiet zone during the previous discussion stating that the train tracks and noise had always been present in the area. Councilmember Lawrence said that there were more residents close to the tracks and the proposed solution of residents moving if they did not like the noise was, in his opinion, not in line with the work the Council was trying to accomplish and he hoped the City could make life better for residents affected by the noise, if the quiet zone was deemed feasible.

Councilmember Williams clarified that moving forward was pending the initial diagnostic review of the railroad crossing with representatives of the State Highway Administration, CSX Transportation and Federal Railroad Administration (FRA) and asked about the timing of the diagnostic report. Assistant City Administrator Chandler provided details on the process of establishing a train quiet zone. He said that he thought the City would receive feedback soon after the initial diagnostic meeting as to if obtaining a quiet zone designation was possible and if there were safety improvements needed to be made to the crossing. City Administrator Nicholson added that the diagnostic visit would inform the City of the approximate upfront investment necessary on behalf of the City.

Councilmember Solomon asked if the City had reached out to neighboring cities. City Administrator Nicholson said that City staff had talked to Riverdale and Edmonston and both municipalities were supportive of the quiet zone designation.

Council Vice President Perry recognized Mr. Scott Wilson, a Ward 3 resident who addressed the Council to suggest that the Council look into the possibility of the installation of a horn that is more directed at the crossing itself rather than the general crossing area.

There was a brief discussion regarding the timeline of the diagnosic, improvements and how it could inform the FY16 budgeting process.

Community-based Policing Training
Councilmember Lawrence provided background information on the proposal. Police Chief Holland said that some of the ideas proposed were ones that the Department was already discussing as part of the preliminary budget process. Chief Holland noted that beyond up front costs for training including registration fees, that there would be back end costs that need to be considered, specifically relating to increased overtime costs to provide street coverage while officers were in training.

Tree Canopy
Councilmember Lawrence said that the proposal was intended to partner with Department of Public Works to plant the maximum number of trees possible for FY16. Director of Public Works Riddle said that the department had the expertise in staff to do the small tree pruning and could take realized savings from this area in the operating budget and allocate those funds for planting.

Councilmember Haba inquired on the status of the tree canopy survey. Director Riddle said that the 2010 study was still salient information and provided details on the City's approach to analyzing the current canopy and determining a plan of action to increase the canopy.

Assistant DPW Director
There was a brief discussion regarding the position title. Councilmember Solomon detailed reasons why he felt that the position was a budget priority.

Technology Officer Position
There was a discussion regarding the necessity of the position in the City organization. City Administrator Nicholson said that staff was working with the recently contracted Virtual CIO on reviewing the City's infrastructure, IT policies and reviewing network upgrades. Assistant City Administrator Chandler noted that the Council would receive progress reports from the VCIO. Councilmember Solomon said that given the provided information he did not mind de-prioritizing this item.

Speed Humps on 37th Avenue
Councilmember Solomon provided background information on the proposal, noting that a petition had been submitted for traffic calming devices on 37th Avenue. He said that he wanted to ensure there was funding to address any deficiencies in the street design and pay for necessary traffic mitigation.

Jamestown Road Speed Mitigation
Councilmember Haba noted that a petition had also been submitted for traffic calming on Jamestown Road and he wanted to ensure funds were allocated to mitigate speeding problems on the street. Council Vice President Perry noted that she brought this issue to the City's attention a couple of years ago and that she had requested that this be included in the traffic study.

Make Madison Street (between 31st Place & Maryhurst) a one-way street.
Councilmember Haba provided details on the reasons why the street should be one-way. Council Vice President Perry said that it was her understanding that the majority of residents on the street were supportive of the proposed change.

Annexation Study

Councilmember Solomon provided background information on the proposal to allocate funds for an annexation study, stating that the goal was to look specifically for growth on the City's western border.

2. Council Budget Priority Discussion: Capital Budget

Left Turn Arrows on Adelphi Road at the Intersection of Wells Blvd.
Council Vice President Perry provided information on the item proposed by Councilmember Hunt and stated that the City was exploring options for partnering with University Park on the installation of the left turn arrows. Councilmember Paschall read from an email from Councilmember Hunt regarding the proposal for a left turn lane that detailed safety concerns with the intersection. Council Vice President Perry said that the proposal would come back for additional conversation at a future budget meeting.

3505 Hamilton Street Renovations
Councilmember Solomon thanked City staff for work on the proposed move of the Police Department and select administrative staff to the 3505 Hamilton Street building and said that he thought the move should be a high priority for the City.

Enterprise Resource Planning (ERP) System
Councilmember Solomon provided details on the function of ERP Systems, stating that it was an effective way of tracking statistical items and sharing information between projects. He said that this was a priority last fiscal year that had been delayed due to staff capacity and inquired if staff was interested in pursuing this proposal. City Administrator Nicholson said that staff would research ERP systems and provide comment to the Council.

COUNCIL DIALOGUE:

Councilmember Haba mentioned a proposal for the City to match the County's rain check rebate program.

MOTION TO ADJOURN:

1. Motion to Adjourn

The meeting adjourned at 9:11 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Patrick A. Paschall, Councilmember, Ward 3
SECONDER:	Clayton R. Williams, Councilmember, Ward 5
AYES:	Hollingsworth, Perry, Lawrence, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Hunt

CALL TO ORDER AND COUNCIL ROLL CALL:

Council President Hollingsworth called the meeting to order at 7:33 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Absent	
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Present	
Bart Lawrence	Councilmember, Ward 1	Present	
Shani Warner	Councilmember, Ward 2	Absent	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Present	
Patrick A. Paschall	Councilmember, Ward 3	Absent	
Edouard Haba	Councilmember, Ward 4	Late	7:48 PM
Clayton R. Williams	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City staff members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator & Director of Community & Economic Development Jim Chandler
- City Treasurer Ron Brooks
- Police Chief Doug Holland
- Director of Human Resources Vivian Snellman
- City Clerk Laura Reams
- City Attorney Richard Colaresi (left at 8:40 p.m.)

APPROVAL OF AGENDA:

1. Motion to Approve the Agenda of Monday, February 2, 2015

The agenda was approved with the following amendment: (1) amend Motion # 10-02-15, Motion to Close to reflect a closed session discussion of personnel matters in addition to the planned discussion of contract negotiations with the City Attorney.

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Timothy P. Hunt, Councilmember, Ward 3
AYES:	Hollingsworth, Perry, Lawrence, Croslin, Hunt, Williams, Solomon
ABSENT:	Tartaro, Warner, Paschall, Haba

MOTION TO CLOSE:

1. Motion # 10-02-15 Motion to Close I move that the Mayor and Council close the Council Meeting of February 2, 2015 to discuss personnel matters and contract negotiations with the City Attorney. - Tartaro

Pursuant to the requirement of the Annotated Code of Maryland State Government Article Section 10-509(c)(2), this statement is included in these minutes:

A closed session of the City Council of the City of Hyattsville, MD, was held at 7:36 p.m., Monday, February 2, 2015 in the City of Hyattsville Municipal Building, Third Floor Council Chambers.

In addition to the City Council, the following staff members were present: City Administrator Nicholson, Assistant City Administrator Chandler, Treasurer Brooks, Director of Human Resources Snellman, City Clerk Reams and City Attorney Colaresi.

The authority under which the session was closed was the Annotated Code of Maryland State Government Article Subtitle 5, Section 10-508(a)(1)(ii) - any other personnel matter that affects 1 or more specific individuals, **Section 10-508(a)(7)** - consult with counsel to obtain legal advice **and Section 10-508(a)(14)** - before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Topics Discussed: Contract negotiations pertaining to 4318 Gallatin Street and personnel matters.

Action Taken: None taken.

The closed session ended at 8:36 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Timothy P. Hunt, Councilmember, Ward 3
AYES:	Hollingsworth, Perry, Lawrence, Croslin, Hunt, Williams, Solomon
ABSENT:	Tartaro, Warner, Paschall, Haba

MOTION TO RETURN TO OPEN SESSION:

1. Motion to Return to Open Session

The Council returned to open session at 8:44 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Perry, Lawrence, Croslin, Hunt, Haba, Williams, Solomon
ABSENT:	Tartaro, Warner, Paschall

PUBLIC COMMENT:

There were no individuals present who wished to address the Council.

PRESENTATIONS:

1. Certificates of Appreciation for Mia Marbury and Greg Muynila

Council President Hollingsworth and City Administrator Nicholson presented Certificates of Appreciation to Mia Marbury and Greg Munuila for their work with Hyattsville Cable Television Station.

2. FY-2012 Audit Presentation by CohnReznick

City Treasurer Brooks introduced Mr. Dan Kenney from CohnReznick, the City's Auditor of Record for the Fiscal Year 2012 Audit. Mr. Kenney provided a summary of the findings from the FY12 audit and reviewed the internal controls report. Mr. Kenney stated that there were two audit findings, one pertaining to the availability of reports and the other relating to the need for a schedule to tracking grants funds.

CONSENT ITEMS:

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Timothy P. Hunt, Councilmember, Ward 3
AYES:	Hollingsworth, Perry, Lawrence, Croslin, Hunt, Haba, Williams, Solomon
ABSENT:	Tartaro, Warner, Paschall

1. Motion # 11-02-15 Proclamation in Recognition of Black History Month

2. Motion # 12-02-15 Police Ammunition Purchase

3. Motion # 13-02-15 Purchase of Road Salt

4. Motion # 14-02-15 Appointment of Code Compliance Advisory Committee Members

ACTION ITEMS:

1. Motion # 15-02-15 2015 Compensation Review Committee Recommendations

Mr. Peter Daniels, a Ward 2 resident and Chair of the Compensation Committee, provided background information to the Council on the committee's recommendation. Mr. Daniels said that the committee's goal was to increase the pay for the Mayor and Council to something comparable to what one may earn at a second job. He provided details on the proposed schedule for annual increases and noted that according to the Maryland State Constitution, a sitting council member could not vote to increase their own salary, therefore any recommendations for increase by the committee would not be effective for 2 years.

Council Vice President Perry thanked the committee for their hard work, but said that she was not in support of an increase in pay for the Mayor and Council. Councilmember Haba also thanked the committee. He noted that any councilmember not comfortable with the increase could return the salary back to the City. Councilmember Haba said that he appreciated the effort by the committee to try and see if an increase will provide an additional incentive for more residents to serve in public office. There was a brief discussion regarding a discrepancy in the memo.

Councilmember Hunt also thanked the committee. He said that he felt similarly to Council Vice President Perry and that he thought the increase was significant. Councilmember Hunt suggested that the Council delay on voting on the motion that evening.

Mr. William Omandi, a Ward 3 resident and member of the committee, addressed the Council and said that when the committee was developing its recommendation, they did a comprehensive study of surrounding municipalities and one of the things that they noted was that the City was starting at a very low compensation in comparison to other municipalities.

Councilmember Solomon asked for clarification if health care contributions were considered part of a compensation package, noting that currently councilmembers could purchase health care through the City's plan but not at a discounted rate. Councilmember Solomon said that his future recommendation would be to consider inclusion of discounted health care benefits, if it was considered part of a compensation package. City Administrator Nicholson said that the initial thinking was that health care premiums were considered compensation but that staff would verify.

Council President Hollingsworth said that in her opinion, there was an argument to be made for equity of pay for public service, adding that staff and elected officials were considered public servants. She said that the decision around compensation should not be based on their own viewpoints but rather a consideration of who they want to have run for those offices in future years. Council President Hollingsworth stated that she felt the compensation review was long overdue and suggested that in the future, the Council also consider reducing the number of representatives. She summarized her comments by stating that she supported the recommendation but was also supportive of additional discussion.

Councilmember Lawrence also thanked the committee for their thoughtful approach to the process and said that he would vote to support the recommendation. *Council Vice President Perry moved to table the motion until the next Council Meeting. Councilmember Solomon seconded the motion to table. The motion to table failed with Councilmembers Lawrence, Haba and Williams voting against the motion.*

Council President Hollingsworth called the question for Motion # 15-02-15.

RESULT:	**DEFEATED [5 TO 3]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Hollingsworth, Lawrence, Croslin, Haba, Williams
NAYS:	Perry, Hunt, Solomon
ABSENT:	Tartaro, Warner, Paschall

2. Motion # 16-02-15 Route One Surface Lot: Engineering Design

Assistant City Administrator Chandler provided details on the proposal for a surface lot located off of Route One to provide additional parking for the retail development. There was a discussion regarding permeable surfacing, sustainable practices applicable to the lot and stormwater management. Director of Public Works Riddle said that staff was taking a hard look at creative ideas for stormwater management.

Councilmember Hunt inquired about the long term vision for the property and if the vision was ultimately for a structured parking lot. He also inquired about the timing of the construction of a structured parking facility and the cost for a surface lot. Assistant City Administrator Chandler said that initial estimates for the surface lot were in range of $500-600K and said that if the City desired to move forward with a structured parking facility it would take approximately 3-5 years. Councilmember Hunt asked what the anticipated revenue for a surface lot would be. Mr. Chandler said it was estimated at $8-10K per year and added that it was dependant on a variety of factors.

There was a discussion regarding timing requirements to spend state funds for the parking lot and proposed traffic flow into the lot.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Perry, Lawrence, Croslin, Hunt, Haba, Williams, Solomon
ABSENT:	Tartaro, Warner, Paschall

3. Motion # 17-02-15 Authorization to Schedule an Early Voting Day on Saturday May 2, 2015

Councilmember Haba inquired about the planned location for early voting and Clerk Reams responded that early voting would be held at the Magruder Park Recreation Building.

Councilmember Solomon said that he was concerned about the City's compressed voting schedule and election season stating that he thought is was a tool that serves the incumbent candidates. He said that he thought that if the election season was spread over a longer period it would be more appropriate. Councilmember Williams said that the only thing hindering the campaign schedule from being extended was the candidate's intention to campaign earlier.

Council Vice President Perry said that she had changed her initial opinion about early voting and now thought that it was a good tool for the City to use. She added that it would be her preference to hold an early voting event in West Hyattsville.

RESULT:	**APPROVED [7 TO 1]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Perry, Lawrence, Croslin, Hunt, Haba, Williams
NAYS:	Solomon
ABSENT:	Tartaro, Warner, Paschall

4. Motion # 18-02-15 Approval of Election Services Vendor for Election 2015

There was no discussion on this item.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Perry, Lawrence, Croslin, Hunt, Haba, Williams, Solomon
ABSENT:	Tartaro, Warner, Paschall

DISCUSSION ITEMS:

1. Kiplinger Development

Assistant City Administrator Chandler provided background information on the proposal for the Kiplinger Development and details on the review of the proposed plan by the City's Planning Committee. City Administrator Nicholson noted that specific pieces of the proposal would come back for action at a later date. There was a discussion regarding a possible Memorandum of Understanding (MOU) for the City to take ownership of the primary road through the development.

NOTE FOR THE RECORD: Councilmember Hunt left the meeting at 9:57 p.m. and Councilmember Solomon left the meeting at 9:58 p.m.

2. Additional Funding for University Hills Streets Project

Director of Public Works Riddle provided details on the request for additional funding for the University Hills Street and Sidewalk Project, stating that the funds would allow for design completion to 90%. City Treasurer Brooks noted that the funding would come from approved appropriations.

COUNCIL DIALOGUE:

There were no comments.

1. City Calendar: February 3, 2015 - February 21, 2015

MOTION TO ADJOURN:

1. Motion to Adjourn the Council Meeting of February 2, 2015

The meeting adjourned at 10:07 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Perry, Lawrence, Croslin, Hunt, Haba, Williams, Solomon
ABSENT:	Tartaro, Warner, Paschall

CALL TO ORDER AND COUNCIL ROLL CALL:

Mayor Tartaro called the meeting to order at 8:02 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Present	
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Present	
Bart Lawrence	Councilmember, Ward 1	Present	
Shani Warner	Councilmember, Ward 2	Absent	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Present	
Patrick A. Paschall	Councilmember, Ward 3	Present	
Edouard Haba	Councilmember, Ward 4	Present	
Clayton R. Williams	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City staff members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator & Director of Community & Economic Development Jim Chandler
- City Treasurer Ron Brooks
- Police Chief Douglas Holland
- Director of Human Resources Vivian Snellman
- Director of Public Works Lesley Riddle
- Director of Community Services Jake Rollow
- City Clerk Laura Reams

APPROVAL OF AGENDA:

1. Motion to Approve the Agenda for the Council Budget Work Session of February 11, 2015

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Paula J. Perry, Council Vice President
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Warner

PUBLIC COMMENT:

There were no individuals present who wished to address the Mayor and Council.

PRESENTATIONS:

1. Introduction of the Draft Budget for Fiscal Year 2016

City Administrator Nicholson introduced the proposed Fiscal Year 2016 budget. She said that in the development of the proposed budget, staff had considered input and recommendations from the community, council and staff. She provided an overview of the budget highlights including a proposed Cost of Living Increase (COLA) of 1.7%, new positions and new initiatives including wellness, expanded Call-a-Bus service, senior services, teen programming and sustainable practices. City Administrator Nicholson thanked staff for their hard work and efforts on the budget document and said that City staff was committed to being good and responsible stewards of public dollars.

City Treasurer Brooks provided the Council with a review of the Summary of All Funds and responded to questions from the Mayor and Council.

Councilmember Paschall asked what the basis was for an estimated increase in projected revenues. Treasurer Brooks responded that some properties previously under a tax credit program had come online. There was a discussion regarding the details of the properties and anticipated revenues. There was also a discussion about the personal property tax assessment cycle.

Treasurer Brooks said that the proposed budget drew $871K from the general fund and that as the City moved forward, he would like to see the City close the gap between revenues and expenditures to limit the annual draw down from the general fund. Councilmember Paschall asked what the fund balance was at the beginning of Fiscal Year 2014. Mr. Brooks responded that he would provide that information to the Mayor and Council.

There was a brief discussion regarding the estimated revenues for municipal infractions and the five year forecast.

Several councilmember's thanked staff for the preparation of the budget document.

Councilmember Paschall asked if staff could provide an updated spreadsheet showing the status of the various budget requests submitted by Council. Ms. Nicholson said that staff would provide Council with the document by the end of the week.

City Administrator Nicholson closed the discussion by stating that during the February 25 Council Work Session, staff would present the budgets for General Government and the Police Department.

COUNCIL DIALOGUE:

There were no comments from the Mayor and Council.

MOTION TO ADJOURN:

1. Motion to Adjourn the Council Budget Work Session of February 11, 2015

The meeting adjourned at 8:52 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Robert S. Croslin, Councilmember, Ward 2
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Warner

CALL TO ORDER AND COUNCIL ROLL CALL:

Council President Hollingsworth called the meeting to order at 7:45 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Absent	
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Absent	
Bart Lawrence	Councilmember, Ward 1	Present	
Shani Warner	Councilmember, Ward 2	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Absent	
Patrick A. Paschall	Councilmember, Ward 3	Absent	
Edouard Haba	Councilmember, Ward 4	Present	
Clayton R. Williams	Councilmember, Ward 5	Late	7:55 PM
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City staff members:

- City Administrator Tracey E. Nicholson (arrived at 8:13 p.m.)
- Assistant City Administrator & Director of Community and Economic Development Jim Chandler
- City Treasurer Ron Brooks
- Director of Community Services Jake Rollow
- City Clerk Laura Reams

MOTION TO CLOSE:

1. Motion to Close Motion # 36-04-15 I move that the Mayor and Council close the Special Council Meeting of April 1, 2015 to discuss contract negotiations and obtain legal advice from the City Attorney. - Tartaro

Pursuant to the requirement of the Annotated Code of Maryland State Government Article Section 10-509(c)(2), this statement is included in these minutes:

A closed session of the City Council of the City of Hyattsville, MD, was held at 7:46 p.m., Wednesday, April 1, 2015 in the City of Hyattsville Municipal Building, Third Floor Council Chambers.

In addition to the City Council, the following staff members were present: Assistant City Administrator Chandler, Treasurer Brooks, Director of Human Resources Snellman, Director of Community Services Rollow, City Clerk Reams and City Attorney Colaresi. City Administrator Nicholson joined the closed session at 8:13 p.m.

The authority under which the session was closed was the Annotated Code of Maryland State Government Article Subtitle 5, Section 10-508(a)(7) - consult with counsel to obtain legal advice **and Section 10-508(a)(14)** - before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Topics Discussed: A proposal for the building of a parking facility and contract negotiations pertaining to 4318 Gallatin Street.

Action Taken: None taken.

The closed session ended at 8:25 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Lawrence, Warner, Croslin, Haba, Solomon
ABSENT:	Tartaro, Perry, Hunt, Paschall, Williams

RETURN TO OPEN SESSION:

1. Motion to Return to Open Session

The Council returned to open session at 8:26 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Hollingsworth, Lawrence, Warner, Croslin, Haba, Williams, Solomon
ABSENT:	Tartaro, Perry, Hunt, Paschall

APPROVAL OF AGENDA:

1. Motion to Approve the Agenda for the Special Council Meeting of April 1, 2015

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Lawrence, Warner, Croslin, Haba, Williams, Solomon
ABSENT:	Tartaro, Perry, Hunt, Paschall

PUBLIC COMMENT:

There were no individuals present who wished to address the Council.

DISCUSSION ITEMS:

1. FY16 Budget Recap

City Treasurer Brooks provided an overview of the City's tax assessments, stating that after a review by the Prince George's County Department of Assessments, the tax base was the same as the previous fiscal year. Treasurer Brooks then provided a summary of the fiscal year 2016 budget process and said that staff was actively reviewing redundancies in City operations to see if there were any additional budget amendments that could be made. He also noted that there would be a future budgetary discussion needed in regard to the flat contribution rate for employee health insurance and said that he anticipated this coming before the Council in August 2015.

There were no questions from the Council.

2. FY16 Council Budget Amendment: Education Enrichment Grants Program

Councilmember Lawrence provided an overview of the proposal for the Education Enrichment Grants Program, including the goal of the proposal and the process by which the grant would work. He also provided details on the eligible schools.

Councilmember Warner commended Councilmember Lawrence and the committee for the initiative. Councilmember Haba inquired if the $5,000 Ward Grant Initiative was inclusive of this proposal or separate. City Administrator confirmed that they were separate programs and Treasurer Brooks said that if the proposal was funded, it would be added to the Council budget.

The Council decided to take action on the motion.

3. Motion #37-04-15 Education Enrichment Grants Program

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bart Lawrence, Councilmember, Ward 1
SECONDER:	Shani Warner, Councilmember, Ward 2
AYES:	Hollingsworth, Lawrence, Warner, Croslin, Haba, Williams, Solomon
ABSENT:	Tartaro, Perry, Hunt, Paschall

COUNCIL DIALOGUE:

There were no comments from the Council.

MOTION TO ADJOURN:

1. Motion to Adjourn the Special Council Meeting of April 1, 2015

The meeting adjourned at 8:49 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Patrick A. Paschall, Councilmember, Ward 3
AYES:	Hollingsworth, Lawrence, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Perry, Hunt

CALL TO ORDER AND COUNCIL ROLL CALL:

Council President Hollingsworth called the meeting to order at 8:03 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Absent	
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Absent	
Bart Lawrence	Councilmember, Ward 1	Absent	
Shani Warner	Councilmember, Ward 2	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Absent	
Patrick A. Paschall	Councilmember, Ward 3	Present	
Edouard Haba	Councilmember, Ward 4	Present	
Clayton R. Williams	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City staff members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator & Director of Community & Economic Development Jim Chandler
- City Treasurer Ron Brooks
- Police Chief Doug Holland
- Director of Human Resources Vivian Snellman
- Director of Public Works Lesley Riddle
- Director of Community Services Jake Rollow
- City Clerk Laura Reams

APPROVAL OF AGENDA:

1. Motion to Approve the Agenda for the Council Meeting of April 6, 2015

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Hollingsworth, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Perry, Lawrence, Hunt

PUBLIC COMMENT:

Ms. Nina Faye, addressed the Council in regard to the communications policy. Ms. Faye Thanked City staff for working on the policy and said that it was greatly improved. She also inquired about the presentation about Ager Road, asking if eliminating the turn lanes was safe.

Mr. David Marshall, a Ward 2 resident, addressed the Council in regard to money and communications. Mr. Marshall said that he was concerned that funds budgeted for print communications were not being utilized as directed by the Council. He said that the public was not informed that the "green sheet" would have a reduced publication schedule and was not provided with an explanation for the reduction in written communications to residents.

PRESENTATIONS:

1. FY-2013 Audit

City Treasurer Brooks provided Council with a status update on the FY13 City audit.

2. Certification of 2015 Election Candidates

Ms. Greta Mosher, Chair of the Board of Supervisors of Elections, presented the certified list of candidates for the 2015 Election.

3. Ager Road Update

Director of Public Works Riddle provided an update on the Ager Road Green Streets Roadway Improvement Project. Director Riddle stated that highlights of the project included measures to slow down traffic, such as lane pinching, removing service lanes, adding bike lanes, a full roundabout at Nicholson Lane and improved stormwater management. Full roundabout at Nicholson lane. Additionally it was stated that the project had been revised to include a portion of Jamestown Road. Director Riddle said that the 90% design should be available at the end of May with an anticipated project start target of spring 2016.

There was a brief discussion regarding a pedestrian crossing at Ager Road and Lancer Drive.

CONSENT ITEMS:

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Hollingsworth, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Perry, Lawrence, Hunt

1. 2015 Arbor Day Proclamation

2. Appointment to Planning Committee

3. Cancel Public Hearing and Council Budget Work Session of April 15, 2015

ACTION ITEMS:

1. Schedule Public Hearing, Traffic Calming Device(S): 5800 Blk Jamestown Rd. & 5000 Block 37Th Place

City Administrator Nicholson provided background information on the requests for traffic calming devices. Councilmember Paschall said that in general, 7 p.m. was a difficult time and inquired if there could be a general practice for scheduling public hearings no earlier than 7:30 p.m. There was a brief discussion. Councilmember Paschall moved to amend the motion to adjust the time of the public hearing from 7:00 p.m. to 7:30 p.m. Councilmember Warner seconded the motion to amend. The motion to amend passed.

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Hollingsworth, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Perry, Lawrence, Hunt

2. Change in Contract for Mansard Repair

Director of Public Works Riddle explained that this motion was returning to Council for reconsideration because staff had found a contractor would could perform the job at a better value for the City and with a full warranty for the work.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Perry, Lawrence, Hunt

3. Communications Policy

Councilmember Paschall thanked Director Rollow for his hard work on revising the policy. There was a brief discussion regarding the availability of draft documents.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Perry, Lawrence, Hunt

DISCUSSION ITEMS:

1. Kiplinger: Memorandum of Understanding

Assistant City Administrator Chandler provided an overview of the proposed Memorandum of Understanding (MOU) for the Kiplinger development, stating that there were some recommendations pertaining to the site development plan that the Maryland National Capital Park and Planning Board (M-NCPPC) did not have the authority to enforce and therefore it was recommended that the City enter into an MOU with Kiplinger. There was a discussion regarding the proposed condition for the inclusion of a public park in the site plan. Council President Hollingsworth thanked staff and the City's Planning Committee for their foresight in suggesting an MOU.

COUNCIL DIALOGUE:

Several Councilmembers made general announcements.

MOTION TO ADJOURN:

1. Motion to Adjourn the Council Meeting of April 6, 2015

The meeting adjourned at 8:48 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Shani Warner, Councilmember, Ward 2
SECONDER:	Robert S. Croslin, Councilmember, Ward 2
AYES:	Hollingsworth, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Perry, Lawrence, Hunt

CALL TO ORDER AND COUNCIL ROLL CALL:

Council President Hollingsworth called the meeting to order at 8:05 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Absent	
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Present	
Bart Lawrence	Councilmember, Ward 1	Present	
Shani Warner	Councilmember, Ward 2	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Present	
Patrick A. Paschall	Councilmember, Ward 3	Present	
Edouard Haba	Councilmember, Ward 4	Late	8:06 PM
Clayton R. Williams	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City staff members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator & Director of Community & Economic Development Jim Chandler
- City Treasurer Ron Brooks
- City Clerk Laura Reams

APPROVAL OF AGENDA:

1. Motion to Approve the Agenda for the Special Council Meeting of April 29, 2015

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Timothy P. Hunt, Councilmember, Ward 3
AYES:	Hollingsworth, Perry, Lawrence, Warner, Croslin, Hunt, Paschall, Williams, Solomon
ABSENT:	Tartaro, Haba

PUBLIC COMMENT (8:10 P.M. - 8:20 P.M.):

There were no individuals present who wished to address the Mayor and Council.

ACTION ITEMS (8:20 P.M. - 8:50 P.M.):

1. Hyattsville Ordinance 2015-02, Fiscal Year 2016 Budget (FIRST READING)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Timothy P. Hunt, Councilmember, Ward 3
AYES:	Hollingsworth, Perry, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro

COUNCIL DIALOGUE (8:50 P.M. - 9:00 P.M.):

Councilmember Haba reminded residents of the upcoming Citizenship Celebration Day and invited all to attend the ceremony.

Councilmember Williams thanked staff for the budget work and said that the process for FY16 had been much improved.

Councilmember Warner reminded residents of the upcoming early voting day and also spoke to recent events that had occurred in Baltimore. Councilmember Croslin also spoke to the civil unrest in Baltimore and encouraged residents to think about how change in a community occurs. He also encouraged residents to participate in the Building Cultural Bridges Book Club or start their own book club to spur on conversations.

MOTION TO ADJOURN:

1. Motion to Adjourn the Special Council Meeting of April 29, 2015

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Timothy P. Hunt, Councilmember, Ward 3
AYES:	Hollingsworth, Perry, Lawrence, Warner, Croslin, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro

CALL TO ORDER :

Council President Hollingsworth called the public hearing to order at 7:34 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Late	7:48 PM
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Present	
Bart Lawrence	Councilmember, Ward 1	Present	
Shani Warner	Councilmember, Ward 2	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Present	
Patrick A. Paschall	Councilmember, Ward 3	Late	7:55 PM
Edouard Haba	Councilmember, Ward 4	Present	
Clayton R. Williams	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City staff members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator & Director of Community & Economic Development Jim Chandler
- City Treasurer Ron Brooks
- Police Chief Doug Holland
- Director of Human Resources Vivian Snellman
- City Clerk Laura Reams

PUBLIC COMMENT:

Mr. John Collins, a Ward 4 resident, addressed the Council in support of traffic calming devices on Jamestown Road and thanked the Council for their attention to the issue.

Mr. Phillip Hager, a Ward 5 resident, addressed the Council in support of traffic calming devices on 37th Place. He also asked the Council to consider restricting traffic in Gaines alley or making it one-way.

Ms. Theresa Goedeke, a Ward 5 resident, addressed the Council in support of traffic calming devices on 37th Place. Ms. Goedeke said that there were no sidewalks on the street and the street had heavy pedestrian traffic in addition to the high volume of automobile traffic.

Mr. Nicholas Mychajluk, a Ward 5 resident, addressed the Council in support of traffic calming devices on 37th Place.

Ms. Patricia Rojas, a Ward 4 resident, addressed the Council in support of traffic calming devices on Jamestown Road, citing concerns for the safety of children in the area.

Ms. Sara Webber, a Ward 5 resident, addressed the Council in support of traffic calming devices on 37th Place. She stated that there were significant problems with the volume of pedestrians and the speed of cars on the street. She added that the fact that there are no sidewalks on the street compounded the problems, making the risks high for pedestrian traffic.

Mr. Edouard Haba, a Ward 4 Councilmember said that he wanted to echo the comments from residents of Jamestown Road are saying and cited safety concerns with children playing in the area.

Council Vice President Perry also stated her support for traffic calming devices on Jamestown Road and 37th Place. She suggested that sidewalks could be installed on 37th Place.

Councilmember Solomon thanked the Council for taking the time to listen to resident concerns. In regard to the 37th place petition, he noted that it had well over 50% of the residents support. There was a brief discussion on concerns regarding the possible closure of Gaines Alley.

Councilmember Hunt said that he was concerned with the perception that staff was under the impression that speed humps were not a good option and said that if residents wanted speed humps, they should be able to receive them if it was a viable option for the area. Councilmember Haba agreed that if the data supported the installation of speed humps, they should proceed with installation.

NOTE FOR THE RECORD: Mayor Tartaro arrived at the meeting at 7:48 p.m.

MOTION TO ADJOURN:

Mayor Tartaro adjourned the public hearing at 7:56 p.m.

CALL TO ORDER AND COUNCIL ROLL CALL:

Council President Hollingsworth called the meeting to order at 8:04 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Absent	
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Present	
Bart Lawrence	Councilmember, Ward 1	Present	
Shani Warner	Councilmember, Ward 2	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Timothy P. Hunt	Councilmember, Ward 3	Absent	
Patrick A. Paschall	Councilmember, Ward 3	Present	
Edouard Haba	Councilmember, Ward 4	Present	
Clayton R. Williams	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City staff members:

- City Administrator Tracey E. Nicholson
- Director of Human Resources Vivian Snellman
- City Clerk Laura Reams

APPROVAL OF AGENDA:

1. Motion to Approve the Agenda of the Special Council Meeting of May 13, 2015

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Perry, Lawrence, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Hunt

PUBLIC COMMENT:

There were no individuals present who wished to address the Council.

ACTION ITEMS:

1. Hyattsville Ordinance 2015-02, Fiscal Year 2016 Budget (SECOND READING)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Robert S. Croslin, Councilmember, Ward 2
AYES:	Hollingsworth, Perry, Lawrence, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Hunt

COUNCIL DIALOGUE:

Councilmember Solomon reminded residents that at the May 18 meeting, the results for the traffic calming studies on Jamestown and 37th Place would be discussed.

MOTION TO ADJOURN:

1. Motion to Adjourn the Special Council Meeting of May 13, 2015

The meeting adjourned at 8:14 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Edouard Haba, Councilmember, Ward 4
AYES:	Hollingsworth, Perry, Lawrence, Warner, Croslin, Paschall, Haba, Williams, Solomon
ABSENT:	Tartaro, Hunt

CALL TO ORDER:

Mayor Tartaro called the meeting to order at 7:01 p.m.

Attendee Name	Title	Status	Arrived
Marc Tartaro	Mayor	Present	
Candace Hollingsworth	Council President	Present	
Paula J. Perry	Council Vice President	Present	
Bart Lawrence	Councilmember, Ward 1	Present	
Shani Warner	Councilmember, Ward 2	Present	
Robert S. Croslin	Councilmember, Ward 2	Absent	
Timothy P. Hunt	Councilmember, Ward 3	Present	
Patrick A. Paschall	Councilmember, Ward 3	Present	
Edouard Haba	Councilmember, Ward 4	Present	
Clayton R. Williams	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City staff members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator Jim Chandler
- City Treasurer Ron Brooks
- Police Chief Douglas Holland
- Director of Human Resources Vivian Snellman
- Director of Public Works Lesley Riddle
- City Clerk Laura Reams

APPROVAL OF THE AGENDA:

1. Motion to Approve the Agenda for the Council Meeting of May 18, 2015

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Paula J. Perry, Council Vice President
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Croslin

PUBLIC COMMENT:

Councilmember Solomon addressed the Council on behalf of Ward 5 resident, in regard to the agenda item for traffic calming on 37th Place. He said that Ms. Martin was open to the idea of closing off Gaines Alley but not sure if it would help the problems and was concerned about the inconvenience the closure would cause to residents on 37th Place.

Mr. Thomas Wright, a Ward 3 resident and Councilmember-elect, addressed the Council, to wish outgoing Mayor Marc Tartaro and outgoing Ward 3 Councilmember Tim Hunt success in their next journeys. He thanked Councilmember Hunt for all of his support with his campaign for the Ward 3 council seat.

CONSENT ITEMS:

1. Acceptance of the Certified Election Results for the 2015 Biennial Election

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Marc Tartaro, Candace Hollingsworth
SECONDER:	Paula J. Perry, Council Vice President
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Croslin

2. Hyatt Park Community Garden Association MOU

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Paula J. Perry, Council Vice President
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Croslin

3. Farmers Market Grant

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Paula J. Perry, Council Vice President
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Croslin

4. Proclamation in Recognition of the Board of Supervisors of Elections

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Paula J. Perry, Council Vice President
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Croslin

PRESENTATION (7:25 P.M. - 7:30 P.M.):

Recognition in Honor of The Board of Supervisors of Elections:

1. Recognition in Honor of the Board of Supervisors of Elections

City Administrator Nicholson introduced the Board of Supervisors of Elections and Mayor Tartaro presented a proclamation in honor of the Board.

ACTION ITEMS (7:30 P.M. - 7:40 P.M.):

1. Jamestown Road Traffic Calming Recommendation

Councilmember Haba said that it was his understanding that the residents on Jamestown Road approved of the recommendation.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Paula J. Perry, Council Vice President
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Croslin

2. Traffic Calming Recommendations for 37Th Place

Councilmember Solomon said that he understood the strategy in closing Gaines Alley but noted that many residents would still like speed humps. He requested that Council keep this in mind and if the proposal to close Gaines Alley did not work, he hoped that the recommendation could be revisited.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Council President
SECONDER:	Paula J. Perry, Council Vice President
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Croslin

COUNCIL DIALOGUE:

Councilmember Hunt thanked the residents of Ward 3 for placing their trust in him. He said that he had done his best to represent his ward and that he looked forward to continuing to work with residents in the community. Councilmember Hunt thanked his family for their support.

Councilmember Haba thanked Mayor Tartaro and Councilmember Hunt for their service to the City.

Mayor Tartaro thanked the residents of the City and said that it had been an honor to serve the City and a learning experience that he was grateful to have experienced. He also thanked City staff and wished the new Mayor and Council all the best.

ADJOURN SINE DIE:

1. Motion to Adjourn Sine Die

Mayor Tartaro passed the gavel to Mayor Hollingsworth. The meeting adjourned sine die at 7:19 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Council Vice President
SECONDER:	Shani Warner, Councilmember, Ward 2
AYES:	Tartaro, Hollingsworth, Perry, Lawrence, Warner, Hunt, Paschall, Haba, Williams, Solomon
ABSENT:	Croslin

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Finance Department
Prepared by: Ron Brooks
Sponsors: Hollingsworth
DOC ID: (ID # 1202)

Presentations: FY-2013 Audit

SUBJECT: FY-2013 Audit

SECTION: Presentations

BACKGROUND:

The auditors completed the testing stage for the 2013 audit. During the testing stage, the department was unable to locate some supporting documentation from randomly selected files. The available information may pass the compliance test, however, the auditors reserve the right to request additional files to test for compliance. If additional FY-2013 files are requested, there may be a slight delay in the originally projected July completion date. At this time, we do not anticipate a delay in completing the FY-2014 audit in December 2015.

NEXT STEPS:

Continue working towards completion of the FY-2013 audit.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

The City Treasurer will continue to work with the CohnReznick and Lindsey & Associates to complete all past due audits.

STRATEGIC GOALS

Goal: Goal 4 – Foster Excellence in all City Operations

Tracey Nicholson, City Administrator 7/14/2015

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Administrator

Meeting:7/20/2015 8:00 PM
Department: Community & Econ Dev
Prepared by: Jim Chandler
Sponsors: At the Request of the City

DOC ID: (ID # 1219)

Presentations: Public Comment: Pyramid Atlantic Arts Center

SUBJECT: Public Comment: Pyramid Atlantic Arts Center

SECTION: Presentations

BACKGROUND:

The attached memorandum provides an overview of the terms of the agreement between the City of Hyattsville and Pyramid Atlantic Arts Center.

NEXT STEPS:

n/a

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: NA

STRATEGIC GOALS

Goal: Goal 1 – Ensure Transparent and Accessible Governance

Tracey Nicholson, City Administrator 7/15/2015

Memo

To: Mayor and City Council

From: Tracey Nicholson, City Administrator
Jim Chandler, Assistant City Administrator and Dir, Community & Economic Development

Date: July, 2015

Re: Public Comment: Pyramid Atlantic for Lease of Arcade

This memorandum serves as an overview of the terms of the City of Hyattsville's agreement with Pyramid Atlantic Arts Center.

The building at 4318 Gallatin Street (Also known as the Arcade) has been a vacant City owned building for approximately 15 years. On May 4, 2015, at a public meeting, the City of Hyattsville unanimously approved three agreements with Pyramid Atlantic Arts Center for the build-out, long-term lease, and acquisition of the Arcade Building.

All contracts are routinely shaped and negotiated administratively without public involvement as the due diligence period requires in-depth and contingent negotiations and review of sensitive documents, information and financial disclosure agreements, all of which could be compromised prior to the contract terms reaching a final form. In this case, the City was motivated by the redevelopment possibilities for this long vacant building which produced no income or public benefit for the City. The terms of the agreement follow:

1) **Development Agreement:**
   a. Provides for an 18-month build-out and occupancy schedule of the facility;
   b. The City will provide Pyramid Atlantic with a $200,000 loan for the structural improvements allowance, which is paid back to the City, with costs amortized with interest over the term of the lease;
   c. Pyramid will be responsible for investing a minimum of $1,000,000 in the development of the site;
   d. Pyramid Atlantic is fully responsible for all testing and evaluation of the site build-out and utility connections;
2) The City has the right to all architectural documents and approval of all substantial structural modifications.
3) **Lease Agreement:**

a. The City is leasing the 13,980 square foot Arcade at 4318 Gallatin Street to Pyramid Atlantic Arts Center for 300 full calendar months, (25-years), which will commence upon the issuance of Use & Occupancy permit for the facility;
b. The monthly rent to the City will be based on repayment of the $200,000 invested by the City amortized over 25-years at four percent (4%) interest;
c. Pyramid Atlantic is responsible for all costs and expenses of build out, interior and exterior maintenance, insurance, and tenant fit-out;
d. Pyramid Atlantic shall provide all residents of the City of Hyattsville a ten percent (10%) discount for services or goods;
e. Pyramid Atlantic is permitted to sub-lease spaces within the facility for uses permitted by zoning code and required to provide a minimum five (5) year lease to the Anacostia Trails Heritage Area (ATHA) at a rent of $300 per month;
f. The City maintains the right to inspect the property including examining the repairs, alterations, life and safety and the preservation of the structure.

4) **Option and Real Estate Sales Contract:**
a. After 25 years and having had full responsibility for maintenance, repair, build-out and renovation, Pyramid Atlantic can, during the final 6 months, opt to acquire the Arcade @ 4318 Gallatin Street at a cost of $50.00.
b. The Option and Real Estate Contract is contingent upon Pyramid Atlantic not being in default, beyond any applicable notice and grace period, on the Lease Agreement at the time Pyramid Atlantic delivers the Option Notice to City. In the event of any such default on the Lease Agreement by Pyramid Atlantic at such time, the Option and Real Estate Contract will be null and void.
c. Pyramid Atlantic will be responsible for all settlement costs and recordation fees.

In conclusion, Pyramid Atlantic artists programming, education and creative artistic events are of significant benefit to the community. They offer the highest and best use to the Arcade @ 4318 Gallatin Street, a long-term vacant and at times blighted property within the central core of the Gateway Arts District. After 25 years and over $1M investment in lease hold improvements, the acquisition of this building by Pyramid Atlantic equals a significant cost avoidance to the City and introduces a diverse mix of unique, high quality programming to the Hyattsville community. This partnership will provide direct economic and cultural benefits to this community for the foreseeable future.

SUBJECT: Staff Recognition

SECTION: Presentations

BACKGROUND:

Please join us in recognizing several members of the Hyattsville Staff for their recent accomplishments:

World Police Games: HPD had two officers compete in the Fairfax VA hosted the World Police and Fire Games last month. Officer Chris Arceri competed with Arundel Co PD in Ice Hockey and took the Gold Medal. SGT Christine Fekete played a hard fought game of outdoor soccer competing with the US Capitol Alliance. Congratulations and well done.

Check Presentation to Special Olympics: Last month, Hyattsville presented over $2000.00 to Special Olympics Prince Georges County from the funds raised at the Vertigo Challenge in May. Staff Members, Joseph Brewer, Cheri Everhart, David Hill, Chief Holland, and Cpl. Mike Rudinski planned and executed the event, and our competing officers Zack Nemser, Trevor Hodges, and Mike McQuade volunteered their time to participate. Alley Cat Towing matched the contributions raised.

Media Award: Jonathan Alexander's video on the Cyclocross won a Hometown Media Award from the Alliance for Community Media. Jonathan, Council VP Bart Lawrence and Tony Martinez, helped build a zipline to run a camera over the race course in the woods. This group climbed in trees, through woods and obstacles to get the best possible shots for this video. We are thrilled it was recognized. If you have not seen the video yet--please view it on our website at www.Hyattsville.org

Hyattsville is "HEAL" Gold: Last week, Hyattsville was awarded a Healthy Eating, Active Living (HEAL) gold plaque from the Institute of Public Health Innovation and the Maryland Municipal League. Hyattsville is one of only 3 Maryland cities to get it. Many thanks to Ellarose Preston for leading this effort. With the help of several staff members, we implemented policies on 1) Healthy Food Choice at meetings, 2) Anytime Fitness Challenge, 3) Green Streets Policy, 4) Exercise Programs, and 5), Employee Wellness Fair. Kudos to Ellarose Preston, David Hill, Vivian Snellman, and Laura Reams, who provided input, suggestions and recommendations on these policies and programs. Hyattsville is now a HEAL Gold City.

Police De-escalation Training: Hyattsville hosted a very successful four day certified de-escalation training instructor course last week. Approximately 22 officers from agencies around the country participated. Kudos to Officer Rudinski for coordinating this effort. This training is another step in providing our officers with the skills and techniques needed to defuse confrontation, manage verbal abuse and be sensitized to potential bias, as well as respond in high risk, dangerous situations.

NEXT STEPS:

n/a

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS

Goal: Goal 4 – Foster Excellence in all City Operations

Tracey Nicholson, City Administrator 7/14/2015

Consent Items: MOTION #84-07-15 Hyattsville Resolution 2015-02, Community Legacy Resolution

SUBJECT: Hyattsville Resolution 2015-02, Community Legacy Resolution

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #84-07-15

I move that the Mayor and Council introduce and adopt Hyattsville Resolution 2015-02 for the application and acceptance of $250,000 in Community Legacy grant funds from the State of Maryland Department of Housing and Community Development for the purpose of funding both a commercial facade improvement program and public place making project and further authorize the Mayor to execute the agreement, upon the review of the City Attorney for legal sufficiency.

BACKGROUND:

The Community Legacy Grant funding is administered by the Maryland Department of Housing & Community Development and provides local governments and community development organizations with funding for projects aimed at strengthening communities through activities such as business retention and attraction, encouraging homeownership and commercial revitalization.

As a designated Sustainable Community, the City is eligible to apply for Community Legacy grant funds as well as other State funding programs authorized under the Sustainable Communities Act of 2010. In order for a project to be eligible for funding it must be located in a geographic area designated by the Governor's Smart Growth Sub cabinet and must support the plan that has been approved by the Smart Growth Sub cabinet as a Sustainable Community Plan.

NEXT STEPS:

Upon execution, the Resolution will be submitted to the Maryland Department of Housing & Community Development.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Staff will be required to administer the funding per the terms and conditions of the grant agreement.

STRATEGIC GOALS

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

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Community & Econ Dev
Prepared by: Jim Chandler
Sponsors: At the Request of the City Administrator
DOC ID: (ID # 1218)

Consent Items: MOTION #84-07-15 Hyattsville Resolution 2015-02, Community Legacy Resolution

FISCAL IMPACT:

Tracey Nicholson, City Administrator 7/14/2015

City of Hyattsville

Memo

To: Mayor and Council
Tracey Nicholson, City Administrator

From: Jim Chandler, Director of Community & Economic Development, Assistant City Administrator

Date: July 10, 2015

Re: Community Legacy Grant Resolution

The purpose of this memorandum is to provide the Mayor, Council and City Administrator with summary of the State of Maryland's Community Legacy grant program and recommendations on projects that are eligible for funding.

Program Details

The Community Legacy Grant funding is administered by the Maryland Department of Housing & Community Development and provides local governments and community development organizations with funding for projects aimed at strengthening communities through activities such as business retention and attraction, encouraging homeownership and commercial revitalization.

The focus of the program is to provide financial assistance with projects that capitalize on the strengths of a community and be part of a larger revitalization strategy, which may include, but not limited to:

- Mixed-use development consisting of residential, commercial and/or open space
- Business retention, expansion and attraction initiatives
- Streetscape improvements
- Increasing homeownership and home rehabilitation among residents
- Residential and commercial façade improvement programs

- Real estate acquisition, including land banking, and strategic demolition
- Establishing funds to provide loan guarantees and credit enhancement to leverage other public or private financing

As a designated Sustainable Community, the City is eligible to apply for Community Legacy grant funds as well as other State funding programs authorized under the Sustainable Communities Act of 2010. In order for a project to be eligible for funding it must be located in a geographic area designated by the Governor's Smart Growth Subcabinet and must support the plan that has been approved by the Smart Growth Subcabinet as a Sustainable Community Plan.

The City of Hyattsville received Community Legacy grant funds to support a variety of capital improvements projects and programming efforts since the program's inception, including:

Year	Project	Scope of Work	Funding
FY2015	Commercial Façade Improvement Program	Funding for matching grant program to provide façade improvements	$50,000
FY2013	Hyattsville Downtown Public Infrastructure	Public infrastructure improvements	$350,000
FY2011	Neighborhood Sustainability Project	Bicycle infrastructure and pedestrian improvements on City owned roadways and ROW	$110,000
FY2010	Downtown Hyattsville Development Catalyst Project	Public infrastructure and streetscape improvements.	$325,000
FY2009	Community Legacy Plan	Development of the City's 2011-2015 Community Sustainability Plan	$50,000
FY2009	Rehabilitation of 4318 Gallatin Street – Phase II	Construction of interior fire staircase at Arcade Building	$50,000
FY2008	Rehabilitation of 4318 Gallatin Street – Phase I	Stabilization of Arcade Building including concrete flooring and steel	$250,000
FY2007	Jefferson Street Demolition	Demolition of former City Building for development of Renaissance Square Artist Housing	$300,000
FY2007	Hamilton Street Artway	Redevelopment of Hamilton Street from 40th/41st to 38th Avenue	$60,000
FY2006	Hamilton Street Artway	Redevelopment of Hamilton Street from 40th/41st to 38th Avenue	$50,000
FY2005	Hamilton Street Artway	Redevelopment of Hamilton Street from 40th/41st to 38th Avenue	$110,250
FY2004	Street Lighting Project	Purchase and installation of pedestrian street lighting on Hamilton Street and upgrading of overhead street lighting in the residential neighborhood	$102,442
Total			**$1,807,692**

In early June, Maryland DHCD will announce this year's Community Legacy funding application cycle, which typically requires applications due by late July or early August.

In order to meet the due date for this year's cycle, Staff is requesting the Mayor and Council authorize staff to proceed with an application and authorize a resolution to be included in the application packet, stating that the governing body has authorized the project and acceptance of awarded funds at the Council meeting scheduled for July 20, 2015.

Recommendation
As discussed with the City Council on June 1, 2015, we are nearing the end of shelf life of the City's 2011 – 2015 Community Sustainability Plan and there are very few adopted Implementation Action Items that have not been completed and those remaining projects are inconsistent with the funding priorities of the Community Legacy program. The City's recent applications for bicycle infrastructure and an update to the West Hyattsville Development Feasibility Study were not funded by the program.

I recommend that the City not pursue Strategic Demolition grant funding this cycle, as we do not have a project or programs that will meet the State's criteria for funding.

I have identified two projects that would likely receive Community Legacy funding and are consistent with the City's 2011 – 2015 Community Sustainability Plan:

1. **Commercial Façade Improvements:** In June, the City is scheduled to commence its third round of commercial façade improvement grants with a $50,000 Community Legacy grant awarded early this year and authorized as of July 1, 2015. Additionally, of the 67 Community Legacy awarded to communities throughout the State of Maryland during the most recent cycle, 22 were commercial façade revitalization programs. The City has already received multiple inquiries from businesses and property owners interested in submitting applications for funding. It is my opinion that we will receive more viable project applications that can be funded with the existing grant and there will be an opportunity to fund additional high quality façade improvement projects if awarded additional funds. I am recommending a grant request of $150,000 to continue this effort.

2. **Public Space Place Making Project:** A second program and/or project is to seek funding for community placemaking efforts that may incorporate public art and create a sense of place in non-traditional public spaces. In December, the City was presented a concept by local business owners for transforming Church Place into a vibrant gathering space to host public events. It is unknown whether DHCD would fully fund this type of effort; however the City could leverage a small Community Legacy funding award and partner it with other placemaking funding opportunities to transform inadequate public right of way into unique public gathering spaces. This type of programming is not outlined in our existing Community Sustainability Plan, and may be considered a long-shot for funding, but may open the door to future funding opportunities. If the Mayor & Council are supportive of pursuing funding for this effort, I recommend the City request a grant of $100,000.

In order to meet the due date for this year's cycle, Staff is requesting the Mayor and Council authorize staff to proceed with an application and authorize a resolution stating that the governing body has authorized the project and acceptance of awarded funds at the July 20, 2015 Council Meeting.

Any funding awarded to the City would be available July 1, 2016 and would be required to be 50% expended by June 30, 2017 and completely expended by June 30, 2018.

Hyattsville Resolution 2015 - 02

Resolution Supporting the City of Hyattsville FY2016 Community Legacy Application

Resolution of the Mayor and Council of the City of Hyattsville has approved/is approving the application and receipt of financing for a Commercial Façade Improvement Program (the "Project 1") and Public Space Placemaking Project (the "Project 2") both of which are further described in the Community Legacy and Strategic Demolition and Smart Growth Impact Fund Applications ("The Applications"), to be financed either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, the Mayor and Council of the City of Hyattsville recognizes that there is a significant need for reinvestment and revitalization of the communities in the City of Hyattsville; and,

WHEREAS, the Department, either through Community Legacy or through other Programs of the Department, or in cooperation with other State departments or agencies, may provide some or all of the financing for the Project (the "Project Financing") in order to assist in making it financially feasible; and

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Community Legacy Project and the Project Financing by the Mayor and Council; and, where appropriate, by the chief elected executive official of the local subdivision;

NOW, THEREFORE BE IT RESOLVED THAT, the Mayor and Council hereby endorses the Project in the; and, HEREBY approves the request for financial assistance in the form of a grant or loan, up to the amount of $250,000; and

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating her approval thereof; and,

BE IT FURTHER RESOLVED THAT, Mayor Candace Hollingsworth is hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

READ AND PASSED THIS 20th day of July, 2015.

BY ORDER: Laura Reams, City Clerk, I hereby certify that Resolution Number 2015-02 is true and correct and duly adopted by the Mayor and Council of the City of Hyattsville.

ATTEST/WITNESS:	Mayor and Council of the City of Hyattsville
______________________________	By: ______________________________
Laura Reams, City Clerk	Name: Candace Hollingsworth
	Title: Mayor, City of Hyattsville
	Date: July 20, 2015

Consent Items: MOTION #85-07-15 Purchase of Rock Salt

SUBJECT: Purchase of Rock Salt

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #85-07-15

I move that the Mayor & Council approve the purchase of rock salt from Cargill for the 2015/2016 winter season.

BACKGROUND:

The City has used Cargill as our salt vendor for the past five years because of Cargill's' ability to offer the City a cost savings on bulk road salt (best value). Staff recommends that we accept their quote and purchase additional salt from Cargill at $78.33 per ton. The FY16 budget has $35,000.00 in the operating budget for road salt; this would allow the city to purchase approximately 445 tons of road salt for snow events.

NEXT STEPS:

With Council approval we will move forward with the purchase of rock salt in preparation for the winter season.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Staff will facilitate ordering and dispensing of the road salt.

STRATEGIC GOALS

Goal: Goal 3 - Promote a Safe and Vibrant Community

Action: 3.1 Enhance safety and security in public places including residential neighborho

FISCAL IMPACT:

The funds for this purchase are used from the Streets Division operating budget.

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Public Works
Prepared by: Lesley Riddle
Sponsors: At the Request of the City Administrator
DOC ID: (ID # 1193)

Consent Items: MOTION #85-07-15 Purchase of Rock Salt

Tracey Nicholson, City Administrator 7/16/2015

Cargill
150 years of helping the world thrive

Deicing Technology Business Unit
24950 Country Club Blvd, Suite 450
North Olmsted, OH 44070

Thursday, June 11, 2015

Business Office Information		*Shipping Information*	**Contact Information*	
Name	City Of Hyattsville	CITY OF HYATTSVILLE	**Attn:**	Joe Buckholtz
Account Number	1000003436	2000004878	**Title**	Streets Supervisor
Address 1	4310 Gallatin St	4633 ARUNDEL PL	**Phone**	
P O Box			**Fax**	
City State Zip	Hyattsville, MD 20781	Hyattsville, MD 20781	**Mobile**	240-832-1700
County	Prince George		**e-mail**	jbuckholtz@hyattsville.org
****PLEASE VERIFY THAT ALL CONTACT INFORMATION IS CORRECT. IF CHANGES ARE REQUIRED PLEASE NOTE THEM ON THE NEXT PAGE.***				

Cargill, Incorporated Deicing Technology Business Unit ("Cargill") is pleased to submit the following quote for your DEICING SALT needs for the 2015-16 season.

Price Basis Per Ton

Product	Pickup (Minimum 10-ton loads)	Delivered (Standard truckloads)	Estimated Tons	Terminal
100011135–Bulk Deicing Salt	---	$78.33	825	Baltimore 2AHD
100012763 – ClearLane® enhanced deicer	---	---		
THE PRODUCT QUOTED IN THIS AGREEMENT IS INTENDED FOR BULK DEICING USE ONLY.				

PLEASE SIGN AND RETURN THIS QUOTE LETTER TO OUR ATTENTION WITHIN TEN (10) BUSINESS DAYS FROM DATE OF LETTER. WE CANNOT UPDATE YOUR ACCOUNT FOR THIS YEAR WITHOUT THE SIGNED QUOTE LETTER. THIS PRICE QUOTE LETTER DOES NOT CONSTITUTE AN ORDER. ORDERS MUST BE PLACED BY CALLING CUSTOMER SERVICE AT 800-600-SALT (7258). ORDERS BEING PLACED FOR PICKUP MAY NOT BE AVAILABLE FOR 24 HOURS FROM THE TIME THE ORDER IS PLACED.

TERMS AND CONDITIONS –

1. Provided this Price Quote Letter is signed and returned within TEN (10) business days from the Date, Cargill agrees to hold the quoted prices firm from June 11, 2015 through April 30, 2016. Notwithstanding the foregoing, the prices contained in this Price Quote Letter are contingent on Customers adherence to these Terms and Conditions and the attached Terms and Conditions of Sale, including, but not limited to, Customer's compliance with the Customer account's payment and credit terms stated below.
2. If purchase is not made by December 31, 2015, Cargill reserves the right to revoke the pricing provided in this Price Quote Letter.
3. The Estimated Tons figure is an estimate of the total quantity of each Product(s) to be purchased by Customer under this Price Quote Letter. Customer is not obligated to purchase a minimum percentage of the Estimated Tons. Cargill is not obligated to sell Customer any quantity of the Estimated Tons.
4. Cargill's obligation to sell Product(s) is SUBJECT TO PRODUCT AVAILABILITY. Cargill has the right to (i.) decline, or suspend shipments of, any Customer order placed under this Price Quote letter or (ii) terminate this Price Quote Letter if, at any time, Cargill encounters Product shortages due to commitments to other customers. In addition, Cargill reserves the right to decline, or suspend shipments of, any Customer order placed under this Price Quote Letter for any reason(s) relating to: Conditions at any Cargill terminal/production facility, weather conditions, or any other reason that may affect Cargill's ability to accept orders.
5. Estimated delivery time three to seven business days after release of an order. This quote assumes that Product will be delivered from or picked up at the terminal set forth above. Sourcing of products from another Cargill facility is subject to availability and additional fees that may be applied to your account. Cargill's sale of Product is expressly conditional upon these Terms and Conditions and Customer's acceptance of the attached Terms and Conditions of Sale. Any terms which may exist on the Customer's standard purchase order (or similar forms) and which alter or are inconsistent with the terms and conditions will be of no legal force or effect and will not govern the transaction contemplated by this Price Quote Letter.
6. By accepting, Customer agrees that this Price Quote Letter (including the Terms and Conditions and the attached Terms and Conditions of Sale) constitutes the entire understanding between Cargill and Customer and supersedes all other prior agreements or quotations, whether written or oral, between Cargill and Customer with respect to the Product(s)

Payment Terms	NET 30	**Credit Limit**	ESTABLISHED
PAYMENT TERMS AND CREDIT LIMIT ARE SUBJECT TO CHANGE.			

Thank you for the opportunity to be of service. We are looking forward to supplying your salt needs.

Cargill, Incorporated **Deicing Technology Business Unit**	***Accepted***
	Signature:
Anna Sarley Sales Account Manager	Name:
Anna_Sarley@cargill.com 800-600-7258	Title:
952-367-1241 - f	e-mail:

Deicing Technology Business Unit
24950 Country Club Blvd, Suite 450
North Olmsted, OH 44070

Please notify us of any required changes to your account information. Any incorrect information will delay your account setup.					
Business Office Information				***Shipping Information***	
Name:					
DBA (if applicable)					
Address 1					
Address 2					
City State Zip					
County					
Attn:					
Phone		***Fax***		***e-mail:***	

TERMS AND CONDITIONS OF COMMERCIAL ROAD SALT SALES

1. TERMS TO GOVERN. The terms and conditions set forth herein shall constitute the sole terms and conditions of sale for this quotation (the "Quote") and any orders placed thereunder. No other terms or conditions, whether contained in Buyer's purchase order or elsewhere, shall be binding on Seller unless agreed to in writing by Seller.

2. TITLE/RISK OF LOSS. Title and risk of loss shall pass to Buyer at the time the goods are delivered to or picked up by Buyer.

3. PAYMENT AND CREDIT TERMS. Failure of the Buyer to pay on the due date for products shipped shall give Seller the right, but not the obligation, to suspend further shipment, without notice to the Buyer, until all previous shipments are paid, or to terminate this agreement and seek all available remedies from Buyer. Interest at the maximum rate permitted by law will accrue on all invoices unpaid as of the net due date. All payments by Buyer shall be final 180 days after shipment of the goods and Buyer shall have no right to audit payments or deduct future payments after such date. Notwithstanding anything else herein contained, Seller reserves the right to modify payment terms or to allow no credit whatsoever to Buyer if Seller determines that it cannot grant Buyer the credit terms which are specified herein or Buyer's credit changes. Buyer understands that this reservation is necessary to allow Seller's credit department to have adequate time to review Buyer's credit status.

4. WARRANTY AND LIMITATION OF LIABILITY. Seller warrants that it has the right to convey good title to the goods and that the goods will be delivered free of all liens and encumbrances. EXCEPT FOR THE WARRANTIES SPECIFICALLY SET FORTH ABOVE, SELLER DISCLAIMS ALL OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE PRODUCTS, INCLUDING WITHOUT LIMITATION THE IMPLIED WARRANTIES OF MERCHANTABILITY AND/OR FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL SELLER BE LIABLE FOR TO BUYER, OR TO ANY THIRD PARTY, FOR ANY INDIRECT, CONSEQUENTIAL, INCIDENTAL, SPECIAL, PUNITIVE OR EXEMPLARY DAMAGES OF WHATSOEVER NATURE (INCLUDING, BUT NOT LIMITED TO, LOST BUSINESS, LOST PROFITS, DAMAGE TO GOODWILL OR REPUTATION AND/OR DEGRADATION IN VALUE OF BRANDS, TRADEMARKS, TRADENAMES, SERVICE NAMES OR SERVICE MARKS) WHETHER ARISING OUT OF BREACH OF CONTRACT, WARRANTY, TORT (INCLUDING NEGLIGENCE, FAILURE TO WARN, OR STRICT LIABILITY) OR OTHERWISE.

5. EXCLUSIVE REMEDY. If upon delivery to Buyer the goods appear not to meet the above warranty, Buyer shall immediately notify Seller who shall have a right to inspect them. Buyer shall not return, repair or dispose of any goods that fail to meet the above warranty without Seller's written consent. In the event Seller breaches the above warranty, Buyer's sole and exclusive remedy and Seller's sole and exclusive liability shall be limited to, at Seller's option, replacement of non-conforming goods with conforming goods or return of the purchase price.

6. FORCE MAJEURE. Seller shall be excused for failure to deliver or delay occasioned by conditions beyond Seller's reasonable control, including, but not limited to, Acts of God, fire flood, windstorm, acts of governmental authorities, strikes shortage of raw materials, breakdown, shortage or non-availability of transportation facilities or equipment or any similar event not within Seller's control. In the event Seller is unable to supply the total requirements of its customers, Seller may allocate its available supply among its customers in a manner deemed by Seller to be fair and equitable. If Seller declares force majeure hereunder, Seller may cancel any unperformed portion hereof upon ten (10) days written notice to Buyer.

7. INCREASES. Any advance in applicable freight rates or taxes taking effect before the fulfillment of orders placed under this Quote shall be for Buyer's account. All demurrage or detention charges shall be for Buyer's account. Seller reserves the right to add energy and/or transportation related surcharges for Buyer's account. In addition, if Seller is unable, for any reason, to supply the goods from its plant closest to Buyer's facility, then Seller may, but is not required to, supply the goods from another plant, to the extent it is available, subject to Buyer's payment of all increased freight costs.

8. DELIVERY. Buyer shall furnish complete shipping instructions in sufficient time to enable Seller to perform its obligations hereunder. Seller shall not be obligated to make shipment in absence thereof. If more than one delivery is called for, each delivery is to be considered a separate contract for purposes of furnishing complete shipping instructions by Buyer. Unless otherwise provided for herein, if the Quote provides for deliveries over a period exceeding one month, Seller shall not be obligated to deliver in any thirty day period more than approximately equal monthly quantities, in relation to the total amount. The destination routing of shipments will be at Seller's option.

9. TERMINATION. If either party breaches any of its obligations under this Quote or any order thereunder, the non-breaching party may give ten (10) day notice of termination, and if the breach has not been cured during the said 30-day period, this Quote shall terminate. In the event Buyer files a voluntary petition in bankruptcy, makes an assignment for the benefit of creditors; is adjudicated as bankrupt; and/or becomes insolvent, Seller may terminate this Agreement effective immediately. Termination, pursuant to this Section, while being in itself a remedy for breach, shall not preclude any other legal or equitable remedy which is available to the terminating party.

10. TAXES. Buyer shall be liable for any taxes or other exactions levied by Federal, State or local authorities upon the sale, delivery, storage, consumption or transportation of the goods or services, and if any such items are paid or required to be paid by Seller, the amount shall be added to and become part of the price payable to Seller for such goods or services.

11. ASSIGNMENT. The rights and obligations under this Quote are not assignable by Buyer unless in writing and signed by Seller.

12. FORWARD CONTRACT. The Parties agree that the transactions hereunder constitute a "forward contract" within the meaning of the United States Bankruptcy Code and that each Party is a "forward contract merchant" within the meaning of the United States Bankruptcy Code.

13. CONTRACT AMBIGUITIES. The Parties acknowledge that they have had the opportunity to consult with legal counsel of their own choosing. As a result, the rule of construction that provides that ambiguities in a contract shall be construed against the drafter shall not apply to these terms and conditions and the Parties waive any such defense to the terms of these terms and conditions.

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Community Services
Prepared by: Jake Rollow
Sponsors: At the Request of the City Administrator
DOC ID: (ID # 1204)

Consent Items: MOTION #86-07-15 Website Contract with Civic Plus

SUBJECT: Website Contract with Civic Plus

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #86-07-15

I move that the Mayor & Council approve the motion to extend the fiscal year 2016 contract with Civic Plus to host the City's web site.

BACKGROUND:

The City is entering the third year of a contract with Civic Plus. Each year, the City pays a base fee plus an additional fee for a web site redesign that will be carried out after four years (two years from now). The fees increase by 5% each year. This year the base fee is $10,720.93 and the redesign fee is $2,315.25.

NEXT STEPS:

Staff is also looking into less expensive, mobile friendly, technologically advanced options for web service. While that process is underway, this contract will be paid in monthly installments rather than annually.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS

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

FISCAL IMPACT:

$13,036.18

Tracey Nicholson, City Administrator 7/14/2015

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Supervisors
DOC ID: (ID # 1196)

Consent Items: MOTION #87-07-15 Schedule Special Election to Fill Ward 5 Vacancy

SUBJECT: Schedule Special Election to Fill Ward 5 Vacancy

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #87-07-15

I move that the Mayor & Council accept the recommendation of the Board of Supervisors of Elections to schedule a Special Election to fill the vacant Ward 5 Council seat on Saturday, September 12, 2015.

BACKGROUND:

Ward 5 Councilmember Clay Williams resigned effective June 29, 2015. Per City Charter, a Special Election to fill the vacancy must be held within 75 days of the vacancy.

NEXT STEPS:

The Board of Supervisors of Elections will proceed with the planning and implementation of the Special Election. Funds have been budgeted to cover the associated costs with the election. The City Administrator will execute a contract with ELECTEC Inc for election equipment and technical assistance, the total cost of this contract will not exceed $3,825.

A post card has been mailed to all Ward 5 residents to inform them of the open Council seat and the upcoming deadlines to run for office (sample attached). An Election Guide will be mailed to all Ward 5 residents in late August. The Special Election will be held on Saturday, September 12 at Magruder Park Recreation Center from 9 AM to 8 PM. Election Results will be announced at the City Municipal Building and live on the City's cable station after the close of polls.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

The Board of Supervisors of Elections and the City Clerk will plan and execute the Election. The Department of Community Services will provide support in preparing election literature and outreach.

STRATEGIC GOALS

Goal: Goal 1 - Ensure Transparent and Accessible Governance

Action: 1.2 Provide timely public information on City policies, programs, and reports.

FISCAL IMPACT:

Total cost of the special election is not to exceed $7,500.

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Supervisors
DOC ID: (ID # 1196)

Consent Items: MOTION #87-07-15 Schedule Special Election to Fill Ward 5 Vacancy

Tracey Nicholson, City Administrator 7/14/2015

CITY OF HYATTSVILLE, MARYLAND
2015 SPECIAL ELECTION CALENDAR – WARD 5

MONDAY, JULY 13, 2015	Candidates may begin registering at 8:30 a.m. (drop off times between 8:30 a.m. – 5:30 p.m. or by appointment, email electionboard@hyattsville.org)
MONDAY, JULY 13, 2015	Applications for Vote by Mail (Absentee) Ballots available, 8:30 a.m., for pick up at City Municipal Building, 3rd Floor or online at www.hyattsville.org/election
FRIDAY, AUGUST 7, 2015	Deadline for Candidates to file for office, 5:00 PM Deadline to withdraw from candidacy, 5:00 PM ***Candidates must turn in the following:*** - ***Candidate Registration Form*** - ***Certificate of Candidate Qualifications*** - ***Financial Disclosure Statement***
FRIDAY, AUGUST 21, 2015	Deadline for residents to register or report address changes to the Maryland Board of Elections, to vote in the City election. Voter applications must be submitted to the State of Maryland via https://voterservices.elections.state.md.us/OnlineVoterRegistration For more information or to mail in an application, call the Prince George's County Board of Election at 301-341-7300
FRIDAY, AUGUST 14, 2015	Begin Processing Absentee Ballot Applications, 8:30 AM
THURSDAY, SEPTEMBER 3, 2015	Deadline for Candidates to file Initial Campaign Finance Report, 5:00 PM
FRIDAY, SEPTEMBER 11, 2015	Deadline for filing Absentee Ballot Applications, 10:00 AM
SATURDAY, SEPTEMBER 12, 2015	CITY ELECTION, 9 AM TO 8 PM
SATURDAY, SEPTEMBER 19, 2015	Deadline for candidates to file Final Campaign Finance Report, 5:00 PM
MONDAY, SEPTEMBER 21, 2015	CITY COUNCIL MEETING, 8 PM, Certified Election Results accepted by the Council, Newly Elected Officials are issued the Oath of Office

Attachment: 2015 Special Election Calendar (1196 : Schedule Special Election to Fill Ward 5 Vacancy)

YOUR NEIGHBORHOOD NEEDS YOU

BE A CANDIDATE FOR CITY COUNCIL'S OPEN SEAT FOR WARD 5

August 7 - Deadline to register as a candidate.

August 21 - Deadline to register to vote.

September 12 - Election Day

For more information on how you can help your community by running for office, please contact City Clerk Laura Reams at:
301-985-5006 or lreams@hyattsville.org

TU COMUNIDAD TE NECESITA

SER UN CANDIDATO PARA EL ASIE O ABIERTO DEL CONCEJO MUNICIP PARA SALA 5

7 de agosto - Fecha límite para inscribirse como car to.

21 de agosto - Fecha límite para registrarse para ır.

12 de septiembre - Día de La Elecció

Para obtener más información sobre c o puede ayudar a su comunidad y correr a el asiento de oficina, póngase en contacto con Laura Reams:
301-985-5006 o lreams@hyattsville.org

City of Hyattsville
4310 Gallatin Street
Hyattsville, MD
20781

YOUR NEIGHBORHOOD NEEDS YOU

BE A CANDIDATE FOR CITY COUNCIL'S
OPEN SEAT FOR WARD 5

Consent Items: MOTION #88-07-15 MOU Between Board of Education and Hyattsville City Police - Night School

SUBJECT: MOU Between Board of Education and Hyattsville City Police - Night School

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #88-07-15

I move that the Mayor & Council approve an updated MOU between the Board of Education of Prince George's County and the Hyattsville City Police Department to provide police presence during night school at Northwestern High School for a one year term expiring in July 2016.

BACKGROUND:

The Hyattsville City Police Department has been providing a police presence at night school activities at Northwestern High School under an MOU between the Department and the Board of Education of Prince George's County. The MOU has expired and the new MOU has been drafted. The language of the new MOU is basically the same. The hourly rate of pay for officers has been updated/increased to reflect the rate being offered to other agencies within the County. The agreement has been reviewed and approved for legal sufficiency by the City Attorney.

The Mayor and Council approved a similar MOU update for extracurricular activities at Northwestern High School at the June 2015 meeting.

NEXT STEPS:

Obtain signatures from the City Administrator and Superintendent of Schools to implement the MOU.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS

Goal: Goal 3 - Promote a Safe and Vibrant Community

Action: 3.1 Enhance safety and security in public places including residential neighborho

FISCAL IMPACT:

Minimal. The City will be reimbursed by the Board of Education for the hourly pay rate of police officers.

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Police Department
Prepared by: Douglas Holland
Sponsors: At the Request of the City Administrator
DOC ID: (ID # 1198)

Consent Items: MOTION #88-07-15 MOU Between Board of Education and Hyattsville City Police - Night School

Tracey Nicholson, City Administrator 7/14/2015

MEMORANDUM OF UNDERSTANDING
BETWEEN
BOARD OF EDUCATION OF PRINCE GEORGE'S COUNTY
AND
HYATTSVILLE CITY POLICE DEPARTMENT

THIS AGREEMENT is entered into this ____day of ______, 2015 by and between the Prince George's County Board of Education (hereinafter: "the Board") and the Hyattsville City Police Department (hereinafter "the Police Department").

WHEREAS, the Board finds it necessary and desirable to have police presence during night school.

WHEREAS, the Police department can provide the services desired by the Board as defined within the scope of services below.

NOW THEREFORE, the Police Department and the Board mutually agree as follows:

SECTION 1 SCOPE OF SERVICES

Section 1.1 the principal duty of a police officer working night school is to be a visual deterrent to crime and disorderly behavior and to provide for the safety of students and staff. Officers are expected to use discretion when deciding whether to take police action and should enlist the assistance of school administrator (i.e., the principal or the designee), if possible, prior to taking any enforcement action. If an officer decides to take enforcement action, school administrators shall not interfere with the officer while the officer is handling the situation. Officers are expected to take direction from school administrator where it is not contrary to department policy or law. The officer will inform the administrator or sponsor of the conflict and explain why the request cannot be carried out. Officers are expected to provide traffic control, especially at the termination of the school evening.

Section 1.2 Schedule Coverage

a. The Board will notify the Police Department of scheduled events Sixty (60) days prior if possible to the beginning of the school year. The schedules will be submitted to the corresponding Police District Station responsible for support to the area where the school is located. A master copy of all schedules will be provided to the Police Department for information and monitoring.
b. To the extent possible, the Police Department will be given two (2) weeks notification for unscheduled events.

c. It is understood by all parties concerned that response to last minute emergency requirements is subject to the availability of staff from the corresponding Police District. All parties understand that police officers may be called away from the school in the case of a police emergency.

Section 1.3 The Police Department will provide uniformed police officers at night school.

a. Police officers will work these assignments on an overtime basis.
b. If there are insufficient officers available, the Chief of Police will make necessary duty assignments.
c. The average time for night school is four-and-a-half (4 ½) hours.
d. The maximum pay shall be for a five (5) hour duty period unless exceptional circumstances (arrest or extension of events, etc.) occur; in which case the pay shall be for the total period.
e. Police officers assigned to work these events are required to be at the school at least thirty (30) minutes prior to the start of school time, and will remain until the students and traffic have dispersed.
f. All police officers assigned to work night school shall be protected by the City of Hyattsville's medical, retirement, liability, and related benefits.

Section 1.4 It shall be the responsibility of the individual officers working night school to notify communications that they are working off-duty. This notification shall cover those officers whose names have been received prior to working night school, as well as any officer working off-duty whose name was not included on the initial list.

a. Prior to reporting to their assignments, officers should make an inquiry to their commander as to the status of the night school (schedule, or location change, etc.)
b. Schools will be responsible for notifying the Chief of the City of Hyattsville or their designee of any changes or cancellations of night school including early dismissal and school closings.

Section 1.5 Procedures for Submitting Overtime Slips

a. An overtime slip will be submitted by each police officer working night school.
b. If the police officer is on-duty, the officer will fill out the overtime slip following normal procedure. At the top of the slip the officer will write "Patrol Assignment" and under the reason or case number the officer will write "Night School" and the name of the school.
c. If the police officer is off-duty, the officer will fill out the overtime slip following normal procedures. Under the reason or case number, the officer will write "Night School" & the name of the school.

d. The overtime slip will be signed by the school principal or appropriate designee to verify the time spent by the respective officer(s) at night school and then will be submitted to the officer's supervisor.

Section 1.6 Statuses of Employment

a. Police officers assigned to work school events under this Memorandum of Understanding will continue to be solely the employees of the City of Hyattsville (and will not be considered employees of the Board for any and all purposes, including, but not limited to salary, benefits, worker's compensation, etc)

SECTION II TERM OF AGREEMENT

Section 2.1 It is mutually agreed that this Agreement shall commence on the date first written above and continue for a term of one (1) year.

Section 2.2 Either party may terminate this agreement prior to the expiration of the Agreement Term by giving no less than thirty (30) days written notice to the other party of their intentions to terminate this Agreement on a date specified in the notice. Notification shall be made to the following:

For the Board	For the Police Department
Dr. Kevin Maxwell 14201 School Lane Upper Marlboro, MD 20772	Chief Douglas Holland 4310 Gallatin St. Hyattsville, MD 20781

SECTION III COMPENSATION

Section 3.1 The Board will reimburse the Police Department at the standard rate of pay for any individual working during their normal tour of duty and fifty ($50.00) dollars per hour for those working on their off-duty time. The reimbursement will come from the budget that has been allocated for the night school function.

SECTION IV PAYMENT

Section 4.1 Payment will be based on a billing cycle of two statements issued per school year after the end of the first and second semesters, December 31 and June 30 respectively. The board shall pay the amount within thirty (30) days after the receipt of such statements.

SECTION V INDEMNIFICATION

Section 5.1 The Board agrees to indemnify, defend, and hold harmless the City, its agents and employees from any and all judgments, clams, suits, and liabilities caused by the negligence of its agents or employees unless said negligence was the result of the action of the City and its agents or employees to the extent of its statutory limits of liability. The Hyattsville City Police Department agrees to indemnify, defend, and hold harmless the Board, its agents and employees from any and all judgments, claims, suits, and liabilities caused by the negligence of its agents or employees unless such negligence was a result of the action of the Board and its agents or employees.

IN WITNESS WHERE OF, the parties have executed this Memorandum of Understanding of the day and date first above written.

Hyattsville, Maryland

Witness: __________________________ By:_______________________
Tracey E. Nicholson
City Administrator

Prince George's County Board of Education

Witness: __________________________ By: _______________________
Dr. Kevin M. Maxwell
Chief Executive Officer

LEAVE/OVERTIME REQUEST

NAME: ____________________________ ID#: _______________

LEAVE REQUEST

TYPE (check one):

____ANNUAL ____COMP ____SICK ____LWOP ____OTHER

DATE(S) OF LEAVE: _______________________________________

TOTAL NUMBER OF HOURS: __________ SHIFT-FROM: ______TO______

OVERTIME

TYPE (check one):

____OVERTIME ____COMP TIME ____GRANT FUNDING-TYPE_________

DATE WORKED	HOURS FROM TO	TOTAL NUMBER OF HOURS	REASON OR CASE NUMBER

COURT OVERTIME
(Attach court summons)

TYPE (check one):

____DISTRICT ____CIRCUIT

COURT DATE	SESSION (STARTING TIME)	TOTAL NUMBER OF HOURS	CASE NUMBER(S)

___________________________________ ___________________________
EMPLOYEE SIGNATURE DATE

APPROVED: ________________________ ___________________________
SQUAD COMMANDER DATE

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Solomon
DOC ID: (ID # 1211)

Consent Items: MOTION #89-07-15 Hyattsville Education Advisory Committee Appointment

SUBJECT: Hyattsville Education Advisory Committee Appointment

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #89-07-15

I move that the Mayor and Council appoint the following Hyattsville resident to serve as a member of the Hyattsville Education Advisory Committee for a two-year term expiring on July 31, 2017.

- Dakarai I. Aarons - Ward 5, New Appointment

BACKGROUND:

The Education Advisory Committee (EAC) was established to help strengthen the relationship between the City and the schools/organizations providing educational services to students in the City of Hyattsville. The goal of the Education Advisory Committee is to help the City identify positive and meaningful opportunities to influence student achievement.

NEXT STEPS:

The next meeting of the EAC is scheduled for July 23, 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS

Goal: Goal 1 - Ensure Transparent and Accessible Governance

Action: 1.1 Provide information and opportunities for resident participation in civic ende

FISCAL IMPACT:

None

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Solomon
DOC ID: (ID # 1211)

Consent Items: MOTION #89-07-15 Hyattsville Education Advisory Committee Appointment

Tracey Nicholson, City Administrator 7/14/2015

CITY OF HYATTSVILLE
COMMITTEE / BOARD APPLICATION

APPLICANT INFORMATION

NAME OF COMMITTEE/BOARD:	Education Advisory Committee
NAME OF APPOINTEE:	Dakarai I. Aarons
ADDRESS:	
WARD #:	5
EMAIL:	
PHONE NUMBER:	
REFERRED BY:	CM Joseph Solomon

BIOGRAPHICAL STATEMENT:

Please provide a brief background statement including why you are interested in being appointed to a committee. This statement will be posted on the City's website.

BIO STATEMENT (FOR POSTING ON CITY WEBSITE):

I've spent most of my career focused on education journalism and education policy advocacy, and currently serve as the director of strategic communications for the Data Quality Campaign, a national, nonprofit organization that advocates for ensuring everyone who has a stake in education has access to the information they need to help students achieve their best. I also serve on the board of directors of the National Education Writers Association.

As a citizen of Hyattsville, I have a personal passion for doing whatever I can to ensure our children receive a quality education that ensures they graduate from high school prepared for success in postsecondary education and the workforce and wish to do my part through serving on the Education Advisory Committee.

For internal use:

DATE INFORMATION RECEIVED:	
APPROVED BY COUNCIL (DATE & MOTION NUMBER):	TBD
DATE OF TERM EXPIRATION:	7/31/2017
DATE POSTED ON WEBSITE	

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Solomon
DOC ID: (ID # 1212)

Consent Items: MOTION #90-07-15 Hyattsville Code Compliance Advisory Committee Appointment

SUBJECT: Hyattsville Code Compliance Advisory Committee Appointment

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #90-07-15

I move that the Mayor and Council appoint the following Hyattsville resident to serve as a member of the Hyattsville Code Compliance Advisory Committee for a two-year term expiring on July 31, 2017.

- Deanna McDermon - Ward 5, New Appointment

Additionally, I move that the Mayor and Council appoint Councilmember Joseph Solomon as a Council Liaison to the Code Compliance Advisory Committee.

BACKGROUND:

The Code Compliance Advisory Committee was established to provide resident input to City staff and the City Council in regard to proposed changes, revisions, or new ordinance to the City Code.

The current Council Liaisons for the Code Compliance Advisory Committee are Councilmembers Paula Perry and Robert Croslin.

NEXT STEPS:

The next meeting of the Code Compliance Advisory Committee is scheduled for August 19, 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS

Goal: Goal 1 - Ensure Transparent and Accessible Governance

Action: 1.1 Provide information and opportunities for resident participation in civic ende

FISCAL IMPACT:

None

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Solomon
DOC ID: (ID # 1212)

Consent Items: MOTION #90-07-15 Hyattsville Code Compliance Advisory Committee Appointment

Tracey Nicholson, City Administrator 7/14/2015

CITY OF HYATTSVILLE
COMMITTEE / BOARD APPLICATION

APPLICANT INFORMATION

NAME OF COMMITTEE/BOARD:	Code Compliance Advisory Committee
NAME OF APPOINTEE:	Deanna McDermon
ADDRESS:	
WARD #:	5
EMAIL:	
PHONE NUMBER:	
REFERRED BY:	CM Joseph Solomon

BIOGRAPHICAL STATEMENT:

Please provide a brief background statement including why you are interested in being appointed to a committee. This statement will be posted on the City's website.

BIO STATEMENT (FOR POSTING ON CITY WEBSITE):

Deanna Upshur Mc Dermon, has been a resident of Hyattsville Maryland since 1998. She is a retired Social worker and a licensed cosmetologist in the state of MD. She has a strong passion for our youth & community. Mrs. McDermon has served on the Hyattsville Fiscal Committee and as an Election judge in various city elections. One the Code Compliance Committee she seeks to help with keeping the lines of communication open between residents and city officials. One of her main concerns is keeping Hyattsville safe and beautiful. As long time resident, she believes that Hyattsville is one of the best cities, in the USA. She loves the idead of continuing to volunteer in the community and addressing the concerns of friends and neighbors. She will work with colleagues on the Code Compliance Committee to ensure fair and effective codes. Maintaining a small town feel with big time amenities!

For internal use:

DATE INFORMATION RECEIVED:	
APPROVED BY COUNCIL (DATE & MOTION NUMBER):	
DATE OF TERM EXPIRATION:	
DATE POSTED ON WEBSITE	

Action Items: MOTION #91-07-15 Kiplinger: Memorandum of Understanding

SUBJECT: Kiplinger: Memorandum of Understanding

SECTION: Action Items

RECOMMENDED ACTION:

Motion #91-07-15

I move that the Council authorize the Mayor to execute the attached Memorandum of Understanding between the City of Hyattsville and The Kiplinger Washington Editors incorporated upon the legal review and approval of the City Attorney.

BACKGROUND:

The City of Hyattsville has provided written support for Preliminary Plan of Subdivision and Detailed Site Plan 14010, for the redevelopment of the Kiplinger site located at 3401 East-West Highway, Hyattsville. The City's support for the redevelopment of the site included a set of conditions intended for the newly developed neighborhood to function as a part of the established City.

Several of the City's conditions for support were placed on the project as part of the Preliminary Plan of Subdivision or Detailed Site Plan, however some of the conditions are outside of what is permitable through the approval process. It is therefore necessary to formalize these conditions as part of a separate agreement between the City and the applicant. Over the past several months, the City has worked with the applicants to formalize the conditions through a Memorandum of Understanding (MOU).

NEXT STEPS:

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS

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

FISCAL IMPACT:

The City will assume ownership of the newly created roadway bi-secting the proposed residential development.

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Community & Econ Dev
Prepared by: Jim Chandler
Sponsors: At the Request of the City Administrator
DOC ID: (ID # 1222)

Action Items: MOTION #91-07-15 Kiplinger: Memorandum of Understanding

Tracey Nicholson, City Administrator 7/16/2015

Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator
Lesley Riddle, Director, Public Works

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development

Date: July 10, 2015

Re: Kiplinger Property: Memorandum of Understanding

Background

The City of Hyattsville has provided written support for Preliminary Plan of Subdivision and Detailed Site Plan 14010, the redevelopment of the Kiplinger site located at 3401 East-West Highway, Hyattsville. The City's support for the redevelopment of the site included a set of conditions intended to for the newly developed neighborhood to function as a part of the established City.

Several of the City's conditions for support were placed on the project as part of the Preliminary Plan of Subdivision or Detailed Site Plan, however some of the conditions are outside of what is permitable through the approval process and it is therefore necessary to formalize these conditions as part of a separate agreement between the City and the applicant. Over the past several months, the City has worked with the applicants to formalize the conditions through a Memorandum of Understanding (MOU). Attached to this memorandum is the drafted MOU for consideration by the Mayor and Council, with a summary of each of the conditions as follows:

1. Kiplinger will seek the public dedication of a portion of Toledo Terrace in the Subject Property and part of the primary access roadway on the east side of the Subject Property with modified cross sections and construction standards as to be approved by Prince George's County Department of Permits, Inspections and Enforcement (DPIE) and the City Department of Public Works.

2. Kiplinger will warrant the street trees along Toledo Terrace and the east access road for a period of five (5) years from date they are planted along these Public Rights of Way.

3. Kiplinger agrees to cooperate fully with the City in the installation of traffic and parking regulations along the Public Rights of Way on the Subject property, including any residential parking program and shall cooperate with the City on the implementation of any such a regulation or program.

4. Kiplinger will be required to design and construct all exterior lighting systems to Pepco standard and have Pepco accept responsibility for maintenance of the lighting system.

5. Unless the parties agree otherwise in writing, Kiplinger will be required to commit up to $20,000.00 to pay for capital outlay and future replacement cost of any security system deployed for surveillance of private property, which may, at Kiplinger's option, have the capability to be networked to the City's existing camera network, as specified by the Hyattsville Police Department.

6. The City agrees that it shall actively and affirmatively support Detailed Site Plan, No. 14010 and Preliminary Plan of Subdivision, No. 4-14013. The City reserves the right to freely comment on any amendment to the DSP or the preliminary Plan of subdivision or on any Subsequent DSP on the Subject property.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") made this _______the day of ___________2015, between the City of Hyattsville ("City"), an incorporated municipality of the State of Maryland and The Kiplinger Washington Editors, Inc. ("Kiplinger"), a Delaware corporation, the parties referred to herein.

WHEREAS, Kiplinger is the owner and developer of approximately 11.68 acres of real property ("Subject Property") located within the City at the southwest quadrant of the intersection of East-West Highway (MD 410) and Editors Park Drive, referred to as the Kiplinger Property, and identified as Subarea 7 of the Approved Transit District Development Plan (1998) (the "TDDP") for the Prince George's Plaza Transit District Overlay Zone; and

WHEREAS, Kiplinger intends to redevelop the Subject Property with a mixture of multifamily apartments; urban townhomes; and 2 over 2 condominium dwellings together with tenant activity space; structured parking; and open space trail and recreational areas, generally consistent with the goals and objectives of the Approved Transit District Development Plan (1998) for the Prince George's Plaza Transit District Overlay Zone and the M-X-T zone; and

WHEREAS, Kiplinger has proposed to redevelop 3.63 acres of the Subject Property to consist of approximately 352 multifamily dwellings, along with associated tenant amenity space and open space, a new parking structure and a public access roadway to serve the multifamily building situated to the rear of the proposed development and running parallel to East-West Highway, connecting Editors Park Drive with the Toledo Terrace extension; and

WHEREAS, Kiplinger has submitted Preliminary Plan of Subdivision, No. 4-14013 ("Preliminary Plan") in connection with the townhome and 2 over 2 project as well as Detailed Site Plan, No. 14010 ("DSP") in connection with the multifamily project, governing said proposed redevelopment; and

WHEREAS, the City has reviewed the Preliminary Plan for the townhome and 2 over 2 project and DSP for the multifamily project, and by two letters dated February 22, 2015 to Ms. Elizabeth M. Hewlett, Chairman of the Maryland-National Capital Park and Planning Commission, has expressed the position of the City Council with regard to the Detailed Site Plan for the multifamily project (DSP-14010) and the Preliminary Plan of Subdivision for the townhouses and condominium product (4-14013); and

WHEREAS, the City supports said Preliminary Plan for the townhouses and condo product and DSP for the multifamily project, subject, however, to certain conditions, to be included either as conditions of approval in the resolutions of approval for the DSP and/or Preliminary Plan or within this MOU; and

NOW, THEREFORE, in consideration of the above-described premises, the agreements and conditions contained herein, the sum of Ten Dollars ($10.00) in hand paid, and other good and valuable consideration, the sufficiency and adequacy of which is hereby acknowledged by both parties, Kiplinger and the City hereby enter into this Memorandum of Understanding, and agree as follows:

1. The City and Kiplinger hereby agree to seek the public dedication of a portion of Toledo Terrace in the Subject Property (at a minimum that portion of Toledo Terrace running parallel to East West Highway and extending for the entire length of the Subject Property from Editor's Park Drive to the to be dedicated access road at the east side of the Subject Property) and part of the primary access roadway on the east side of the Subject Property with modified cross sections and construction standards as to be approved by Prince George's County Department of Permits, Inspections and Enforcement (DPIE) and the City Department of Public Works. Kiplinger further agrees to warrant the street trees along Toledo Terrace and the east access road for a period of five (5) years from date they are planted along these Public Rights of Way. Furthermore, the newly constructed publicly dedicated roadways are to be bonded at the time of construction through the time of completion and inspection by the applicant and the City will be reimbursed for any replacement costs for street signage for a period of five years from the date of certification of the site plan.

2. As a condition of approval, Kiplinger agrees to cooperate fully with the City in the installation of traffic and parking regulations along the Public Rights of Way on the Subject property, including any residential parking program and shall cooperate with the City on the implementation of any such a regulation or program. New home buyers shall be given written disclosure in their sales contracts alerting them to the existence of the City residential parking regulation or program on those Public Rights of Way, and the HOA Declaration of Covenants, Conditions and Restrictions shall clearly disclose the City authority over these Public Rights of Way. Copies of the required disclosures shall be provided to the City prior to the first occupancy permit (other than model permits).

3. Kiplinger will be required to design and construct all exterior lighting systems to Pepco standard and have Pepco accept responsibility for maintenance of the lighting system. The exterior lighting must also be focused on the site and minimize impacts to the evening sky.

4. Unless the parties agree otherwise in writing, Kiplinger will be required to commit up to $20,000.00 to pay for capital outlay and future replacement cost of any security system deployed for surveillance of private property, which may, at Kiplinger's option, have the capability to be networked to the City's existing camera network, as specified by the Hyattsville Police Department. Kiplinger agrees to cooperate with the City on the implementation of any such a program. Kiplinger agrees that if for any reason the multi-family dwelling is delayed and not completed within three (3) years of the execution of this MOU, that Kiplinger will provide to commit an additional five percent (5%) in addition to the original $20,000.00 commitment.

5. The City hereby agrees that it shall actively and affirmatively support Detailed Site Plan, No. 14010 and Preliminary Plan of Subdivision, No. 4-14013. The City reserves the right to freely comment on any amendment to the DSP or the preliminary Plan of subdivision or on any Subsequent DSP on the Subject property. Said support shall be by means of, without limitation, the sending of a letter; verbal conferences with appropriate officials or staff of relevant federal, state or local agencies, boards and/or governmental authorities; and/or verbal testimony at any hearing; if so requested by Kiplinger. Furthermore, the City hereby agrees as to the developer's submissions to MNCP&PC which the City has specifically agreed in this Memorandum of Understanding to actively and affirmatively support, that it shall not appeal any decision of the Prince George's County Planning Board, the Prince George's District Council, or any other agency or court of law, to either a higher administrative authority, or to the Circuit

Court for Prince George's County, the Maryland Court of Special Appeals and/or the Maryland Court of Appeals.

6. This Memorandum of Understanding shall be binding upon, and inure to the benefit of the Parties hereto, their respective heirs and assigns, which is expressly intended to include any and all future governing bodies and agents of the City, including all members thereof, and any future owners of the Subject Property. It is acknowledged that the various components of the project will be sold to builders who will obtain the necessary permits and construct their respective portions of the Subject Property consistent with the approved plans of development. Kiplinger agrees to use its best efforts to have each builder acknowledge this MOU and the City agrees to work with each respective builder to implement any requirements that involve their respective developments. The requirements and benefits of this Agreement shall be assigned and assumed by the homeowners association and condominium association to be established by Kiplinger and the builder for the townhouses and condominium project prior to occupancy of the first unit (other than model units). Documentation of said assignment and assumption shall be provided to the City.

THE KIPLINGER WASHINGTON EDITORS, INC.

By: ________________________________ Witness:__________________________
Corbin Wilkes, Executive Vice President

and Chief Financial Officer

Date:__________________________

CITY OF HYATTSVILLE

By: ________________________________ Witness:__________________________
Candace Hollingsworth, Mayor

Date:__________________________

Action Items: MOTION #92-07-15 Banner, Buchanan, Crittenden, and 40Th Avenue Project

SUBJECT: Banner, Buchanan, Crittenden, and 40Th Avenue Project

SECTION: Action Items

RECOMMENDED ACTION:

Motion #92-07-15

I move that the Mayor & Council approve the contract with NZI Construction to begin the construction phase of the Banner, Buchanan, Crittenden, and 40th Avenue Project, funding not to exceed $350,000.00

BACKGROUND:

The Banner, Buchanan, Crittenden and 40th Avenue sidewalk and street repair project has been in the planning stages for several years. In March, 2103, the staff reviewed existing plans and site conditions to determine the feasibility of the project and recommendations. The design plans for the project are now complete and the staff received a construction proposal from the contractor NZI.

The staff reviewed the proposal and conducted an evaluation of the street condition, sidewalk, storm water, and green infrastructure within the project scope. In June, 2015, the Director of Public Works and the City Administrator conducted an on-site area walk thru with community residents to ensure they were aware of the scope and identify any remaining issues or concerns. The community and residents are anxious for the project to begin.

The staff is prepared to move forward with this project.

NEXT STEPS:

The staff recommends that we approve the construction proposal for Banner, Buchanan, Crittenden and 40th Avenue sidewalk and street improvements, not to exceed $350,000.00

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Staff will be required to interact and maintain oversight during pre-construction and during construction of this streets project.

STRATEGIC GOALS

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Public Works
Prepared by: Lesley Riddle
Sponsors: At the Request of the City Administrator
DOC ID: (ID # 1195)

Action Items: MOTION #92-07-15 Banner, Buchanan, Crittenden, and 40Th Avenue Project

Goal: Goal 3 - Promote a Safe and Vibrant Community

Action: 2.2 Invest in, and manage City infrastructure including streets, sidewalks and pub

FISCAL IMPACT:

Funds for this project will come from the Captial Improvments Projects.

Tracey E Riddle

Tracey Nicholson, City Administrator 7/16/2015

Action Items: MOTION #93-07-15 University Hills Sidewalk and Street Improvements

SUBJECT: University Hills Sidewalk and Street Improvements

SECTION: Action Items

RECOMMENDED ACTION:

Motion #93-07-15

I move that the Mayor & Council approve the contract with NZI Construction to begin the first construction phase of the University Hills Sidewalk and Street Improvement Project, funding not to exceed $1,083,000.00.

BACKGROUND:

The design plans to renovate and improve the sidewalk and street infrastructure within the boundaries of University Hills has been in the planning stages for several years. The scope of work was changed several times which created a lag in the project reaching design completion. The engineering firm Charles P. Johnson and Associates (CPJ) have now completed 70% of the design work and our Contractor, NZI, is prepared to begin phase one of construction/renovation this summer in areas that do not need additional design input. Phase one will include:

Repair base and re-surface Stanford

Repair base and re-surface 3000-3200 block of Gumwood and 3100 block of Rosemary

Repair base and re-surface Calverton

Repair base and re-surface Notre Dame

Repair/replace in-kind existing sidewalk, curb, storm drainage on these specified streets

Install a new sidewalk on the section of Stanford between Wells and Adelphi along the north side of the street

The Director of Public Works (DPW) has held a public meeting and a series of recent small group on-site meetings with residents and Council members. Residents continue to raise their objections or express concern over plans to install sidewalks on some of the neighborhood streets. The DPW staff will continue to coordinate with residents and Council members to identify the best way forward.

NEXT STEPS:

Discussions regarding sidewalk installation and locations are ongoing. The City intends to continue working with Ward 5 Council Members and the residents of University Hills to identify their desires and finalize the design plan. Our goal is to meet the residents needs while providing their neighborhood with a safe

Action Items: MOTION #93-07-15 University Hills Sidewalk and Street Improvements

community, and the best possible streets and sidewalks. The total cost for phase one of the University Hills Sidewalk and Street Renovation is $1,081, 272.95.

We expect the final design to be completed in January 2016, and the second phase of the construction project to begin in Spring, 2016. We do not expect the ongoing coordination to significantly impact the timeline. The second phase of design will include areas that may need County permits and may have trees impacted due to new sidewalk installation. Overall the project will last 3.5 to 4 years and the estimated total cost should be no more than $3,054,641.00.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Staff will continue coordination with the community and the contractor throughout the pre-construction and construction phases of this project.

STRATEGIC GOALS

Goal: Goal 3 - Promote a Safe and Vibrant Community

Action: 2.2 Invest in, and manage City infrastructure including streets, sidewalks and pub

FISCAL IMPACT:

Funding will be used from the FY16 Capital Improvment Projects.

Tracey Nicholson, City Administrator 7/16/2015

SUBJECT: Possible MOU for Afterschool Transport

SECTION: Discussion Items

BACKGROUND:

Joe's Movement Emporium, Mt. Rainier, MD, asked the Mayor if the City would consider transporting children enrolled in its after school program from Hyattsville Elementary to Joe's every school day starting in August. City staff met with Joe's and discussed the following terms for a possible MOU.

- The Community Services Department would use its new vehicle (TBD) to drive children each day from Hyattsville Elementary to Joe's after school program.
- The City would plan to pay our backup Call-A-Bus driver, or hire a part time employee to drive the vehicle.
- A Joe's employee would meet our driver at the City building (or wherever the van is housed) to accompany the employee and children back to Joe's.
- The City would offer its old van for this purpose, until the new vehicle is be purchased (currently approved in the FY16 budget).
- The City would offer the service during the 2015-2016 school year on a trial basis. Summer service and/or additional school years will need to be discussed and negotiated at a later date.
- The City can at any time choose to expand the service to other organizations or schools in the area. The MOU would also be written to allow the City to opt out of the service.
- Joe's has current plans to outreach to Rosa Parks and Felegy Elementary.
- Joe's would pay the City $250 per week to offset the cost of the part=time employee/driver, gasoline, and wear and tear on the vehicle used.
- For additional trips, stops or students, new pricing will have to be renegotiated.

City staff has confirmed that participating students will not need car seats, and that no additional liability insurance must be purchased by the City.

NEXT STEPS:

Council discussion to determine if there is an interest in pursuing an MOU with Joe's Movement Emporium.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Administrator

Meeting:7/20/2015 8:00 PM
Department: Community Services
Prepared by: Jake Rollow
Sponsors: At the Request of the City

DOC ID: (ID # 1208)

9.1

STRATEGIC GOALS

Discussion Items: Possible MOU for Afterschool Transport

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

Tracey Nicholson, City Administrator 7/14/2015

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Administrator

Meeting:7/20/2015 8:00 PM
Department: Community Services
Prepared by: Jake Rollow
Sponsors: At the Request of the City

DOC ID: (ID # 1220)

9.2

Discussion Items: Hyattsville Life and Times Contract

SUBJECT: Hyattsville Life and Times Contract

SECTION: Discussion Items

BACKGROUND:

The Life and Times contract expired June 30th, 2015. The Board of Directors requested a fee increase. In recent years the Board has received an increase of approximately $900 per year. The City counter-proposed an increase that matches our COLA - 1.7% or $ 480 per year. Approval of the 1.7% increase would bring the total contract price from $2,350 per month to $2,390 per month, or $28,680/year.

In exchange, the Life and Times will layout, design, and run the Hyattsville Reporter in its monthly print publication, as well as a full page of color advertisements. The Reporter will also be made available as a PDF on the Life and Times website.

Cost Comparison Per Edition For Information Purposes (Includes mailing costs)

Life and Times - $2,390

Standard Green Sheet (4 pages, black ink on green paper) - $2,693

Color "Green" Sheet (4 pages, full color ink on white paper) - $6,061

NEXT STEPS:

Council discussion.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS

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

Tracey Nicholson, City Administrator 7/16/2015

SUBJECT: Department of Public Works RFQ Selection

SECTION: Discussion Items

BACKGROUND:

In February of 2015, the City solicited a Request for Qualification (RFQ) for the design/build of the Department of Public Works renovation project.

The City established a review process and comprised a review team of department heads and staff to evaluate each firm. The team held interviews with the six firms that achieved the highest scores.

Four firms were selected to receive the Owners Project Requirements (OPR) and enter into preliminary design and proposal development. During these negotiations, interested firms were required to conduct a site visit and tour the Public Works area. The four final firms were then given four weeks to return their proposals to the City.

The City received the preliminary cost proposals from the firms in mid-May and the review team evaluated each proposal based on cost, design, and overall proposal recommendations. Two firms were selected for a final interview to present their proposals.

After an extensive review process, the staff recommends the firm of Bignall Watkins Hasser Architects and Nichols Contracting (NCI) for the design/build project at a cost not to exceed $3.3M. All of the proposals exceeded the Capital Improvement Plan FY-2016 projected budgeted amount of $2.0M. The firm selected was the best value, and met all design and site regulations and will provide the City staff with the necessary workspace and operational accommodations.

The City identified sustainable design elements that included water efficient plumbing, low impact design, energy efficient HVAC and lighting systems as well as the ability to harness on-site energy as some of the requirements for the building.

NEXT STEPS:

The City building study conducted in 2011 cited the Public Works yard as a good site for solar panels. The use of solar energy and other sustainable energy sources is an integral part of this project. Solar energy is the cleanest and most abundant renewable energy source available in the United States. Harnessing that energy will generate electricity and provide light for the interior environment.

The design of the parking lot will include pervious areas of pave-drain blocks along the margins of the lots to capture rainwater. Rain gardens and bio-swales will be installed throughout the site to capture sheet flow off the roof lines and impervious surfaces.

The costs for storm water and passive energy can be defrayed by applying for County, federal, and non-profit grants. The City intends to take full advantage of these grant opportunities for stormwater mitigation and sustainable energy sources.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

The Director of Public Works and the Project Manager will be significantly involved in the design and management of this project. The staff will be asked and encouraged to provide input and recommendations.

STRATEGIC GOALS

Goal: Goal 4 – Foster Excellence in all City Operations

Tracey Nicholson, City Administrator 7/16/2015

MEMO

To: Mayor Hollingsworth and Council Members
From: Lesley Riddle, Director of Public Works
CC: Tracey Nicholson, City Administrator
Date: July 20, 2015
RE: Selection of Design/Build Firm for Department of Public Works Renovation

---

Initial RFQ Solicitation

In February of 2015, the City issued a Request for Qualification (RFQ) for the design/build of the Department of Public Works renovation project. The selection of a successful firm was largely based upon the following criteria:

- Location
- Staff experience, sixe and current workload
- Previous and relevant experience in design and development of municipal public works or similar projects
- References
- Identification and role of key individuals in the engineering team and / or its consultants
- Projects designed and/or built in a Maryland municipality over the last ten years

Selection Team

The City also established a review process and a team of City staff was chosen to evaluate each firm. Initial interviews were scheduled with the six firms achieving the highest scores. .

Owners Project Requirements

Four firms were selected to receive the Owners Project Requirements (OPR) and enter into preliminary design and proposal development. During these negotiations a mandatory site visit of the Department of Public Works site was required. Firms were encouraged to talk to on-site staff. The firms were given four weeks to return their proposals to the City. The overall objectives of the OPR included providing a quality building site that can:

- Provide a functional interior and exterior work place for the staff
- Utilize existing structures within the design
- Offer the City staff the capacity to shelter in place
- Effectively mitigate and utilize site storm water
- Meet LEED Silver standards

The City desires to ensure sustainable development principles in a practical, well planned, and cost effective manner that will meet:

- The Departments ability to successfully fulfill its mission
- The operational and maintenance needs ensuring an easily maintainable and secure area with low utility and maintenance costs
- The Cities desire to minimize environmental impacts
- Comply with its adopted Sustainability Policy; and the feasibility to achieve a LEED Certification

The City of Hyattsville wants a building that includes sustainable features including water efficient plumbing, low impact design, energy efficient HVAC and lighting systems, as well as the ability to harness on- site energy production and move towards becoming a "net zero building."

Preliminary Cost Proposals

The City received the preliminary cost proposals from four firms in mid-May and the review team evaluated each proposal based on cost, design, and overall recommendations. Two firms met all RFQ requests; three firms cost proposals were within the same general cost range. Two firms were selected for a final interview and were able to present their proposals to the review team and accept questions and provide responses.

After an extensive review process, the staff recommends the firm of Bignall Watkins Hasser Architects and Nichols Contracting for the design/build project at a cost not to exceed $3.3M. All of the proposals exceeded the CIP City budget, the firm selected was the most fiscally reasonable, best value and met all design and site regulations.

Cost Savings

The City hopes to defray costs by applying for County, Federal, and non-profit grants for storm water and sustainable energy sources.

The City building study in 2011 cited the Public Works yard as a good site for solar panels. The use of solar energy and other sustainable energy use is an integral part of this project. Solar energy is the cleanest and most abundant renewable energy source available in the United States. We want to harness this energy for a variety of uses, including generating electricity, and providing light for a comfortable interior environment.

The design of the parking lot will include pervious areas of pave-drain blocks along the margins of the lots to capture rainwater. Rain gardens and bio-swales will be installed throughout the site to capture any sheet flow off the rooflines and impervious surfaces.

The City has been researching and applying for funding for this project. We expect to apply for up to $500,000 in additional funding for this project based on the amount of stormwater mitigation and the energy savings we will be able to generate from passive energy sources. Additionally, there may be funding resources from the County that could pay the entire cost of all bio-retention facilities and water harvesting that will be onsite.

SUBJECT: FY16 - New and Replacement Vehicle Purchases

SECTION: Discussion Items

BACKGROUND:

Council approved new vehicle and equipment purchases in the FY-2016 Capital Improvements Plan (CIP) Budget. Each Department has submitted individual memorandums with clarifying equipment and vehicle information. All purchase requests are in accordance with FY-2016 Council approved levels.

Hyattsville Police Department: Replacement of six (6) vehicles estimated at $282,000 and in accordance with the Council Adopted FY-2016 Budget. The new vehicles include a mix of 2016 Ford Utility Interceptor AWD (SUV) and 2016 Ford Police Interceptor Sedan AWD. The vehicles will be purchased from Apple Ford and vehicle equipment and up-fitting from the Brekford Corporation.

Public Works Department: $300,000 was approved for replacement vehicles and equipment. Current estimates will not exceed $200,000. New equipment includes a John Deere skid steer type excavator/multi tool capable unit with trailer and a top dresser for the Parks Division off of the Baltimore County School bid to be used on our City fields. New vehicle purchases include a pick-up truck to replace Streets Division's 2005 Ford F350 Unit # STV0510 from Criswell Chevrolet to be purchased off the Maryland State bid and a bucket truck for use by Parks, Buildings and Grounds Divisions.

Community and Economic Development: Purchase of a fuel efficient hybrid vehicle not to exceed the Council adopted budget of $27,000. Code Compliance will be replacing an existing pick-up truck with a hybrid vehicle. This is consistent with the City's Sustainability Policy and meets the budgetary and operational requirements of Code.

This item will return to the Council for approval on the August 3, 2015 agenda. Upon approval, the City Treasurer will obtain lease/purchase agreements.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

No additional staff resources are required.

STRATEGIC GOALS

Goal: Goal 4 – Foster Excellence in all City Operations

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Administrator

Meeting:7/20/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: At the Request of the City

DOC ID: (ID # 1213)

9.4

Discussion Items: FY16 - New and Replacement Vehicle Purchases

Tracey Nicholson, City Administrator 7/16/2015

Hyattsville City Police Department

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

Candace B. Hollingsworth	Douglas K. Holland	Tracey Nicholson
Mayor	Chief of Police	City Administrator

DATE: July 8,2015

TO: Mayor Candace B. Hollingsworth
City Council Members

THRU: Tracey Nicholson
City Administrator

FROM: Douglas K. Holland
Chief of Police

RE: FY2016 Purchase of Police Department Vehicles

Purpose

The purpose of this memorandum is to request Mayor and Council approval for the purchase and up fitting of six (6) replacement vehicles.

Background

Vehicles

During the FY2016 budget preparation process, members of the Police Budget Committee referred to the police vehicle replacement schedule as justification for Vehicle Capital Expenditure funding. The final approved budget ordinance includes Capital Expenditure funding in the amount of $282,000 for replacement of six (6) vehicles. The replacement vehicles will include 2016 Ford Utility Interceptor AWD (SUV) and 2016 Ford Police Interceptor Sedan AWD vehicles.

The Statewide contract for Law Enforcement Vehicles identified as BPO number: 001B5400280 has been awarded to Apple Ford, 8800 Stanford Boulevard, Columbia, Maryland 21045.

Pursuant to Article 41, Section 18-201 of the Annotated Code of Maryland, we, as a Municipal / Government Agency are authorized to purchase vehicles in accordance with the terms identified in the contract.

The current Statewide Contract list the following for vehicle purchase:

2016 Ford Utility Interceptor AWD	$25,496.00
LED driver side spotlight	included in this year's contract
Remote Keyless Entry	$ 256.00
Reverse sensing	$ 270.00
TOTAL:	$26,022.00

2015 Ford Police Interceptor Sedan AWD	$23, 454.00
LED driver side spotlight	$ 333.00
Remote Keyless Entry	$ 249.00
Reverse sensing	$ 292.00
TOTAL:	$24,328.00

Equipment and Up Fitting

The equipment purchase and up fitting of the vehicles will be contracted thru the Brekford Corporation 7020 Dorsey Road, Hanover, Maryland and will be purchased thru Blanket Purchase Order (BPO) Number 060B2490022. Pursuant to Article 41,, Section 18-201 of the Annotated Code of Maryland, we, as a Municipal Government Agency are authorized to purchase and install the necessary emergency lighting, video and radio equipment, decals, etc. …for our new police vehicles with the terms identified in this contract.

The estimated equipment and up fitting is estimated at $20,997 per vehicle.

Recommendation

It is recommended that the Mayor and City Council authorize the purchase of six replacement vehicles from Apple Ford and the purchase of vehicle equipment and up fitting from the Brekford Corporation. Total expenses will not exceed $282,000.

MEMO

To: Mayor Candace Hollingsworth and Council

From: Lesley Riddle, Director of Public Works

CC: Tracey Nicholson, City Administrator

Date: July 20, 2015

RE: Purchase of Vehicles - Department of Public Works

The purpose of this memorandum is to request the Mayor and City Council approve the purchase of two (2) replacement vehicles and two (2) pieces of equipment for Department of Public Works.

Background

During our review of the FY2016 budget we assessed our current fleet of vehicles at Public Works. We found that overall most of our vehicles are at or beyond the recommended depreciation. Additionally, the Parks Department is missing key pieces of equipment that will facilitate the restoration of existing City parks and sports fields.

Recommendation

Staff recommends the purchase of the following:

1. Purchase of a John Deere skid steer type excavator/multi tool capable unit with trailer from John Deere for quoted price not to exceed $51,000.00. This will be a multi used piece of equipment assigned to the all Public Works Division and can be utilized for many other functions including snow removal. This piece of equipment can be maneuvered in small spaces and can be outfitted for a wide variety of functions.

2. Purchase of a top dresser for the Parks Division for use on City fields from the Baltimore County School bid, not to exceed $15,500.00. This piece of equipment will be utilized for applying compost on fields instead of fertilizers. Studies have shown that the use of synthetic fertilizers have a detrimental effect on our waterways so reducing the use of these chemicals is critical to our stream and water health. Also, the average cost paid to contractors for this service in the past has been $12,000.00 for a one time application. We can purchase the same amount of material for $3,000.00 and apply ourselves.

3. Purchase of a new pick-up truck to replace Streets division's 2005 Ford F350 Unit # STV0510 from Criswell Chevrolet off the Maryland State bid not to exceed $40,500.00 This vehicle is 10 years old has reached its useful life period in the current use status. We have had to make several repairs to the unit with considerable down time. The repairs are due to electrical issues that stem from aftermarket (custom) alternator and cooling system failure. The intention is to re-purpose this unit for use in solid waste division. It is in better condition than unit SWV9838 which is a 1998 Chevrolet 2500 (17 years old) truck used with a bed mounted dump unit.

4. Purchase of a used bucket truck for use by Parks Division and Buildings and Grounds Division.
A used unit will be a practical fit for this application due to the estimated use time and estimated cost of a new vehicle. We have searched venders and there is a high rate of turnaround on this type of unit so the stock is constantly changing. We believe we can purchase a unit not to exceed $50,000.00. This unit could offset the cost of contractors for the following tasks: banner replacement and installation, repair and maintenance of City owned pedestrian light poles, installation of holiday decorations & event banners, maintenance and repair of City signs and facades, and tree trimming and maintenance to lower tree canopy throughout the City. Staff anticipates that a budget savings of up to $50,000.00 could be expected.

Next Steps

With Council approval staff will accrue the necessary bids for purchase of vehicles and equipment per the requirements of the City Procurement Policy. Once staff has solicited and procured all needed quotations for this equipment we will request approval of the City Treasurer for purchase. All purchases will not exceed $200,000.00.

Anticipated Staff Resources Required to Implement

Staff will research and facilitate all proposals and purchases of vehicles and equipment. Additionally, staff will assume that all equipment warrantees and maintenance are strictly followed.

City of Hyattsville

Memo

To: Mayor and Council

CC: Tracey Nicholson, City Administrator
Ron Brooks, Treasurer
Lesley Riddle, Director, Public Works

From: Jim Chandler, Assistant City Administrator, Director, Community & Economic Development

Date: July 10, 2015

Re: Code Vehicle Replacement Procurement

The purpose of this memorandum is to request the Mayor and City Council approve the purchase of one (1) replacement vehicle for the Office of Code Compliance.

Background

Code Compliance will be replacing an existing pick-up truck with a fuel efficient hybrid vehicle, which is consistent with the City's Sustainability Policy and meet the budgetary and operational requirements of Code. The existing Code truck will be transferred to DPW and will be used to support Parks operations.

The adopted FY2015 City budget includes $27,000 for a replacement vehicle for the Office of Code Compliance.

Last year staff replaced an outdated pick-up truck with the Ford C-Max Hybrid, due in part to its reported 40 combined city/highway miles per gallon (42 city/37 highway), serviceability and NHTA Safety Rating. Code Compliance staff has been pleased with the performance of the vehicle and we are requesting the approval of a 2015 Ford C-Max Hybrid in FY2016.

The City has directly solicited four (4) cost proposals from Ford dealerships and received quotes for each. The top two (2) cost proposals are as follows:

1st Choice
Koons Ford of Silver Spring
$26,500.00

2nd Choice
Koons Ford of Falls Church
$26,142.00

Recommendation
Staff is recommending the Mayor and Council authorize the acquisition of the 2015 Certified Ford C-Max from Koons Ford of Silver Spring, Maryland. While the price is 1.4% higher than the quote provided by Koons Ford of Falls Church, Section 2.1 of the City's Procurement Policy allows, preference may be given to those within the Prince George's County and then the State of Maryland".

If the vehicle is no longer available to us on August 4, 2014, we request the authority to acquire the vehicle from either the 2nd Choice Koons Ford of Falls Church, Virginia. The outfitting equipment is limited to a rear light bar, which will be transferred from an existing Code vehicle and lettering will be completed by Bay Signs, which will be funded out of operational funds.

SUBJECT: MOU for Parking Management of Parcel N at University Town Center

SECTION: Discussion Items

BACKGROUND:

In May 2015, Berman Enterprises requested that the City of Hyattsville manage their user fee based surface lot (Parcel N) at University Town Center. Over the past several months, the staff has coordinated with Berman Enterprises to assess the requirements, the lot usage, and the operational impact. The City determined that management of the lot will not require additional staffing or resources. The City coordinated terms which include retaining all enforcement revenue, collecting and retaining a portion of the coin revenue, and Berman being responsible for maintenance of the lot and equipment. Additional coordinated details are included in the attached memo and draft MOU.

NEXT STEPS:

Action on this item is scheduled for August 3, 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

If the MOU is approved, the City would be responsible for enforcing the user payments at the lot and processing of cash/coin payments.

STRATEGIC GOALS

Goal: Goal 4 – Foster Excellence in all City Operations

Tracey Nicholson, City Administrator 7/14/2015

City of Hyattsville

Memo

To: Mayor and Council

From: Jim Chandler, Director of Community & Economic Development, Assistant City Administrator

CC: Tracey Nicholson, City Administrator
Ron Brooks, Treasurer

Date: June 23, 2015

Re: MOU for Parking Management of Parcel N at University Town Center

---

The purpose of this memorandum is to advise the Mayor and Council on a request for parking management services being made by commercial properties within the City of Hyattsville.

Details

In 2014, Berman Enterprises acquired a variety of parcels at University Town Center including a 2.42 acre site undeveloped site (Parcel N), which is adjacent to the under construction Safeway site, as part of the $25.8 million acquisition of the 54,497 Metro V building, 19,000 sq. ft. of retail along America Boulevard, 25,000 sq.ft. of ground floor retail below the condominium building, and Regal Royale Theater.

Berman activated Parcel N as a paid parking lot with two (2) pay stations and marked parking spaces. The lot is intended as a temporary use lot while the property owner waits to develop based on market conditions and the outcome of the Prince George's Plaza Transit District Development Plan.

In May of this year, Berman Enterprises, formally requested that the City of Hyattsville consider administering a portion of the user fee based parking lot.

Over the past several months, the staff has spoken with Berman Enterprises, assessed the operational impacts and usage of the lot and most recently negotiated terms for the management of the surface lot.

Staff Analysis

Berman has made a significant investment in the surface lot and is dependent on meter revenues to offset the investment cost. Berman requests the City take on the responsibility of enforcing the user payments. The staff has worked together to develop terms that adequately compensate the City for management of the lot and coin processing.

Prior to the development of the Safeway site, the City had managed the 100-surface parking spaces at University Town Center. The lot was equipped with two (2) multi-space parking meters and monitoring of the lot was included in the patrol of spaces within University Town Center, including America Boulevard. The area was patrolled with two (2) Parking Aides and meter coin collection was included our contractors' collection route. Due to so few multi-space meter units being on the site, Berman was unable to secure a contractor willing to accept coin collection of the meters. Previously the City owned equipment was maintained by City staff, however since the current equipment is Berman's, it is our preference that the responsibility of maintaining the equipment and condition of the parking lot be the responsibility of the Owner.

Berman Enterprises is agreeable to the terms outlined below for the City to manage the enforcement of public parking on the subject property:

- City manages enforcement and keeps all enforcement revenue
- Berman maintains the parking lot, equipment and is responsible for parts replacement
- Berman's vendor provides the City with back end access and email meter status alerts
- Berman keeps 100% of credit card revenue
- City will service the coin collection, deposit the funds and issue payment to Berman on a monthly basis for a fee of 15% of the coin revenue.
- 2-year term with mutual 1 year extensions for up to a total of 5 years
- 60-day mutual termination clause.

Based on the terms provided above and the City's previous experience in managing the surface lot at University Town Center, I anticipate that the lot will generate $8,000 - $12,000 in combined meter revenues and municipal citations for the City. These projected revenues will cover both staffing and coin processing expenditures.

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("MOA") between the City of Hyattsville (the "City") and _________ ("Berman"), located at ________________________________, is made as of this ___ day of ______________, 2015.

RECITALS:

WHEREAS, Berman and its affiliates are the owners of parcel N in the University Town Center containing a retail center located at ____in Hyattsville, Maryland as more specifically shown on Exhibit A attached hereto (the "Center"); and

WHEREAS, Berman has installed parking metering equipment at the Center; and

WHEREAS, Berman desires that the City enforce and collect for parking at the Center.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. Parking Enforcement.

(a) Subject to the terms and conditions set forth herein, throughout the Term hereof, Berman herby authorizes the City, its designated officers, employees or agents to act as agents of Berman with respect to parking violations on any or all areas open to the public at the Center and to collect all such revenue from the violations and fines as indicated below. Policies respecting parking regulations within the Center shall be developed by the City with input from Berman, taking into account the nature of the Center. If such policies are unacceptable, either party may submit the issue to a mediator as outlined in 6(d) and 6(e).

(b) The City or its designees shall collect payments from the meters at the Center. It is expressly agreed and understood by the City and Berman that none of the persons designated by the City for this task is by such action an employee of Berman.

(c) The City shall keep as compensation for the collection fifteen percent (15%) of all non-credit card parking revenue collected from the meters by the City. The City shall forward the balance of the money collected to Berman on a quarterly basis.

(d) All credit card revenue for meter parking at the Center shall be the property of Berman.

(e) The revenue resulting from enforcement by the City of parking violations at the Center and the issuance of citations for enforcement as to parking there whether payment is by credit card or coin, shall be the exclusive property of the City.

(f) The amount charged for parking must at all times be agreed to by both parties to this MOA.

2. Berman will post signs during the term of this Agreement or any extension thereof that warn the public that metered parking is enforced by the City of Hyattsville.

3. This MOA shall be for a term of two (2) years which term shall automatically be renewed for no more than five (5) terms, each renewal term for a one (1) year period, unless either party sends to the other a notice of their intention not to renew . Either party may notify the other in writing at least thirty (30) days prior to any renewal date that the party does not intend the automatic renewal to take place. Such notice shall terminate the Agreement at the end of the particular term or renewal period. Notwithstanding the foregoing, either party may termination this MOA for any reason, effective upon 60 days' written notice.

4. Berman and the City hereby agree to mutually release, indemnify, defend and hold harmless the other party, its officers and employees, from any and all liability, claims, judgments, suits, injuries, property damage, costs and the like (including reasonable attorneys' fees) arising out of this MOA and the delegation/agency created herein to the extent not covered by insurance policies.

5. Any notice hereunder shall be given in writing and shall be deemed delivered if given in person on the next business day after deposit with a nationally recognized overnight delivery service (*e.g.*, FedEx) or four (4) days after deposit, postage prepaid, by certified mail, return receipt requested, with the United States Postal Service to the following addresses:

If to the City to:

City of Hyattsville
2310 Gallatin Street
Hyattsville, Maryland
Attention: City Administrator

With a copy to:

Richard T. Colaresi, Esquire
Karpinski, Colaresi & Karp, P.A.
120 East Baltimore Street
Suite 1850
Baltimore, Maryland 21202

If to Berman:

____

____

____

With a copy to:

____

____

____

Any party may change its notice address by giving notice thereof in accordance with the provisions of this Section.

6. Miscellaneous

(a) Words of any gender used in this MOA shall be held to include any other gender and words in the singular number shall be held to include the plural and words in the plural shall be held to include the singular, when the sense requires.

(b) This MOA is made pursuant to, shall be construed and enforced in accordance with, the laws in force in the State of Maryland.

(c) This MOA cannot be changed orally or terminated orally. This MOA contains the entire agreement between the parties with respect to the matters set forth herein, and is intended by the parties to be an integration of all agreements between the parties in respect thereto. Any agreement hereafter made shall be ineffective to change, modify or discharge this MOA in whole or in part, unless such agreement is in writing and signed by the party against whom the change, modification or discharge is sought to be enforced.

(d) Any controversy or claim arising out of or relating to this MOA or a breach thereof, except a unilateral termination of a part or all of this MOA, shall, upon the request of any interested party, be submitted to a mediator, selected by all parties in interest. If the parties in interest cannot agree upon a mediator, then any such controversy or claim shall be submitted to and settled by arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules, and the decision rendered by the arbitrators (or pursuant to any other agreed form of arbitration) shall be final and conclusive on all parties involved; and judgment upon such decision may be entered in the highest court of any forum, state or federal, having jurisdiction. Nothing in this Section 6(d) shall prohibit either party hereto from seeking injunctive relief from a court of competent jurisdiction in Prince George's County in the event of a breach or prospective breach of this MOA by the other party that would cause irreparable harm to the first party.

(e) In any litigation, arbitration or mediation, the substantially prevailing party shall be reimbursed by the other for the reasonable costs and fees incurred in such litigation.

(f) This Agreement shall be binding upon the parties and their heirs, successors and assigns.

IN WITNESS WHEREOF the parties hereto have executed and delivered this

MOA as of the date first written above.

BERMAN

By: ______________________________

CITY OF HYATTSVILLE

By: ______________________________

SCHEDULE "A"

DESCRIPTION OF A PARKING ENFORCEMENT AREA

PART OF PARCEL N

PRINCE GEORGE CENTER – HYATTSVILLE, MARYLAND

PLAT BOOK REP 205 @ PLAT NUMBER 43

Being part of a parcel of land known as Parcel N (6400 America Boulevard, Hyattsville, Maryland), located in the Seventeenth Election District in Prince George's County, Maryland, hereinafter described in, through, over and across the property conveyed by Hyattsville Property Holdings, LLC to BE UTC Parcel N LLC by Special Warranty Deed recorded May 27, 2014 among the Land Records of Prince George's County, Maryland in Liber 36029 at Folio 586, and also recorded on a plat of subdivision entitled "Prince George Center" among the aforesaid Land Records in Plat Book REP 205 at Plat Number 43, and being more particularly described as follows:

Beginning for said Part of Parcel N at a point located on the north right of way line of East-West Highway (Maryland Route 410), a 120' right of way, same point being in common with the southwest corner of America Boulevard, a thirty foot (30') wide Private Street, and the southeast corner of Parcel N (Plat Book REP 205 at Plat Number 43), thence leaving the East-West Highway (Maryland Route 410) and running with America Boulevard for the following courses and distances:

1. North 03°32'26" East, 257.22 feet to a point, thence leaving America Boulevard and running with the south concrete curb along Liberty Lane (variable width Private Street);

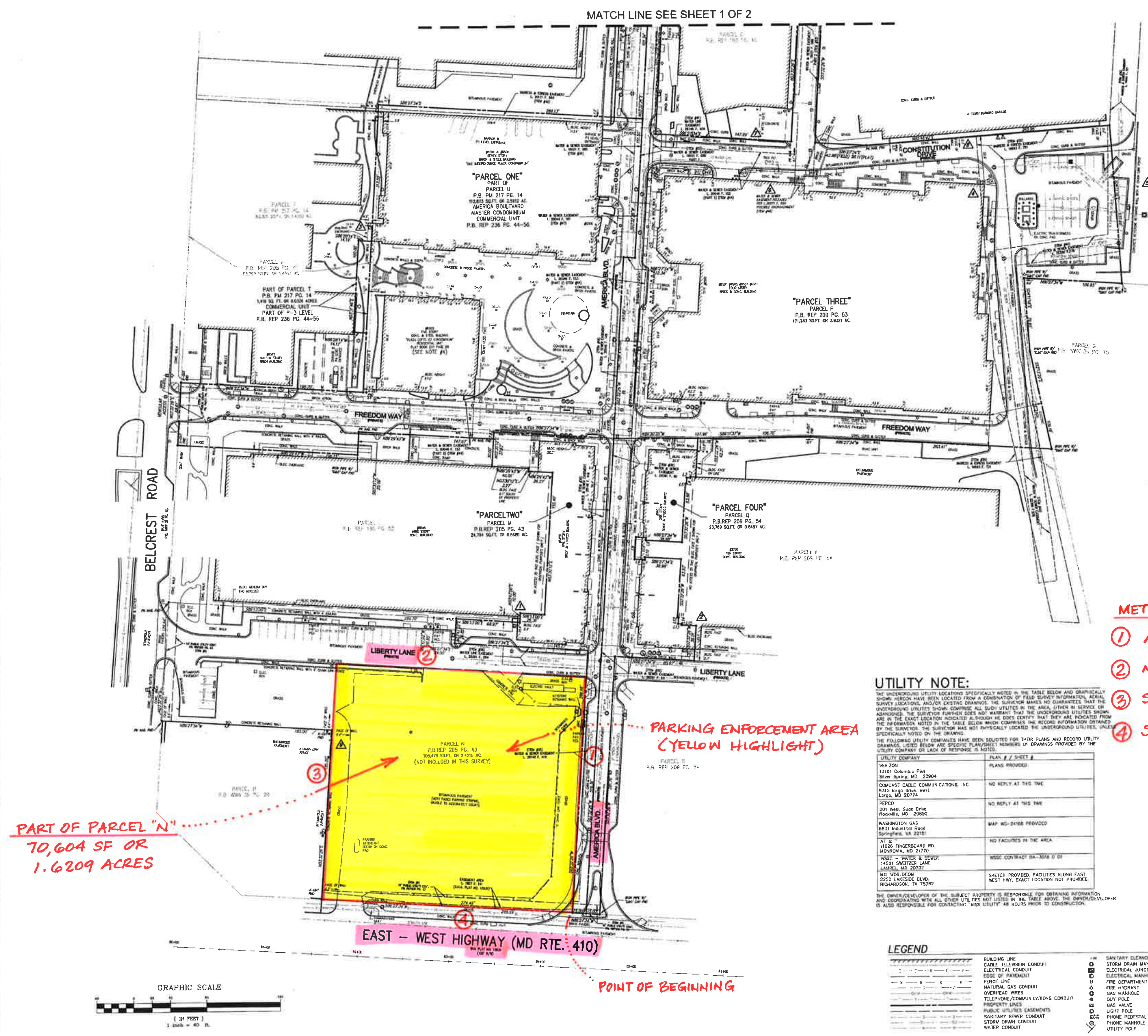
2. North 86°27'34" West, 274.49 feet to a point, thence leaving Liberty Lane;

3. South 03°32'26" West, 257.22 feet to a point located on the north right of way line of East-West Highway, same point being in common with the southeast corner of the adjacent Parcel H (Plat Book WWW 39 at Plat Number 29), thence running in an easterly direction with the north right of way line of East-West Highway;

4. South 86°27'34" East, 274.49' to the point of beginning.

Containing an area of 70,604.32 square feet, or 1.6209 acres of land as delineated on Schedule "B", attached hereto and made a part hereof.

MATCH LINE SEE SHEET 1 OF 2



METES & BOUNDS DESCRIPTION:

1. N 03°32'26"E - 257.22'
2. N 86°27'34"W - 274.49'
3. S 03°32'26"W - 257.22'
4. S 86°27'34"E - 274.49'

UTILITY NOTE:

THE UNDERGROUND UTILITY LOCATIONS SPECIFICALLY NOTED IN THE TABLE BELOW AND GRAPHICALLY SHOWN HEREON HAVE BEEN LOCATED FROM A COMBINATION OF FIELD SURVEY INFORMATION, AERIAL SURVEY LOCATIONS, AND/OR EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE INDICATED FROM THE INFORMATION NOTED IN THE TABLE BELOW WHICH COMPRISES THE RECORD INFORMATION OBTAINED BY THE SURVEYOR. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES, UNLESS SPECIFICALLY NOTED ON THE DRAWING.

THE FOLLOWING UTILITY COMPANIES HAVE BEEN SOLICITED FOR THEIR PLANS AND RECORD UTILITY DRAWINGS. LISTED BELOW ARE SPECIFIC PLAN/SHEET NUMBERS OF DRAWINGS PROVIDED BY THE UTILITY COMPANY OR LACK OF RESPONSE IS NOTED.

UTILITY COMPANY	PLAN # / SHEET #
VERIZON 13101 Columbia Pike Silver Spring, MD 20904	PLANS PROVIDED
COMCAST CABLE COMMUNICATIONS, INC 9315 largo drive, west Largo, MD 20774	NO REPLY AT THIS TIME
PEPCO 201 West Gude Drive Rockville, MD 20850	NO REPLY AT THIS TIME
WASHINGTON GAS 6801 Industrial Road Springfield, VA 22151	MAP WG-24166 PROVIDED
AT & T 11026 FINGERBOARD RD MONROVIA, MD 21770	NO FACILITIES IN THE AREA
WSSC – WATER & SEWER 14501 SWEITZER LANE LAUREL, MD 20707	WSSC CONTRACT DA-3018 D 01
MCI WORLDCOM 2250 LAKESIDE BLVD. RICHARDSON, TX 75082	SKETCH PROVIDED, FACILITIES ALONG EAST WEST HWY. EXACT LOCATION NOT PROVIDED

THE OWNER/DEVELOPER OF THE SUBJECT PROPERTY IS RESPONSIBLE FOR OBTAINING INFORMATION AND COORDINATING WITH ALL OTHER UTILITIES NOT LISTED IN THE TABLE ABOVE. THE OWNER/DEVELOPER IS ALSO RESPONSIBLE FOR CONTACTING "MISS UTILITY" 48 HOURS PRIOR TO CONSTRUCTION.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N86°27'34"W	5.71'
L2	S03°32'26"W	1.15'
L3	N86°27'34"W	3.81'
L4	S03°32'26"W	6.77'
L5	N86°27'34"W	1.15'
L6	N03°32'26"E	2.79'
L7	N86°27'34"W	11.07'
L8	S03°32'26"W	24.00'
L9	S86°27'34"E	11.07'
L10	N03°32'26"E	2.79'
L11	S86°27'34"E	1.10'
L12	S03°32'26"W	6.82'
L13	S86°27'34"E	3.86'
L14	S03°32'26"W	1.17'
L15	S86°27'34"E	15.63'

LEGEND

VIKA
ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS ■ GPS SERVICES
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD–SUITE 400 ■ GERMANTOWN, MARYLAND 20874
(301) 916-4100 ■ FAX (301) 916-2262
GERMANTOWN, MD MCLEAN, VA

UNIVERSITY TOWN CENTER
PARCELS M, P, Q AND PART OF PARCEL U
PRINCE GEORGE CENTER
CHILLUM ELECTION DISTRICT NO. 17
PRINCE GEORGE'S COUNTY, MARYLAND

ALTA/ ACSM LAND TITLE SURVEY

VIKA REVISIONS
REVISED PER CLIENT COMMENTS 02-28-14
REVISED ADD THIRD SHEET FOR PARKING GARAGE PLAN 03-06-2014
REVISED PER CLIENT COMMENTS 03-07-14
REVISED SUR. CERT ENTITIES 05-07-14
REVISED SURVEY BASED SEYFARTH-SHAW COMMENTS DATED 5/8/14
REVISED SURVEY BASED NEW ZONING 5/22/14
DATE: FEB 2014
DES. JGP DWN. JGP
SCALE: 1"=40'
PROJECT/FILE NO. M1591A
SHEET NO. 2 OF 3

SCHEDULE "B"

Attachment: UTC - Parcel N Parking Enforcement Area - Schedule B - 6.22.15 (1200 : MOU for Parking Management of Parcel N at University

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Administrator

Meeting:7/20/2015 8:00 PM
Department: Community & Econ Dev
Prepared by: Jim Chandler
Sponsors: At the Request of the City

DOC ID: (ID # 1214)

Discussion Items: Kiplinger Phase II: Discussion

SUBJECT: Kiplinger Phase II: Discussion

SECTION: Discussion Items

BACKGROUND:

As presented to the City Council on June 1, 2015, the applicant, NVR Inc, the parent company of Ryan Homes, will be redeveloping two parcels of the former Kiplinger Editors Press site located at 3401 East-West Highway. The subject property is located in Subarea 7 of the Prince George's Plaza Transit District Overlay Zone. The applicant is proposing a detailed design for the for-sale townhouse development on the south side of the site and 2-over-2 condominium development located on the western parcel of the subject site.

The applicant is proposing the construction of 126 total residential units consisting of 86-sixteen foot wide by 40 ft deep townhouse units located on the southern parcel of the site and 40-two family units with dimensions of 24 ft. Wide and 50 feet deep. The two-family units will be constructed and sold as 2-over-2 condominium units with separate entrances and garage parking.

A full briefing memorandum including recommendations is attached. A revised set of architectural elevations will be sent separately.

NEXT STEPS:

This item is scheduled for Action on August 3, 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS

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

Tracey E Nicholson

Tracey Nicholson, City Administrator 7/15/2015

Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator
Lesley Riddle, Director, Public Works

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development

Date: June 23, 2015

Re: Kiplinger Property: Phase II – DSP-14010-01

Summary

This memorandum is to provide the Mayor and Council with a briefing and recommendations regarding the detailed site plan application for the redeveloping two parcels of the former Kiplinger Editors Press site located at 3401 East-West Highway.

Details

As presented to the City Council on June 1, 2015, the applicant, NVR Inc, the parent company of Ryan Homes, will be redeveloping two parcels of the former Kiplinger Editors Press site located at 3401 East-West Highway. The subject property is located in Subarea 7 of the Prince George's Plaza Transit District Overlay Zone. The applicant is proposing a detailed design for the for-sale townhouse development on the south side of the site and 2-over-2 condominium development located on the western parcel of the subject site.

The applicant is proposing the construction of 126 total residential units consisting of 86-sixteen foot wide by 40 ft deep townhouse units located on the southern parcel of the site and 40-two family units with dimensions of 24 ft. wide and 50 feet deep. The two-family units will be constructed and sold as 2-over-2 condominium units with separate entrances and garage parking.

The applicant is requesting four (4) variances as follows:

1. Minimum Lot Size of 1,800 sf
2. No more than 6 townhouses per building group
3. Width of units to be 24' wide on the ends and 20' wide continuous
4. Gross Living Space of a minimum 1,250 sq ft

Variance 1 – 3 are approved through the Preliminary Plan of Sub-division process. Variance number 4 is being pursued through the detailed site plan approval process and will need to be addressed by the City through its communication to the M-NCPPC Planning Board.

Planning Committee Review

On Tuesday, June 16th, the applicant met with the Hyattsville Planning Committee to present the site plan and solicit feedback from the Committee. During the discussion, there were concerns voiced by the Committee about the vibrancy of the building facades, particularly for the condominium buildings, which as the applicant described is utilizing a visually cooler color pattern, as opposed to the warmer pattern that the firm also has available. According to the applicant, the drawings, as presented, were unrefined and did not accurately capture the aesthetic vibrancy of what is proposed. At the conclusion of the presentation and discussion, the Committee voted to support the following.

Overall, the Committee is supportive of the proposed residential development for Phase II of the Kiplinger development and recommends the City support the project subject to the following conditions:

1. The developer should consider the addition of street furniture throughout the site including but not limited to street art, bike racks, seating, trash/recycling cans and dog waste receptacles that are artistic in nature;

2. Recommend improving the overall vibrancy of the architectural facade for both the condominium and townhouse units;

3. More conscious treatment of the end-units of residential blocks in particular the corner of Toledo Terrace and East-West Highway;

4. Recommend the developer re-examine how to address the potential height differential between the 3-story and 4-story unit option for the townhouse units;

5. The proposed bike/walking trail should either be expanded in width or re-characterized as a sidewalk;

6. Street names: The Committee recommends that the developer proposed street names consider using existing street naming protocol and looking at a plat map for the purpose of extending the existing street grid, or as an alternative, as the applicant has suggested, pursuing street names that capture the printing history of the site.

Background *w/Recommendations*

The applicant is proposing to introduce a variety of residential unit types into the Prince George's Plaza Transit District Overlay Zone, an area dominated primarily by market rate residential rental units. In 2013, the Kiplinger site was rezoned through approval of a conceptual site plan permitting the construction of 800+ residential units located within a multi-family structure with some limited retail use on the site. Through an extensive market evaluation, the owner determined that the projected market absorption rate for the proposed number of units within the TDOZ could not be supported. They re-evaluated the overall unit count and the mix of unit type and the 11.68-acre development is now proposed as 478 total units which. This includes 352-multi-family rental units (approved) and 126-for sale single family homes. *The layout of the design will provide for an increased density in fee simple residential housing within the transit district and the location of the multi-family structure along East-West Highway will provide the opportunity for long-term redevelopment*.

The site plan is proposing additional connectivity to existing neighborhoods both within and outside of the Prince George's Plaza TDOZ. *This connectivity will benefit multiple means of transportation which will be critical to the continued urbanization of the transit zone. The newly created east to west roadway will provide access through the neighborhood and long-term will provide the opportunity for an extended road network parallel to East-West Highway as the corridor continues to redevelop.*

The applicant has suggested pursuing street names that capture the printing history of the site; an interesting concept that would provide the site with a unique character. *While the unique naming of the streets may seem incompatible with the rest of the transit zone and the Hyattsville area as a whole, Editors Park Drive will remain as the eastern boundary of the subject site and there is already a well known starting point for naming the newly created roadway network based on the printing history of the site. It is my recommendation that the Council encourage the applicant to pursue this unique street naming history for the development.*

The applicant is not proposing any additional bicycle storage other than what is included as interior storage as part of the Phase I multi-family structure. The site will not include retail uses, so any additional bicycles storage that will need to be accommodated will be almost exclusively guests of the residents within the neighborhood. *Given the proximity to Prince George's Plaza Metro and a variety of adjacent bicycle trails, it is my opinion that additional bicycle racks should be placed within the site, with the most logical locations being along the southern "greenway", pocket parks and along the East-West Highway sidewalk in front of the proposed condominium buildings. The City has provided yellow bike racks to business and commercial property owners and can provide the developer with the same options. I concur with the Planning Committee that the applicant should be required to include street furniture throughout the site including, but not limited to street art, seating, trash/recycling cans and dog waste receptacles that are artistic in nature*.

The applicant will be providing the City with updated 3-dimensional elevation renderings of both residential unit types. *Updated elevations are not available as of the drafting of this memorandum however, I expect that these elevations will be provided to the City by close of business on July 17th at which time they will be provided to the Mayor and Council. Comments may be modified in an updated memorandum to be included in the August 3rd Council packet*.

Based on discussions with the applicant and the Planning Committee, I recommend that the fee simple townhouse units be built at a standard of 4-stories without the option for 3-story units. Requiring the townhouses be constructed as 4-story units will ensure that there are no odd gaps existing in between units within the same block and negate the necessity for the applicant to request a variance of, "Gross Living Space of a minimum 1,250 sq ft".

The applicant is proposing a pitched roof system for the condominium buildings, including those located along East-West Highway. The applicant's intent for including the pitched roof is to provide visual height to the residential product that will be directly adjacent to multi-family building along East-West Highway. The design is similar to the roofing system at Mosaic at Metro, however being adjacent to both Post Park Apartments and 'The Addition', the design appears very suburban and not in keeping with the urbanizing character of the Prince George's Plaza Transit District. *The proposed pitched roof for the condominium buildings should be revised as either a flat roof with equal height to the proposed elevation or modified to be more in keeping with the urbanized aesthetics of the transit district.*

A summary of the Staff recommendations for support are as follows:

1. The developer will be required to provide additional street furniture along East-West Highway, pocket parks and along the development's designated greenway. The street furniture should, as a minimum include street art, bike racks, seating, trash/recycling cans and dog waste receptacles that are artistic in nature;
2. The City does not support a variance request to permit, "Gross Living Space of a minimum 1,250 sq ft" and will require that all townhouse units be constructed to 4-stories, without an option for 3-story units.
3. The proposed pitched roof for the condominium buildings must be revised as either a flat roof with equal height to the proposed elevation or modified to be more in keeping with the urbanized aesthetics of the transit district.
4. The City is supportive of the applicant's pursuit of street names that reflect the printing history of the site.

As stated previously in this memorandum, additional conditions related to the architecture, specifically comments raised by the Planning Committee as recommendations 2 & 3 will be provided to the Council upon review of the revised elevation renderings and will be included in the August 3rd Council packet.

The detailed site plan is eligible as an 'Expedited Transit-Oriented Development Site Plan Application', therefore the timeline for review and approval of this application is more condensed than traditional applications.

Due to a variety of reasons, the applicants M-NCPPC Planning Board hearing will take place after the Boards August recess; therefore the City Council has additional time to consider this matter. This item is placed on Discussion for July 20th, with Action taking place at the Council meeting on August 3, 2015.

Statement of Justification
Kiplinger
Revision to
Detailed Site Plan
DSP-14010-01

Applicant:
The Kiplinger Washington Editors, Inc.
1100 13th Street NW, Suite 750
Washington DC 20005

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301.794.7555
Contact: David Bickel
May 11, 2015

Table of Contents

1.0 Introduction

This Statement of Justification is presented in support of a Revision to Detailed Site Plan DSP-14010-01. The Applicant, The Kiplinger Washington Editors, Inc., hereby requests approval of a Revision to Detailed Site Plan for the proposed development of a 86 residential townhouse units and 40 two-family units on a property consisting of 8.03 acres. This development would be considered as phase 2 of the Kiplinger Property consisting of a total of 11.68 acres. Phase one was 3.65 acres. 1.58 acres will be publically dedicated for right of ways. The applicant is proposing 86-sixteen ft wide by 40 ft deep townhouse units. They each contain 2 spaces within the garage. They are also proposing 40- two family units. These units are 24 feet wide by 50 feet deep. Each unit has a one car garage. A total of 294 spaces. Both building styles consists of 4 stories. Pursuant to Section 27-547 of the Prince George's county zoning ordinance, the applicant is hereby requesting a Detailed Site Plan approval to develop 86 townhouse units and 40 two family units on the subject property.

Soltesz, Inc. has reviewed the necessary documents including but not limited to, Subtitle 27, the Plan Prince George's 2035 Adopted General Plan, the Master Plan, the Approved Master Plan and Sectional Map Amendment for Planning Area 68, the Approved Transit District Development Plan for the Prince George's Plaza TDOZ, Subtitle 24, and the Landscape Manual, in order to address the needs of the Statement of Justification and the Detailed Site Plan for this application. The following presents the necessary information for justification.

2.0 Property Information

The Subject Property is located in part of Subarea 7 of the Prince George's Plaza TDOZ. The site is in the southwest quadrant of the intersection of Editors Park Drive and East-West Highway. The present facility consists of a single printing operation, distribution and offices with associated surface parking. The property has always been grandfathered for its current uses but envisioned for redevelopment ever since the original TDOZ was adopted in 1992. The present proposal is to construct 100 residential townhouse units.

3.0 Conformance with Detailed Site Plan Requirements

The general and specific purposes of a Detailed Site Plan (DSP) are contained in Section 27-281(b)(c) of the Zoning Ordinance: Section 27-281, Purpose of Detailed Site Plans.

(b) General Purposes

(1) The general purposes of Detailed Site Plans are:

(A) To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;

(B) To help fulfill the purposes of the zone in which the land is located;

(C) To provide for development in accordance with the site design guidelines established in this Division; and

(D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.

Comment: These purposes are discussed in detail below.

GENERAL PURPOSES OF THE DETAILED SITE PLAN

A. Sec. 27-281 (B)(1)(A) To Provide For Development In Accordance With The Principles For The Orderly, Planned, Efficient, And Economical Development Contained In The General Plan, Master Plan Or Other Approved Plan.

(1) The General Plan:

The Plan Prince George's 2035 Adopted General Plan, has among its plan framework, the need to provide Guiding Principles to guide the Plan 2035 vision, policies, and strategies. (Plan 2035, Pg. 19). These Guiding Principles are:

General Plan Guiding Principles

1. Concentrate Future Growth
2. Prioritize and Focus our Resources
3. Build on Our Strengths and Assets
4. Create Choice Communities
5. Connect Our Neighborhoods and Significant Places
6. Protect and Value Our Natural Resources

Comment: The subject site is located within the General Plan's Prince George's Plaza Metro Regional Transit Center area, and is also designated within the Approved Master Plan and Sectional Map Amendment for Planning Area 68, and the Approved Transit District Development Plan for the Prince George's Plaza TDOZ. This proposed project will concentrate growth not only to the site itself but to all the surrounding properties in the area. Existing business will flourish and new business opportunities will be created. The site will take advantage of the arterial road it is located on (East-West Highway) and make sufficient use of the other existing infrastructure and investment including the Prince George's Plaza Metro Station. The subject property will fit in well with the community, and because of its proximity to the metro and other infrastructure, connections to significant areas within the Washington, D.C. area will be abundant. There are no environmentally sensitive lands on the site to preserve.

General Plan- Regional Transit Center-Major Regional Center-*Prince George's Plaza Metro*

The Property is located in the Prince George's Plaza Metro Regional Center as designated in the 2035 General Plan. This Regional Transit Center has extensive transit and transportation infrastructure, and the long-term capacity to become a mixed-use, economic generator for the county. Plan 2035 recommends directing the majority of future employment and residential growth to the Regional Transit Centers. They are medium to high density areas that are envisioned to feature high quality urban design, incorporate a mix of complementary uses and public spaces, provide a range of transportation options, such as Metro, bus, light rail, bike and car share, and promote walkability. They will provide a range of housing options to appeal to different income levels, housing types, and existing and future residents.

Comment: The subject property is being developed at a sufficient intensity as part of the Prince George's Plaza Metro Regional Transit Center. The site will feature high quality

Attachment: Kiplinger Phase II - SOJ (1214 : Kiplinger Phase II: Discussion) *urban design that will coincide with adjacent retail uses. It will include high density residential that greatly takes advantage of its proximity to the Prince George's Plaza Metro Station and various bus routes. In this way, the project capitalizes on existing infrastructure and existing public transportation*

General Plan- Priority Investment District- Prince George's Plaza Metro

Priority Investment Districts are targeted areas best suited to develop regional economic engines, grow commercial tax base, and stimulate job growth. It is hoped that these areas will become vibrant, walkable, regional-serving centers with a robust economic and employment base, varied housing stock, and diverse, mixed-income communities.

Comment: The subject property will contribute to the regional economy by providing more residences for people to inhabit, thus allowing for people to spend money locally. It will stimulate job growth by creating jobs for maintenance, sales, and other services specific to the multifamily building. It will also create more demand for retail services in the Priority Investment District, thus stimulating job growth off-site. With this stimulation, the area could become "vibrant". The area is already very walkable, and the district is regionally-serving.

(4) Prince George's Plaza Approved Transit District Development Plan for the Transit District Overlay Zone.
The Master Plan designates the subject property as part of the Prince George's Plaza Transit District Overlay Zone.

Comment: The Master Plan states that the Transit District Development Plan for the Prince George's Plaza TDOZ were designed to increase the use of transit facilities, maximize the return on investment in a transit system, encourage appropriate development near transit stations with coordinated urban design elements and increase local tax revenues. The goals are similar to those described in the General Plan above.

The Master Plan also recommends future growth and higher intensity mixed-use of development at the National Harbor Metropolitan Center in order to create a new identity and image for the area. The center goals are similar to those described in the General Plan above and include: promote compact, mixed-use development at moderate to high densities, encourage high quality infill development and ensure transit supportable development. The instant proposal remains consistent with these goals. The Master Plan strategy for development for this center includes urban scaled buildings to promote economic growth such as here proposed.

(c) Specific Purposes

(1) The specific purposes of Detailed Site Plans are:

(A) To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;
(B) To show specific grading, planting, sediment control, woodland conservation areas, regulated environmental features and storm water management features proposed for the site;
(C) To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site; and

(D) To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.

Comment: These purposes are discussed in detail below.

SPECIFIC PURPOSES OF THE DETAILED SITE PLAN

A. Sec. 27-281 (C)(1)(A) To Show The Specific Location And Delineation Of Buildings And Structures, Parking Facilities, Streets, Green Areas, And Other Physical Features And Land Uses Proposed For The Site.

Comment: The submitted Detailed Site Plan shows the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site.

B. Sec. 27-281 (C)(1)(B) To Show Specific Grading, Planting, Sediment Control, Woodland Conservation Areas, Regulated Environmental Features And Storm Water Management Features Proposed For The Site.

Comment: The DSP included in this application shows the specific grading and planting. Although a TCPI was submitted and approved during the Conceptual Site Plan, it was not required. In Lieu of a TCPII, a note on the DSP will be included to address the required afforestation planting. A separate Stormwater Management Concept Plan will be submitted with the application as well and will focus on proposed stormwater management practices.

C. Sec. 27-281 (C)(1)(C) To Locate And Describe The Specific Recreation Facilities Proposed, Architectural Form Of Buildings, And Street Furniture (Such As Lamps, Signs, And Benches) Proposed For The Site.

Comment: The submitted Detailed Site Plan, Landscape and Lighting Plans, and Architectural Elevations show the architectural form of buildings, lighting, and signage proposed for the site. All the necessary information is shown on the above plans.

D. Sec. 27-281 (B)(1)(D) To Describe Any Maintenance Agreements, Covenants, Or Construction Contract Documents That Are Necessary To Assure That The Plan Is Implemented In Accordance With The Requirements Of This Subtitle.

Comment: There are no anticipated maintenance agreements or covenants necessary for the development of this site. Construction documents - Storm Drain and Paving Plans, Stormwater Management Plans, Sediment Control Plans, and Architectural Plans- will be prepared, submitted to appropriate review authorities, and approved prior to issuance of a Building Permit.

4.0 Part 10. M-X-T Zone (Mixed-Use Transit Oriented)

Sec. 27-542. Purposes.

(a) The purposes of the M-X-T Zone are:

(1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

Comment: The subject property is located within the Prince George's Plaza Metro Regional Center (General Plan Center), as well as the Prince George's Plaza TDOZ. Currently existing on-site is an unutilized vacant building. The development/ redevelopment of this site with single family attached residential dwellings(townhouses) and two family dwellings will enhance the economic status of the county by creating more living opportunities for the people.

(2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;

Comment: As discussed above, the proposal will contribute to creating the compact, walkable community envisioned by both the General Plan and Prince George's Plaza TDOZ.

(3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;

Comment: The proposed residential use on the property meets the purposes of the M-X-T Zone as described in detail below. The proposed use will help increase the value of land by creating living space located conveniently to the Prince George's Plaza Metro Station. The desirability of this use will be sustained because of its proximity to the metro station. This project maximizes developable opportunities while creating a fine balance with the adjacent uses.

(4) To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;

Comment: The proposed residential use is in close proximity to the existing Prince George's Plaza Metro Station, as well as other mixed-use, commercial, and retail uses. Pedestrian trails have been planned and will be constructed in several locations that connect to these existing surrounding uses and services.

(5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;

Comment: The nearby Prince George's Plaza Metro Station will facilitate and encourage a longer cycled environment that should remain active until the Metro stops running in the evening/early morning. The subject property will benefit from this local service as will visitors to the area.

(6) To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;

Comment: The mostly vertical residential land use proposed will blend with surrounding existing residential and retail.

(7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;

Comment: The designed architecture for the site will be distinctive, while still maintaining the character of the area.

(8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;

Comment: This project optimizes the existing facilities and infrastructure such as existing water, existing sewer, existing storm drains, and existing roadway network. Innovative stormwater management techniques will be used, while public infrastructure improvements will be made when necessary.

(9) To permit a flexible response to the market and promote economic vitality and investment; and

Comment: The proposed use will optimize economic vitality at Prince George's Plaza and surrounding retail uses.

10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

Comment: The designed architecture for the site will be distinctive, while still maintaining the character of the area.

Sec. 27-543. Uses.

The uses allowed in the M-X-T Zone are as provided for in the Table of Uses (Division 2 of this Part), including the mix of uses required by Section 27-547(d).

Comment: The proposed use of single family attached residential dwellings (townhouses) and two family dwellings are permitted uses in the M-X-T zone.

Sec. 27-544. Regulations.

(a) Except as provided in Subsection (b), additional regulations concerning the location, size, and other provisions for all buildings and structures in the M-X-T Zone are as provided for in Divisions 3 and 4 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.

Comment: Division 3: See Division 3 section below.
Division 4: See Division 4 section below.
General Part 2, Off-Street Parking and Loading, Signs, Landscape Manual: The site will conform to the regulations set forth in these sections unless superseded by TDOZ design standards.

(b) For property placed in the M-X-T Zone through a Sectional Map Amendment or through a Zoning Map Amendment intended to implement land use recommendations for mixed-use development recommended by a Master Plan or Sector Plan that is approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation:

(1) The design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change, and a referenced exhibit of record for the property shall provide guidance for the development regulations to be incorporated into the Conceptual Site Plan.

Comment: This section is not applicable since this property was not zoned through a Sectional Amendment after October 1, 2006.

(2) The limitations on the maximum percentages of townhouses contained in Section 27 547(b)(7), footnote 7 and the lot size and lot width requirements in Section 27-548(h) shall not apply. However, the Planning Board or District Council may impose similar restrictions where appropriate, only to implement the recommendations of the Master Plan or Sector Plan.

Comment: This section is not applicable since this property was not zoned through a Sectional Amendment after October 1, 2006

(c) Notwithstanding the provisions of Section 27-270, a grading permit may be issued as long as it is in conformance with an approved Conceptual Site Plan.

Comment: This option may be utilized to enable the construction of this site to be accomplished in a timely and economical manner.

(d) Mixed-Use Planned Community Regulations.

Comment: These regulations are not applicable.

(e) Regional Urban Community Regulations.

Comment: These regulations are not applicable.

Sec. 27-545. Optional method of development.

Comment: No optional methods of development are being proposed.

Sec. 27-546. Site plans.

(a) A Conceptual Site Plan and a Detailed Site Plan shall be approved for all uses and improvements, in accordance with Part 3, Division 9, of this Subtitle.

Comment: The CSP has been approved and the DSP will be approved for all uses and improvements.

(b) In addition to the information required by Part 3, Division 9, for Conceptual Site Plans, the following information shall be included on Plans in the M-X-T Zone:
(1) A general description of the pedestrian system proposed;
(2) The proposed floor area ratio;
(3) The type and location of uses proposed, and the range of square footage anticipated to be devoted to each;
(4) A general description of any incentives to be used under the optional method of development;
(5) Area proposed for landscaping and screening;
(6) The proposed sequence of development; and
(7) The physical and functional relationship of the project uses and components.
(8) Property placed in the M-X-T Zone by a Sectional Map Amendment shall provide supporting evidence which shows whether the proposed development will exceed the capacity of transportation facilities that are existing, are under construction, for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program or within the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in a specific public facilities financing and implementation program.

Comment: The applicable information has been provided on the Detailed Site Plan.

(c) In addition to the information required by Part 3, Division 9, for Detailed Site Plans, the following information shall be included on Plans in the M-X-T Zone:
(1) The proposed drainage system;
(2) All improvements and uses proposed on the property;
(3) The proposed floor area ratio of the project, and detailed description of any bonus incentives to be used; and
(4) Supporting evidence which shows that the proposed development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program or within the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in a specific public facilities financing and implementation program, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last.

Comment: The applicable information has been provided on the Detailed Site Plan.

(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:
(1) The proposed development is in conformance with the purposes and other provisions of this Division;

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

Comment: (1-2) As stated throughout this document, the development is in conformance with this Division.

(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;

Comment: The proposed development has an outward orientation onto East-West Highway. It will similarly match the character of some of the newer adjacent development, but also, it will catalyze adjacent community improvement and rejuvenation for buildings that have become old and out-of-date.

(4) The proposed development is compatible with existing and proposed development in the vicinity;

Comment: The subject site will be compatible in terms of design and architecture with newer buildings and construction in the Prince George's Plaza TDOZ. It will also be compatible with other proposed development that focuses on meeting the TDOZs goals and strategies.

(5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;

Comment: The proposed on-site residential use and in the vicinity of the site provide a cohesive development. The surrounding public transportation and retail amenities also aid in the area's ability to serve as an independent environment.

(6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;

Comment: No staging plan is required or proposed.

(7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;

Comment: As part of the overall connectivity to the surrounding areas including the Prince George's Plaza Metro Station, sidewalks have been planned and will be constructed in several locations. The sidewalk system will also serve all the needs and connections that are internal to the site.

(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such

as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and

Comment: All applicable items have been paid adequate attention.

(9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

Comment: This application is a Detailed Site Plan. The above requirement has been fulfilled by the approved Conceptual Site Plan, CSP-11002.

10. On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant.

Comment: More than 6 years have not elapsed since a finding of adequacy was made. The CSP was approved on 08/12/2013.

11. On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.

Comment: This project is proposed under the regular provisions of the M-X-T Zone and not under the Mixed-Use Planned Community provisions.

Sec. 27-547. Uses permitted. (Part 10, Division 3)

Comment: The proposed use is single family attached residential dwellings and is a permitted use in the M-X-T zone

(d.) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone.

1. Retail businesses;
2. Office, research, or industrial uses;
3. Dwellings, hotel, or motel.

Comment: Parcel 1 is being developed for DSP (DSP-14010) and will include multifamily residential and phase 2 DSP 14010-01 will include single family attached dwelling *units(townhouses) and two family dwellings. CSP-11002 has been revised and approved to allow for the existing retail businesses surrounding the site to be found sufficient to meet category 1. From finding #17 of CSP-11002-01 "Subarea 7 was anticipated to be developed with a mix of uses. The Planning Board finds that the development should contribute to a stable environment by not competing directly with most of the uses within the nearby Prince George's Plaza shopping center. The proposed residential use will enlarge the existing selection of residential developments in the vicinity and will enhance the quality of and contribute to the vitality of the transit district."*

Sec. 27-548. M-X-T Zone. (Part 10, Division 4)

(a) Maximum floor area ratio (FAR): 0.40 without optional method and 8.00 with optional method

Comment: The allowed FAR based upon the approved CSP is 1.4. Including phase 1, the proposed FAR is 1.07.

(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.

Comment: All uses on the subject site are provided for in one building and on proposed lot.

(c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.

Comment: In addition to the regulations provided in Division 4, the instant proposal establishes the regulations for development of the subject property.

(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

Comment: The Landscape Plan has been prepared according to all applicable sections in the Landscape Manual.

(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.

Comment: The F.A.R. approved as part of the CSP for the site is 1.40. This site has an F.A.R. of 1.07.

(f) Private structures may be located within the air space above, or in the ground below, public rights-of-way.

Comment: There is no proposal to locate structures within airspace above, or in the ground below, public rights-of-way.

(g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

Comment: The proposed development has direct frontage and vehicular access on two sides to public streets.

(h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45º)...Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the District Council may approve a request to substitute townhouses, proposed for development as condominiums, for multifamily dwellings that were required as a condition of approval in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, such townhouses are subject to all other requirements of the Zoning Ordinance.

Comment: The proposal complies with all the regulations except for 4 items which a variance is being sought. There are 4 requirements that require a variance: 1) Minimum Lot Size of 1,800 sf, 2) No more than 6 townhouses per building group, 3) Width of the units to be 24' wide on the ends and 20' wide continuous, and 4) Gross Living Space of a minimum of 1,250 sf.. Variance requests 1-3 are being pursued through the subdivision process of PPS-14013. Variance request 4 is being pursued with DSP-14010-01 and can be found in Section 10 of this justification.

(i) The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.

Comment: This section is not applicable since no multifamily buildings are proposed on this DSP.

(j) As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

Comment: This section is not applicable since this property was not zoned through a Sectional Amendment after October 1, 2006

5.0 Compliance with Mandatory Development Requirements and Development Guidelines and other Zoning Ordinance Provisions

A. Mandatory Development Requirements and Development Guidelines

P1. Unless otherwise stated within the Subarea Specific Requirements, each developer, applicant, and the applicant's heirs, successors and/or assigns, shall be responsible for streetscape improvements along the entire length of the property frontage from the building envelope to face of curb. (See Figures 7,8 and 9. Toledo Terrace: 20-foot pedestrian zone; East West Highway: 40-foot pedestrian zone; Belcrest Road: 20-40 foot pedestrian zone.) These improvements shall be included as part of any application for building or grading permits, except for permits for interior alterations which do not constitute redevelopment as defined in the previous chapter. No building or grading permits shall be issued without a Detailed Site Plan which indicates conformance with the streetscape requirements of the WDP. Construction of the streetscaping improvements shall be in phase with development, or the construction schedule shall be determined at the time of Detailed Site Plan.

Comment: This condition was met by DSP 14010.

P2. All development/redevelopment shall have a sign plan approved by the Planning Board at the time of Detailed Site Plan. This plan shall provide the sign location(s), size, color, lettering style, construction details and material specifications including the method of illumination.

Comment: A signage plan will be submitted and approved as part of the Detailed Site Plan.

P3. No signs shall be located on a penthouse, chimney or other architectural accessory and/or decorative building features.

Comment: No signs are proposed on these features.

P4. No part of any sign shall extend above or beyond the perimeter of the building wall or roof.

Comment: No building mounted sign will extend beyond the perimeter of any wall or roof.

P5. Small regulatory signs, such as signs which direct traffic or identify the location of service entrances or parking areas, shall not exceed 2 square feet in area.

Comment: No regulatory sign will exceed 2 square feet.

P6. Unless otherwise noted, the term "parking", as used in these requirements, shall refer only to surface parking. Parking provided in or below a structure that is used, built or redeveloped for a use or uses approved under the provisions of this plan shall be considered surface parking as used in these requirements. Unless stated otherwise in this plan, all existing County requirements relating to parking and loading as required by Subtitle 27, Part 11, of the Prince George's County Zoning Ordinance shall be applicable.

Comment: Parking shall comply with Part 11 and will be designed at the time of Detailed Site Plan. The Subject Property currently has 294 parking spaces; 192 garage,39 surface, 23 street, 40 driveway spaces.

P7. The Preferred Parking cap for each land use type in the transit district (Table 5) shall apply to all new development in the district.

Comment: The required parking for the site does not exceed the cap.

P8. The Preferred Parking Cap may not be exceeded except that, at the time of Detailed Site Plan:

(a) the applicant may request that the Planning Department apply the Premium Parking cap (Table 5), its attendant ratios (Table 6) and the fee schedule (P18), or

(b) the Planning Department may find that the number of surface parking spaces attributed to the development proposal in the transit district requires either:
   a. application of the Premium Parking Cap and its attendant ratios and fee schedule, or
   b. adjustment of the overall authorized surface parking caps (Table 5) for the district by a corresponding, a class of land use for each surface parking space added to another class of land use.

(c) An applicant proposing development that exceeds either of the parking caps identified in Table 5 for a class of land use may apply to have those limits adjusted by a corresponding, one-to-one reduction in other categories where the parking cap has yet to be exceeded.

Comment: The Preferred Parking Cap has not been exceeded.

P9. The parking ratios for each subarea shall be determined by the land uses proposed for the development in the subarea. Residential development parking allocations shall be determined by the number of parking spaces per dwelling unit. All other parking allocations to development or redevelopment proposals in the transit district shall be determined by the number of parking spaces per 1,000 gross square feet of each type of nonresidential land use in the development.

Comment: The proposal complies with the established parking ratios within the Transit District Overlay Zone for single family residential uses.

P10. The Preferred Parking Cap for the Prince George's Plaza Transit District shall be 3,000 spaces in addition to the spaces already in the transit district.

Comment: The Preferred Parking Cap has not been exceeded.

P11. The Premium Parking Cap for the Prince George's Plaza Transit District shall be 1,000 spaces in addition to spaces already in the transit district and spaces encompassed by the Preferred Parking Cap.

Comment: The Premium Parking Cap has not been exceeded.

P12. The authorized total (preferred plus premium) parking limits and their attendant, respective, parking ratios shall not be exceeded by any development proposal approved for the transit district, except upon the following:

(a) completion by the applicant, the Planning Department or the TDMD of an analysis of the traffic and parking impacts of the proposed development on all roads, streets and intersections designated by the Planning Department to be critical for the analysis of that development proposal in the transit district;

(b) a finding that either:
   a. the traffic impacts attributed to the proposed development do not degrade traffic operations within the transit district below LOS E, or
   b. if traffic or parking impacts attributed to the development proposal do degrade traffic operations below LOS E, there are specific transportation improvements, parking management measures, transit initiatives or enhancemen15, other TRMs, or a specific combination of these, that will

relieve the adverse 1raffic or parking impacts sufficiently to restore at least LOS E;

(c) determination of a specific combination of measures that restore LOS E, together with the estimated costs of, and the implementation timetable for, those measures; and

(d) an undertaking or proffer by the applicant, his heirs, successors or assigns, executed upon approval of a Detailed Site Plan, of a contribution toward the cost of implementing the combination of improvements or traffic or parking relief measures required to restore LOS E in the transit district to be calculated at the rate of $2,100 (1998 dollars) for each surface parking space allocated to the development proposal that is above the total authorized surface parking limit for the transit district.

Absent fulfillment of the provisions of this Mandatory Development Requirement for Transportation Adequacy, any development proposal that generates surface parking that exceeds the total authorized surface parking limit for the transit district shall be denied.

Comment: The Preferred Parking Cap has not been exceeded.

P13. Concurrent with the adoption of this TDDP, pursuant to applicable provisions of Subtitle 20A, Division 2, of the Prince George's County Code, the Prince George's Plaza TDMD shall be reauthorized with boundaries that are coterminous with those of the transit district. Membership and participation in the TDMD by all property owners in the transit district shall be mandatory.

Comment: The Applicant will participate in any established TDMD program.

P14. The TDMD shall provide the Planning Board with an annual transportation and parking operations analysis of the transit district that shall:

- Determine whether or not the level of traffic service has been maintained at or above the operational minimum of LOS E.
- If LOS E has not been maintained, determine:
  - what additional trip reduction, transportation or parking management measures are required to restore LOSE,
  - the cost of these measures, and
  - whether the level of revenue collected by the premium parking fee and the TDMD operating fee is sufficient to cover the cost of these measures.
- Assess the percentage of total peak hour trips to the transit district being taken in single-occupant and high occupancy vehicles, and by transit,
- Report on the type, number and effective of all TRMs being used by the TDMD to reduce SOV trips into and from the transit district, and
- Recommend new, innovative or additional TRMs that may be used to reduce, combine or convert additional SOV trips into and from the transit district.

Comment: This guideline does not require action by the Applicant.

P15. The staff of the Prince George's County Planning Department shall serve as technical support for the TDMD that is to be retained, as provided herein by these Mandatory Development Requirements.

Comment: This guideline does not require action by the Applicant.

P16. The annual TDMD membership fee shall be $5 for each surface parking space on each property in the transit district. Parking spaces in structures as well as surface spaces that are permanently reserved for handicapped occupant vehicles, carpools and vanpools shall be calculated at a rate of $2 for each such space.

Comment: The Applicant will participate in any established TDMD program.

P17. The maximum fee for each surface parking space allocated under the Preferred Parking Cap for the Prince George's Plaza Transit District shall be $400. (This fee may be reduced if public funds are contributed to pay for needed transportation improvements.)

Comment: The Applicant will participate in any established TDMD program.

P18. The maximum fee for each parking space allocated under the Premium Parking Cap for the Prince George's Plaza Transit District shall be $800. (This fee may be reduced if public funds are contributed to pay for needed transportation improvements.)

Comment: The Applicant will participate in any established TDMD program.

P19. Fees assessed for surface parking allocated to development under either the Preferred or the Premium Parking Cap shall be due at the time of Detailed Site Plan and collected by the Prince George's County Planning Department.

(a) Fees collected for parking allocated under the Preferred Parking shall be applied to defray the cost of transportation improvements shown in Table 4 of this plan, unless otherwise determined or directed by the District Council.

(b) Fees collected for parking allocated under the Premium Parking Caps shall be applied by the TDMD to TRMs, or to transportation or transit improvements reported by the TDMD as necessary to restore the operational minimum on transit district roads and streets to at least LOS E.

Comment: The Applicant will participate in any established TDMD program.

P20. Developers shall provide continuous sidewalks along all frontages of their property on public rights-of-way in the transit district.

Comment: Sidewalks are to be provided along all frontages on Editors Park Drive and East-West Highway.

P21. At the time of Detailed Site Plan for Subarea 11 in this transit district, the final design and construction timetable for the pedestrian bridge shall be included in the approved site plan.

Comment: Not applicable to this application.

P22. When the maximum surface parking limit is exceeded, a parking enterprise district shall be established with boundaries coterminous with those of the transit district and shall be administered by the Parking Authority of Prince George's County. The Parking Authority shall provide a status report on the parking district to the District Council within 60 days of its establishment, to include recommendations on the size, number and location of any structured parking facilities to be built in the transit district.

Comment: Maximum surface parking has not been exceeded.

P23. All property owners wishing to increase their parking requirements through shared parking arrangements will be required to submit a shared parking study. Such studies must indicate the internal allocation of parking among the property owners' land uses and shall use a recognized methodology, conform with all transportation assumptions and requirements of this TDDP, and be submitted by the applicant, the applicants heirs, successors and/or assigns at Conceptual or Detailed Site Plan.

Comment: No shared parking is requested at this time.

P24. Once the total surface parking limit established for the transit district is exceeded and no development proposals are approved under the provisions of PI2 for transportation adequacy, the feasibility of a structured parking facility shall be evaluated by the TDMD as a means to accommodate parking beyond that permitted for surface parking in the transit district. The funding, construction and management of such a facility may either be undertaken by the developer(s), applicant(s) or property owner(s) within the transit district, or may be undertaken by the parking district, in accordance with all related standards, guidelines and regulations established by the Parking Authority for such purposes. The recommended locations for such a facility are illustrated in Figure 17.

Comment: Not applicable to an individual application.

P25. Any development shall provide for water quality and quantity control in accordance with all Federal, State and County regulations. Bioretention or other innovative water quantity or quality methods shall be used where deemed appropriate.

Comment: The proposed development will comply with all required stormwater approvals. Stormwater Concept Plan Approval, Case No.33013-2014-00, was approved by the Prince George's County Department of Public Works and Transportation on 2-23-2015.

P26. Where stormwater management cannot be provided for existing developed properties, a mandatory 15 percent green space requirement shall be provided. The green space can be incorporated into the mandatory 10 percent afforestation requirements (referred to in S33, Woodland Conservation) if it occurs on the actual property.

Comment: The proposed development will comply with all required stormwater approval. (Stormwater Concept Plan Approval Case No. 33013-2014-00).

P27. Within 12 months after the District Council approves the Prince George's Plaza TDDP, the Department of Environmental Resources shall make recommendations to the District Council regarding treatment of pollutants based on the Prince George's Plaza Transit District Overlay Zone Environmental Management Plan, July 1993. Any property owner who completes construction or receives a use and occupancy permit prior to the completion of the Department of Environmental Resources study shall comply with the findings and recommendations of the study.

Comment: The proposed development will comply with all required stormwater approvals. (Stormwater Concept Plan Approval Case No. 33013-2014-00).

P28. Any new development or reconstruction of existing development shall be in conformance with the Prince George's County Floodplain Ordinance.

Comment: The proposed development shall comply with the floodplain ordinance. There is no floodplain on-site.

P29. No development within the l00-year floodplain shall be permitted without the express written consent of the Prince George's County Department of Environmental Resources.

Comment: There is no 100 year floodplain on site and no development is proposed within any floodplain.

P30. If the development is undergoing subdivision, approval of a variation request shall be obtained for proposed impacts to the floodplain.

Comment: There is no 100 year floodplain on site and no development is proposed within any floodplain.

P31. If impacts to non-tidal wetlands are proposed, a Maryland Corps of Engineers Joint Permit Application (33 Code of Federal Regulations 320 through 330) shall be required and, where required, issuance of the permit.

Comment: There are no wetlands on site and no proposed impacts on any wetlands by this application.

P32. If impacts to non-tidal wetlands are proposed, a State Water Quality Certification pursuant to Section 401 of the Clean Water Act shall be required from the Maryland Department of the Environment.

Comment: Not Applicable

P33. Each Preliminary Plat, Conceptual and/or Detailed Site Plan shall show a 65 dBA (Ldn) noise contour based upon average daily traffic volumes at LOS E. Upon plan submittal, the Natural Resources Division shall determine if a noise study is required based on the delineation of the noise contour.

Comment: The noise contour line is shown on the Detailed Site Plan.

P34. At the time of Preliminary Plat of Subdivision or Conceptual or Detailed Site Plan, the Department of Parks and Recreation (DPR) will review the site plan related to the development's impact on existing public parkland and recreation facilities and the need for additional parkland and recreation facilities. Any residential development shall meet the mandatory dedication requirements of the County Subdivision Ordinance (Subtitle 24).

Comment: A copy of the detailed site plan will be provided to DPR for their review and analysis.

S1. All proposed development/redevelopment shall have a primary pedestrian walkway system that coincides with the street system and provides connection directly to the Metro station. In addition, the secondary and tertiary pedestrian systems shall provide efficient pedestrian circulation and inner-block connections through parks, plazas and green areas.

Comment: The Site Plan sets forth sidewalks as part of a primary pedestrian walkway and provides a direct connection to the Metro station.

S2. Walkways through parking lots, other than those linking buildings with parking lots, shall, wherever possible, be avoided.

Comment: No walkways through parking lots are proposed on the detailed site plan.

S3. All primary and secondary pedestrian walkways shall be well-lighted to a minimum standard of 1.25 footcandles.

Comment: Walkways shall be lighted to a minimum standard of 1.25 footcandles.

S4. All proposed development shall have direct, safe pedestrian links provided between the transit district uses, the primary walkway system and ultimately to the Metro station.

Comment: The proposal will provide part of the sidewalk links to Metro by installing sidewalks along the East-West Highway frontage of the subject property.

S5. All primary and secondary pedestrian routes shall be constructed using special paving materials. (See Figure 7 for detail of crosswalks.)

Comment: Special paving materials are proposed for all primary and secondary pedestrian routes. The applicable standards will be utilized.

S6. At the time of the first Detailed Site Plan submission, The Maryland-National Capital Park and Planning Commission (M-NCPPC) Urban Design staff shall select and specify the paving material to be used for the primary and secondary pedestrian system throughout the transit district.

Comment: The application will comply with the established standards.

S7. Landscape screens and buffers shall be used only where they do not impose a problem for pedestrian safety.

Comment: No landscaping which interferes with pedestrian safety will be used.

S8. All property frontages shall be improved in accordance with Figures 7, 8 and 9 in order to create a visually continuous and unified streetscape.

Comment: Frontage improvement design along East West Highway will be coordinated with other developments at the time of Detailed Site Plan, DSP 14010, an earlier phase. A sidewalk has been proposed for the entire property frontage on East-West Highway and Editors Park Drive. Streetscape improvements in the form of street trees and landscaping have also been proposed as part of an earlier phase.

S9. At the time of the first Detailed Site Plan submission, the M-NCPPC Urban Design staff shall select and specify the streetscape elements which shall constitute the streetscape vocabulary for all future development in the transit district, such as lighting fixtures, benches, trash receptacles, bicycle racks, sign posts, planters, building awnings, paving patterns(s) and materials.

Comment: The proposed development will incorporate the established streetscape vocabulary.

S10. All traffic lights shall be either pole-mounted or attached to mast arms and all associated galvanized elements shall be finished in a manner compatible with lighting elements in the Lighting section of this chapter.

Comment: No traffic lights are proposed with this application.

S11. All street trees shall be limbed up to a minimum of 6 feet above grade.

Comment: The proposal will comply with this requirement as part of construction and ongoing maintenance.

S12. All tree pits for street tree planting shall be designed in accordance with Figure 10, or the most current technology.

Comment: The proposal will comply with this requirement as part of construction.

S13. All major pedestrian crossings, such as crossings that traverse more than three lanes of traffic, shall have a contrasting pavement material. Crossings are to conform to all Road Code standards and conform to Figure 7.

Comment: No such pedestrian crossings are proposed with this application.

S14. Building materials shall be high quality, enduring and distinctive. Exterior building materials, such as pre-cast concrete, brick, tile and stone, are encouraged.

Comment: Detailed renderings are submitted with the Detailed Site Plan to demonstrate compliance.

S17. All parking lots shall, in general, be located behind buildings and shall not occupy more than 33 percent of the frontage of any subarea along a pedestrian street.

Comment: For this phase, no parking lots are proposed along the frontage of this property.

S18. All parking lots shall not extend beyond the build-to line or project beyond the front plane of adjoining buildings.

Comment: No parking extending beyond the build to lines is contemplated in the CSP.

S19. All large-surface parking lots (lots with more than 100 spaces) shall be segmented into smaller units, using methods of continuous internal green in conformance with the Landscape Manual, Section 4.3(c)(5).

Comment: No large surface parking lots are proposed.

S20. All parking lots shall be void of timber curbs or timber curb stops.

Comment: No timber curbs or stops are proposed.

S21. All adjoining subareas with a mixture of uses shall seek to reduce the total amount of parking spaces by comparing peak demand of each use by time of day, day of the week and season as permitted by the Zoning Ordinance, Part 11, and possibly including a Departure from Parking and Loading Standards.

Comment: This condition is not applicable

S22. All parking structures shall provide a minimum of 5 percent of the total surface area in green space. The green space shall be planted with shade trees and shrubs. Tree planter boxes shall contain a minimum of 500 cubic feet of soil per tree, provide drainage and have an irrigation system.

Comment: This condition is not applicable.

S23. All surface parking lots shall be screened from view of roadways by the use of both a low, opaque wall and an evergreen hedge (See Figure 7), unless they are providing short-term parking for ten cars or fewer.

Comment: All surface parking lots have been screened from roadways.

S24. All lighting poles, fixture designs, light rendition and level of illumination shall be coordinated throughout the transit district to achieve a recognizable design, and be consistent with the streetscape construction drawings provided in Appendix A.

Comment: Street lighting will comply with established standards. See the Landscape Plan provided for more specific details on types proposed.

S25. All lighting shall have a minimum level of 1.25 footcandles, and shall be provided for all outdoor spaces, plazas, parking lots, etc., for the safety and welfare of all users.

Comment: The minimum 1.25 footcandles will be provided.

S26. Lighting shall be designed to prevent glare, where possible, on adjoining properties, roadways and uses within the subject development.

Comment: Appropriate cutoff lighting will be utilized.

S27. At the time of the first Detailed Site Plan submission, the M-NCPPC Urban Design staff shall select and specify the lighting fixture(s) to be used for all subsequent development phases within the transit district. A coordinated lighting plan shall be submitted with each Detailed Site Plan.

Comment: The proposed development will comply with the established lighting fixture standards.

S28. All commercial or industrial establishments shall provide a common sign plan when there is more than one principal building proposed (not including accessory buildings), such as shopping centers, malls and office parks on a single lot or combination of lots under common ownership. Common sign plans shall specify standards for consistency among all signs within the development including lighting, colors, lettering style and size and relative location of each sign on the building. New signs proposed in connection with exterior renovation or rehabilitation of 60 percent or more of an existing structure shall also submit a common sign plan. No sign permit shall be issued for a sign requiring a permit unless a common sign plan for the development on which the sign will be erected has been submitted and approved by the Planning Director or designee.

Comment: This is not applicable to this residential development.

S29. The location and number of bicycle lockers, racks and other features shall be determined at Detailed Site Plan review.

Comment: This is not applicable to this residential development.

S30. All new retail development shall provide four bicycle racks per 10,000 gross square feet of floor space with each rack holding a minimum of two bicycles.

Comment: No retail development is proposed for this application.

S31. At the time of Detailed Site Plan, the number of trash cans and locations shall be shown on the plan. Trash receptacles should be placed in strategic locations to prevent litter from accumulating in and around the proposed development.

Comment: The Detailed Site Plan includes the required number of trash cans in appropriate locations.

S32. Prior to the final inspection and sign-off of permits by the Sediment/Stormwater or Building Inspector, any storm drain inlets associated with the development and all inlets on the subject subarea shall be stenciled with "Do Not Dump, Chesapeake Bay Drainage." The Detailed Site Plan and the Sediment Control Plan (in the sequence of construction) shall contain this information.

Comment: The proposed development will include the required notice.

S33. Afforestation of at least 10 percent of the gross tract shall be required on all properties within the Prince George's Plaza Transit District currently exempt from the Woodland Conservation and Tree Preservation Ordinance. Afforestation shall occur on-site or within the Anacostia Watershed in Prince George's County, with priority given to riparian zones and non-tidal wetlands, particularly within the Northwest Branch sub-watershed.

Comment: To meet requirement S33 of the Transit District Development Plan (TDDP), a minimum of 10 percent (1.17 acres or 50,966 sf) afforestation will be provided in the form of "tree canopy coverage". An amendment has been applied for during the Phase 1, DSP-14010, which will allow for this. The required amount of tree canopy coverage will be attained from combining the landscape plans of both dsp-14010 and dsp-14010-01 (16,940 sf and 79,400 sf respectively) for a total of 96,340 sf of Tree Canopy Coverage. Environmental Planning has found this to be an acceptable proposal.

S34. If it is determined by the Natural Resources Division that a noise study is required, it shall be reviewed and approved by the Natural Resource Division prior to approval of any Preliminary Plat of Subdivision, Conceptual and/or Detailed Site Plan. The study shall use traffic volumes at LOS E and include examination of appropriate mitigation techniques and the use of acoustical design techniques. Furthermore, a typical cross-section profile of noise emission from the road to the nearest habitable structure is required.

Comment: The Applicant will comply if required.

S35. All Conceptual and Detailed Site Plans shall be submitted to the Fire Department for review and to evaluate whether a medi-vac landing area location is warranted.

Comment: This review will be done as part of the referral process.

S36. All Conceptual and Detailed Site Plans shall be referred to the County Police Department for review and comments pertaining to the impact on police services.

Comment: This review will be done as part of the referral process.

G1. All pedestrian walkways should be designed to minimize vehicular/pedestrian conflicts.

Comment: The site design coordinates pedestrian and vehicular circulation.

G2. Pedestrian link(s) should be barrier-free

Comment: Proposed pedestrian links are barrier-free.

G3. Landscape plantings and/ or low walls should be used to screen views of parking area selectively and soften the facade treatment of parking structures where possible.

Comment: Landscaping is proposed to soften the façade of the parking.

G4. Building scale should be minimized by creating architectural transitions between lower and higher buildings.

Comment: This is not applicable.

G5. Building facades should be varied and articulated to provide visual interest. Arcades, bays, windows and balconies should be provided where appropriate to define and enhance the pedestrian experience.

Comment: The architectural elevations submitted with this application showcase the facades and features that provide visual interest and enhance the pedestrian experience.

G6. Office buildings fronting on pedestrian pathways should be consciously designed with a base scaled to relate to pedestrian activities.

Comment: No office buildings are proposed with this application.

G7. Continuity of retail activities at the street level in office buildings, adjacent to pedestrian pathways, should be used to enrich street life and enhance pedestrian experiences.

Comment: No retail activities are proposed with this application

G8. Where possible, building entrances separated by roadways, parking plazas or open space should be oriented toward one another.

Comment: This scenario does not exist on this site and therefore isn't applicable.

G9. All sides of a building should receive equal design consideration if viewed from a public area.

Comment: Attention has been given to all sides of the building architecture.

G10. Building rooflines should be designed to create architectural interest and contribute to the overall identity of the area.

Comment: Articulated rooflines have been included.

G11. Primary entrances should be designed as one of the major architectural features so they are clearly identifiable and offer a sense of arrival.

Comment: This is not applicable to this townhouse development.

G12. Excessive changes in materials on a single building or within a development should be avoided.

Comment: Aesthetically pleasing and coordinated materials have been included in the design of the units.

G13. The use of unfinished concrete blocks (painted or unpainted) and galvanized, corrugated metal should not be permitted on the exterior of any structure.

Comment: No unfinished concrete block or galvanized corrugated metal has been used in the design.

G14. Buildings and structures should be designed and located to reduce undesirable northerly winds at ground level.

Comment: This has been accomplished as best as possible.

G15. Buildings, structures and plazas should be designed and located so that heat gain and flare does not adversely impact the usability of outdoor spaces.

Comment: Heat gain and flare will not result from the design.

G39. All parking structures should be designed as an integral component of the overall site and be architecturally compatible with adjoining buildings.

Comment: No parking structures are proposed in this phase.

G40. Convenient and safe pedestrian linkages should be provided between the garages and the main buildings.

Comment: Convenient and safe pedestrian linkages are provided.

G41. High-quality exterior finish materials should be used on all sides of the garage structures and shall complement the exterior materials displayed by the main buildings.

Comment: No parking structures are proposed in this phase.

G42. Landscaping elements, where appropriate, should be used to soften the appearance of the parking structure.

Comment: No parking structures are proposed in this phase.

G43. Service and loading areas should be effectively screened from public view and be located so as to perform their functions conveniently.

Comment: This is not applicable to this proposal.

G44. All building facades should be illuminated to the level of acceptable to the Prince George's County Department of Environmental Resources.

Comment: The lighting standards proposed comply with DER requirements.

G45. Lighting should be used to identify key elements in the urban environment such as intersections, entrances, street names and architectural features.

Comment: Appropriate lighting has been proposed to highlight architectural features and entrances.

G47. Building-mounted signs should be compatible with the architectural design of the building.

Comment: This is not applicable to this proposal.

G48. Whenever possible, bicycle parking facilities should be located near building entrances but should not be located so as to conflict with major pedestrian circulation routes.

Comment: Bicycle racks have been proposed for in Phase 1.

G49. In subareas with structured parking garages, a separate bicycle parking area should be provided.

Comment: This is not applicable to this proposal.

G50. All bicycle racks and/ or lockers located outside of parking structures should be located in secure, well-lit and highly visible areas with adequate space for maneuverability.

Comment: This is not applicable to this proposal.

G51. Bicycle racks and/ or lockers should be sensitively sited and include landscape plantings, berming and/or low walls.

Comment: This is not applicable to this proposal.

B. Subarea 7 Requirements

The following is a list of guidelines which pertain to Subarea 7:

Subarea 7 Requirements.

P79. The minimum building height for structures containing more than three office uses shall be 4 stories.

Comment: This application does not propose any office use.

P80. The maximum building height shall not exceed 12 stories above grade.

Comment: The project will not exceed 12 stories.

P81. For structures containing more than three office uses, a build-to line of 40 feet from face of curb shall be established along East West Highway.

Comment: No office uses are proposed with this application.

S55. All surface parking lots shall be screened from view of roadways by the use of both a low, opaque wall and an evergreen hedge (See Figure 7), unless they are providing short-term parking for ten cars or fewer.

Comment: All surface parking lots have been screened

S56. The proposed architecture shall be enduring, high quality and distinctive.

Comment: The proposed architecture, as shown in the architectural elevations submitted with this application, is enduring, of high quality, and distinctive.

C. Required Findings- Conceptual and Detailed Site Plans in the M-X-T Zone within the TDOZ.

1. The proposed development is in conformance with the purposes and other provisions of this Division.

Comment: This project incorporates the purpose and recommendations for the transit District per the required findings and per Section 27-548.09.01 (b)(2).

2. The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation.

Comment: The Detailed Site Plan is designed to implement the outward orientation and facilitates a continuation of the integration of the design standards set forth in the TDDP..

3. The proposed development is compatible with existing and proposed development in the vicinity.

Comment: This proposed development consists of a residential component. The single family attached dwelling design is consistent with the size, design, scale and intensity of other residential development in the transit district.

4. The mix of uses and the arrangement and design of buildings and other improvements reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.

Comment: The proposed on-site residential use and mix of uses in the vicinity of the site provide a cohesive development. The surrounding public transportation and retail amenities also aid in the area's ability to serve as an independent environment.

5. If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases.

Comment: The project will be capable of being developed in a single phase.

6. The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development.

Comment: The Detailed Site Plan complies with the TDDP standards for setbacks and build-to lines to accommodate the mandated streetscape design at the Detailed Site Plan phase. There will be both internal and external pedestrian connectivity so that the project will be fully integrated into the transit district.

7. On the Detailed Site Plan, in areas of development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design and other amenities, such as the types and textures of materials, landscaping and screening, street furniture and lighting (natural and artificial).

Comment: All applicable items have been paid adequate attention.

6.0 Statement of Justification Describing How the Proposed Design Preserves and Restores the Regulated Environmental Features to the Fullest Extent Possible.

The existing property is fully developed and is almost totally impervious. There are no significant environmental features to be impacted, preserved or restored.

7.0 Statement of Conformance with the Purposes and Recommendations of the TDDP.

Section 27-548.09.01(b)(2) requires that an application for an amendment of an approved TDOZ include a showing that the proposed development confirms with the purposes and recommendations for the Transit District, as stated in the TDDP. The purposes of the TDOZ, as set forth in Section 27-548.03, are as follows:

1. To enhance the development opportunities in the vicinity of transit stations;

   Comment: The Detailed Site Plan will encourage development opportunities in the vicinity of the transit station by redeveloping an existing industrial property to allow for an in-demand residential, transit oriented development incorporating design techniques consistent with the TDDP.

2. To promote the use of transit facilities;

   Comment: The proposed redevelopment will convert an existing vehicle oriented industrial property to a transit oriented, pedestrian friendly community which will have a positive impact on transit ridership.

3. To increase the return on investment in a transit system and improve local tax revenues;

   Comment: The proposed development will increase the assessed value of the underlying property and allow for the redevelopment of an outdated industrial building thus increasing the local tax revenues.

4. To create a process which coordinates public policy decisions, supports regional and local growth and development strategies, and creates conditions which make joint development possible;

   Comment: While the subject property is not located on metro owned property and thus would not involve a joint development opportunity, the proposed redevelopment will enhance the overall vitality of the TDOZ.

5. To create a process which overcomes deficiencies in ordinary planning processes and removes obstacles not addressed in those processes;

   Comment: The proposed application is consistent with the process included in the TDDP.

6. To minimize the costs of extending or expanding public services and facilities, by encouraging appropriate development in the vicinity of transit stations;

   Comment: The proposed redevelopment upgrades and existing industrial building with transit oriented residential development and thereby encourages investment in the vicinity of transit and decreases the demand on public services.

7. To provide mechanisms to assist in financing public and private costs associated with development;

   Comment: This requirement is not applicable to individual applications.

8. To provide for convenient and efficient pedestrian and vehicular access to Metro stations;

Comment: The proposed redevelopment will facilitate extension of the streetscape design established in the TDDP and will enhance pedestrian connectivity to Metro. It is envisioned the streetscape along East-West Highway will extend the design approved for adjacent properties creating pedestrian connections to the Metro station. Additionally, the pedestrian connection along Editors Park Drive will be designed to consider efficient connections to the adjacent school property.

9. To attract an appropriate mix of land uses;

   Comment: The proposed development is consistent with the uses encouraged for the transit area and is appropriate given the existing mix of uses built or approved for the transit area.

10. To encourage uses which complement and enhance the character of the area;

    Comment: The proposed use will complement the transit district and are compatible with surrounding uses.

11. To insure that developments within the Transit District possess a desirable urban design relationship with one another, the Metro station, and adjoining areas; and

    Comment: The proposed redevelopment will improve the design relationship between the subject property and the surrounding transit district by allowing for the redevelopment of an existing industrial building with a residential transit oriented development.

12. To provide flexibility in the design and layout of buildings and structures, and to promote a coordinated and integrated development scheme.

    Comment: The Detailed Site Plan establishes design criteria for the proposed development which will be consistent with the TDDP.

8.0 Intent to Create a Private Street. (Per Section24.128.b.8)

1. Sec 24-128 Private Roads and Easements, (b) The Planning Board may approve preliminary plans of development containing private roads, rights-of-way, alleys, and or easement; (8) Within a Transit District Overlay (TDO) or Development District Overlay (DD)) zone, the Planning Board may approve a subdivision with private rights-of-way, easements, alleys or roads.

   Comment: Since this project is within the Transit District Overlay, it is the applicant's intent to create private roads pursuant of Section 24-128 b 8 and to ask the Planning Board to approve Private Streets.

9.0 Existing Conditions of Approval (CSP-11002)

1. Prior to signature approval of the conceptual site plan (CSP), the plans shall be revised to:

   a. Include the following notes on the plans:
      (1) The maximum building height shall be 16 stories for all uses.

(2) The minimum building height shall be four stories for residential development.
(3) The first floor frontage of the residential buildings along East-West Highway and Editors Park Drive shall not include the rear of residential units or garage uses. Commercial uses, residential units with separate front street-side entrances, and/or tenant services and amenities shall be located on the first floor of the residential buildings on-site.
(4) The proposed architecture shall be enduring, of high quality, and distinctive.
(5) Rental residential units shall provide an increase in luxury through architectural features, building construction, and added amenities to the site and units.
(6) All surface parking lots shall be screened from view of roadways by the use of a low, opaque wall and/or landscaping unless they are providing short-term parking for ten cars or fewer.

Comment: All of the above comments have been met, as CSP-11002 has been approved by M-NCPPC staff.

b. Demonstrate conformance to Section 4.7 of the 2010 Prince George's County Landscape Manual.

Comment: Conformance to Section 4.7 of the Landscape Manual is expressed in the Landscape Plan set.

c. Eliminate direct access to East-West Highway (MD 410) from the CSP. Notwithstanding the foregoing statement, if at the time of DSP the Applicant desires to propose direct access to East-West Highway the proposed access location and design will be subject to review and approval by the State Highway Administration, MNCPPC Transportation Division and Urban Design.

Comment: Direct access to East-West Highway has been eliminated from CSP-11002. The DSP however proposes direct access to East-West Highway. The access location and design are subject to review and approval by the State Highway Administration, M-NCPPC Transportation Division, and Urban Design.

d. Reflect the presence of any crosswalks around the perimeter of the site on the CSP.

Comment: Potential crosswalks were added to the CSP, and the CSP was subsequently approved.

e. Revise General Note 5 to indicate the number of parcels (2) and reference Parcels D-1 and E-1 as reflected on the record plat NLP 140-86. No increase is permitted to the number of parcels without a preliminary plan of subdivision.

Comment: General Note #5 was revised and the CSP was subsequently approved.

f. Revise the bearings and distances as shown on the CSP to be consistent with the record plat (NLP-140-86). All easements shall be accurately reflected on the conceptual site plan.

Comment: The bearings and distances were revised and the CSP was subsequently approved.

2. Prior to acceptance of the detailed site plan (DSP), the applicant shall meet with the Department of Parks and Recreation (DPR) to develop a mutually agreeable Parks and Recreation Facilities Program for the community.

Comment: A Parks and Recreation Facilities Program will be agreed upon with the Department of Parks and Recreation (DPR).

3. Prior to approval of a DSP, the plans shall include the following:

a. Architectural features that contribute to the identification of the Transit District, such as flagpoles or other vertical features, signage or architectural treatment that contributes to a sense of place and recognition that one is entering the Prince George's Plaza Transit District Overlay Zone.

Comment: These architectural features have been detailed in the Architectural Elevations sheets that have been included with the original DSP application.

b. Provide an architectural design that makes a visual statement at the east and west corners of the East-West Highway elevation by means of prominent corners such as towers or other distinct forms.

Comment: Unique architecture at the corner of East-West Highway and Editors Park Drive has been detailed in the Architectural Elevations sheets for the original DSP.

c. The requirement for mandatory dedication (P34) and/or fee-in-lieu will be determined at the time of DSP review.

Comment: A fee-in-lieu option will be used for this subject application. On-site recreational facility costs will be included in the fee-in-lieu calculations.

d. Provide for an upgrade of the existing crosswalk as may be necessary to increase safety for school children and other users as required by S13 on page 31 requiring contrasting paving materials for major pedestrian crossings spanning more than three lanes of traffic or as otherwise approved by SHA/DPW&T.

Comment: No such pedestrian crossings are proposed with this application.

e. Provide for the design and any pertinent special features of the proposed focal points proposed along East-West Highway (MD 410) as shown on the CSP.

Comment: The designs of unique architectural elements are detailed in the Architectural Elevations sheets of the original DSP.

f. The location of the Environmental Site Design ("ESD") facilities shall not be the basis for the granting of an alternative compliance to reduce the required tree canopy or required landscaping.

Comment: Environmental Site Design ("ESD") facilities are not proposed to be the basis for the granting of an alternative compliance to reduce the required tree canopy or required landscaping.

g. All outdoor activity areas shall be designated on the plans. A Phase II noise study shall be submitted that addresses noise mitigation for the outdoor activity areas and necessary building materials to mitigate indoor areas.

Comment: All outdoor activities have been designated on the plans. A phase II noise study will be submitted as part of this application.

4. Prior to approval of the detailed site plan, the landscape plan and/or hardscape plan shall show the location of all trash receptacles.

Comment: This is shown on the DSP.

5. Prior to the acceptance of the detailed site plan, the plans shall include notes and a detail regarding the stenciling of storm drain inlets with "Do Not Dump – Chesapeake Bay Drainage."

Comment: This detail is shown on the DSP.

6. Prior to the issuance of the first permit, a copy of the sediment and erosion control plan containing notes and details regarding the stenciling of the storm drain inlets shall be submitted.

Comment: This will be addressed at the time of the first permit.

7. At the time of the detailed site plan, the plans shall demonstrate how the ten percent afforestation requirement for S33 of the TDDP will be met.

Comment: This is specifically noted on Sheet 1 of the DSP.

8. Prior to certification of the conceptual site plan, the CSP shall be revised to correctly show the location of the unmitigated 65dBA Ldn noise contour at 168 feet from the centerline of East-West Highway (MD 410), or provide a Phase I Noise Study that determines the location of the unmitigated 65dBA Ldn noise contour.

Comment: The noise line has been added and the CSP was subsequently approved.

9. Prior to the acceptance of the DSP, the plans shall reflect the unmitigated 65dBA Ldn noise contour in accordance with the CSP.

Comment: The unmitigated 65dBA Ldn noise contour is shown on the DSP.

10. At the time of building permit issuance, applications for building permits shall be prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45dBA Ldn or less for the portions of the residential units within the unmitigated 65dBA Ldn or higher noise impact area.

Comment: This will be handled at the time of the building permit issuance.

11. Prior to certification of the conceptual site plan, the CSP shall be revised to show the limits of the 60-foot stream buffer and primary management area (PMA).

Comment: The 60 foot stream buffer was added to the CSP.

12. Prior to acceptance of the DSP, the stormwater management concept plan and letter shall be revised to reflect a site layout consistent with the proposed DSP and stormwater management techniques.

Comment: The Stormwater Management Concept plan is in the process of being revised to reflect a design concept consistent with the DSP.

Considerations for DSP:

1. At the time of DSP, the project presented by the Applicant shall take into account the following considerations:

   a. Comply with all TDOZ requirements for parking analysis and traffic as set forth in the adopted TDDP for the Prince George's Plaza Transit District Overlay Zone.

   Comment: The Detailed Site Plan complies with all TDOZ requirements

   b. Prior to the issuance of an Access Permit for Editors Park Drive, to be issued by the City of Hyattsville, the Applicant shall pursue the possibility of converting the traffic signal located at the intersection of East-West Highway and Editors Park Drive from a flashing signal to a fully operating traffic signal subject to review and approval of SHA and/or DPWT.

   Comment: This will be addresses at the time of Access Permit issuance.

   c. The frontages on East-West Highway and Editors Park Drive shall be given particular attention to implement the streetscape requirements of the TDDP in a manner that enhances the pedestrian experience and aesthetic appearance of the facades at street level. A more continuous street wall design shall be considered along East-West Highway and architectural emphasis shall be given to ensuring a compatible design and transition between buildings including any retail/ commercial buildings and the primary residential buildings with the goal of providing visual interest to vehicular travelers and pedestrians.

   Comment: Streetscape requirements of the TDDP will be applied to East-West Highway and Editors Park Drive frontage.

   d. Landscaping and/or hardscaping streetscape design along East-West Highway with appropriate focal point treatment shall be addressed at DSP to ensure visual interest and a sustainable design statement through the use of street trees and other streetscape design elements.

   Comment: Focal points have been treated with unique landscape and hardscape design to ensure visual interest in the previous DSP 14010.

e. The number and location of access points on Editors Park Drive shall be reviewed at DSP to balance efficient circulation for the project with impacts on the pedestrian activity on Editors Park Drive.

Comment: This will be reviewed once the Detailed Site Plan submittal package is submitted.

f. Flexibility shall be allowed at the time of DSP review for the location and design of the retail component on the site and possible relocation of each component and the amount of square footage of retail shall be determined at the time of DSP. Any retail component that is separate from the multi-family residential building shall be designed to be integrated architecturally with the overall project through the use of compatible materials, design elements, stepped-up building height and/or other architectural techniques to ensure the project has a unified and high-quality appearance.

Comment: This will be reviewed once the Detailed Site Plan submittal package is submitted.

g. The outdoor recreational and amenity areas shall be fully designed at the time of DSP including the use of courtyards, plazas, sitting areas and possible green space amenities.

Comment: Outdoor recreational and amenity areas have been fully designed.

9.0 10.0 Variance Request and Justification

The following information is provided pursuant to the need to apply for a variance from Prince George's County Code Sections 27-547 (h) Concerning Section 27-548(h), there is one requirement that requires a variance:1) Gross Living Space of a minimum of 1,250 sf. From this proposal all the units have the potential of having less than 1,250 sf of living space if different building options are not selected buy prospective buyers.

With this request for a variance, we intend to describe the property as it exists, describe the proposed application, and to justify the need for a variance in accordance with M-NCPPC requirements.

The Subject Property is located in part of Subarea 7 of the Prince George's Plaza TDOZ. The site is in the southwest quadrant of the intersection of Editors Park Drive and East-West Highway. The present facility consists of a single printing operation, distribution and offices with associated surface parking. The property has always been grandfathered for its current uses but envisioned for redevelopment ever since the original TDOZ was adopted in 1992. The Master Plan also recommends future growth and higher intensity mixed-use of development in order to create a new identity and image for the area. The goals include: promote compact, mixed-use development at moderate to high densities, encourage high quality infill development and ensure transit supportable development. The Master Plan strategy for development for this center includes urban scaled buildings to promote economic growth such as here proposed. The site will feature high quality urban design that will coincide with adjacent retail uses. It will include high density residential that greatly takes advantage of its proximity to the Prince George's Plaza Metro Station and various bus routes. In this way, the project capitalizes on existing infrastructure and existing public transportation. The present proposal is to construct 100 residential townhouse units.

As required by Section 27-230(a-c), we offer the following:

(a) A variance may only be granted when the District Council, Zoning Hearing Examiner, Board of Appeals, or the Planning Board as applicable, finds that:

(1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;

Response: This property has been developed since the 1960's. Over time with urban sprawl, multiple utilities and their associated easements have been continually been added to the site. The existing easement holders are WSSC, Pepco, WMATA, and private owners. These easements support water, sewer, storm drains, electric, and Metro rail. During the late 1980's and early 1990's the Metro Green Line was constructed under the southeast corner of the property. Additional easements were added to support the Metro train. These conditions create an environment that is unique to the property and generally not applicable to other properties. It also restricts development of almost 10% of the site due to these existing conditions.

(2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and

Response: The strict application of the Subtitle will result in extreme hardship on the owner since a denial will render the property economically nonviable. The strict application will also make it difficult to achieve Master Plan and TDOZ goals to increase the use of transit facilities, maximize the return on investment in a transit system, encourage appropriate development near transit stations with coordinated urban design elements and increase local tax revenues. Having less units will create a heavier burden on the homeowners association with regards to revenue collection for operational matters.

(3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.

Response: The granting of this variance will not impair the intent, purpose, or integrity of the General or Master Plans. Rather, the approval of this variance will allow the property to continue to act as part of a mixed use development, thus contributing to the General Plan's goal of providing increased opportunities for higher density dwellings in the East West Highway corridor and the Prince George's Metro TDOZ. This area will become part of a vibrant, walkable, regional-serving center with a robust economic and employment base and a varied housing stock, with diverse mixed-income communities.

(b) Variances from the requirements of Subtitle 5B of this Code for property located within the Chesapeake Bay Critical Area Overlay Zones shall only be approved by the Planning Board where an appellant demonstrates that provisions have been made to minimize any adverse environmental impact of the variance and where the Prince George's County Planning Board has found, in addition to the findings set forth in Subsection (a), including (1-9)

Response: This property is not in the Chesapeake Bay Critical Area Overlay Zone, therefore, this section is not applicable.

(c) For properties in the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where the applicant proposes development of multifamily dwellings and also proposes that the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code, the Board of Appeals may consider this increase over the required number of accessible units in making its required findings.

Response: This property is not in the above mentioned Zones, therefore, this section is not applicable.

We are respectfully request relief from strict compliance to Prince George's County Code Sections 27-547 (h) "Townhouses…" In particular,

1) To have gross living space less than of 1,250 sf.

11.0 Conclusion:

By developing this property to its maximum potential, it fulfills the intent of the General Plan, the Prince George's Plaza Transit District Overlay Zone, and Subtitle 27 guidelines. This proposal will promote reinvestment in this region. The Prince George's Plaza Metro Station and various bus stops provide accessibility to Prince George's County and to the District of Columbia. The development of this project will provide quality economic development and makes efficient use of the existing M-X-T land use designation and the existing infrastructure. Not only will this proposal enhance the quality and character of the site proper, but it will enhance the quality and character of the surrounding neighborhoods and Transit District Overlay Zone.

SOLTESZ, INC.

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Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Administrator

Meeting:7/20/2015 8:00 PM
Department: Police Department
Prepared by: Douglas Holland
Sponsors: At the Request of the City

DOC ID: (ID # 1221)

Discussion Items: Livescan Fingerprinting Service Fees

SUBJECT: Livescan Fingerprinting Service Fees

SECTION: Discussion Items

BACKGROUND:

The Hyattsville City Police Department procured an electronic Livescan fingerprinting system in FY- 2015. One half of the system's total costs were covered by a Federal grant and one half was covered by approved Capital Expenditure funds. The system has been installed and 7 Police Department employees have been trained to provide fingerprinting services.

The State of Maryland Department of Public Safety and Correctional Services charges a range of fees from $18.50 to $34 for over 20 different types of fingerprinting services. The City of Hyattsville will charge an additional $20 administrative fee for providing the local service. The local administrative fees are consistent with other local jurisdictions providing similar services.

Public fingerprinting will be scheduled by appointment only, Monday thru Thursday from 9 am to 12 pm.

NEXT STEPS:

Advise the public of the new service, cost and times.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Approximately 5-12 hours per week using existing trained staff members.

STRATEGIC GOALS

Goal: Goal 3 – Promote a Safe and Vibrant Community

Tracey E. Nicholson

Tracey Nicholson, City Administrator 7/16/2015

SUBJECT: Hyattsville Resolution 2015-03, Hyattsville CDC Community Legacy Application

SECTION: Discussion Items

BACKGROUND:

On July 1, 2015, the Hyattsville Community Legacy Corporation (CDC) submitted a request for a Council Resolution of support for the CDC's application for Community Legacy funding for FY-2016. The funding will support the interior rehabilitation of the building located at 4314 Farragut Street to bring it up to code and make it suitable for occupancy.

NEXT STEPS:

Should the Council decided to proceed with the Resolution, it will be presented for adoption on the August 3, 2015 meeting agenda.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS

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

Tracey E. Nicholson

Tracey Nicholson, City Administrator 7/14/2015

Hyattsville Community Development Corp

4312 Hamilton Street • Hyattsville, MD 20781 • (301) 683-8267 (O) • (207) 470-3805 (F) • www.hycdc.org

Date: July 1st, 2015

The Honorable Candace Hollingsworth, Mayor
4310 Gallatin Street
Hyattsville, MD 20781

Dear Mayor Hollingsworth,

The Hyattsville Community Development Corporation would like to thank the City of Hyattsville for its past support of our projects and programming; and we will continue to seek and expand on the City's invaluable partnership for our future endeavors.

We would like to request a City Council resolution of support for the Hyattsville CDC's application for Community Legacy funding for FY 2016. The funding will support the rehabilitation of 4314 Farragut Street, specifically interior reconstruction to bring the building up to code and suitable for occupancy.

Attached is a draft copy of the statutory resolution language prepared for staff to employ. We would greatly appreciate the City's endorsement of the project.

Sincerely,

Stuart W Eisenberg

Stuart Eisenberg, Executive Director
Hyattsville Community Development Corporation

HYATTSVILLE RESOLUTION 2015-03

Resolution of the City of Hyattsville approving the Hyattsville Community Development Corporation's application and receipt of financing for a Community Legacy Project(s) for the rehabilitation of 4314 Farragut Street as further described in the Community Legacy Application ("The Application") either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, the City of Hyattsville recognizes that there is a significant need for reinvestment and revitalization of the communities in Prince George's County; and,

WHEREAS, the Hyattsville Community Development Corporation proposes a Community Legacy Project (the "Project") for the rehabilitation of 4314 Farragut Street as further described in the Application, the purpose of which will be to contribute to the reinvestment and revitalization in the Area; and,

WHEREAS, the Department, either through Community Legacy or through other programs of the Department or in cooperation with other State departments or agencies, may provide some or all of the financing for the Project (the "Project Financing") in order to assist in making it financially feasible; and

WHEREAS, the Sustainable Community is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of a Sustainable Community, the Project, and the Project financing by the City of Hyattsville, and where appropriate, by the chief elected executive official of the local subdivision;

NOW, THEREORE BE IT RESOLVED THAT, the City of Hyattsville hereby endorses the Project; and HEREBY supports and approves the request of the Hyattsville Community Development to the State of Maryland and the appropriate State Departments as outlined above for financial assistance in the form of a grant or loan up to the amount of $45,000 for the Project and

BE IT FURTHER RESOLVED THAT, the Chief Elected Executive Official be, and is hereby requested to, endorse this Resolution, thereby indicating his or her approval thereof; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution be sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

READ AND PASSED THIS ________________ day of ___________________, 20_________.

BY ORDER: _____________________________________, I hereby certify that Resolution Number 2015-03 is true and correct and duly adopted by the City Council of Hyattsville.

ATTEST/WITNESS: City of Hyattsville

_________________________________ _________________________________

Laura Reams, City Clerk Candace B. Hollingsworth, Mayor

4312 Hamilton Street - Hyattsville, MD 20781 - (301) 683-8267 (O) - (207) 470-3805 (F) - www.hycdc.org

Memorandum:
2016 COMMUNITY LEGACY APPLICATION: Hyattsville Community Development Corporation
Summary: Funding request for restoration of 4314 Farragut Street

Work to date:
Since obtaining the building, Hyattsville CDC has replaced the roof sheathing, flashing, and the failed roof with solar shingles (Cool Roof-rated); repaired or replaced water-damaged framing; rebuilt or restored the failing soffits, fascia and rakes. New gutters and downspouts have been installed: and the chimneys have been pointed, re-flashed, repaired and capped against infiltration. Thirty missing or broken panes of glass have been replaced. The building interior has been cleaned; is currently gutted; existing electrical has been inspected and repaired as needed; temporary lighting installed; and the ground floor and basement have been asbestos-abated.

Also, all water-damaged exterior masonry has been repaired or pointed. Thermal storm windows are at the warehouse, ready to be installed.

Work pending (next):
Next we plan waterproofing the basement; replacing more damaged or inadequate framing over the kitchen; moving the first floor powder room; and finishing the downstairs interior ready for move in.

Narrative project background:

1. Describe... positive outcomes or impacts on neighborhood revitalization and economic development expected? How will it enhance the quality of life?

This project transforms a blighted, vacant property into productive use as a community resource and provides a key property owner, Comcast Cable, with an alternative to demolition by salvaging a historic property, which is a contributing resource to Hyattsville's National Register Historic District. The Storer/Comcast Building is the last of Hyattsville's stone bungalows and was home to the first Cable TV franchise in Prince George's County. The restoration of The Storer/Comcast Building preserves the continuity and remaining integrity of the historic street front pattern. Additionally, this project prevents the creation of a vacant lot space, maintaining a space that will lift up the surrounding community instead of diminishing its quality of life.

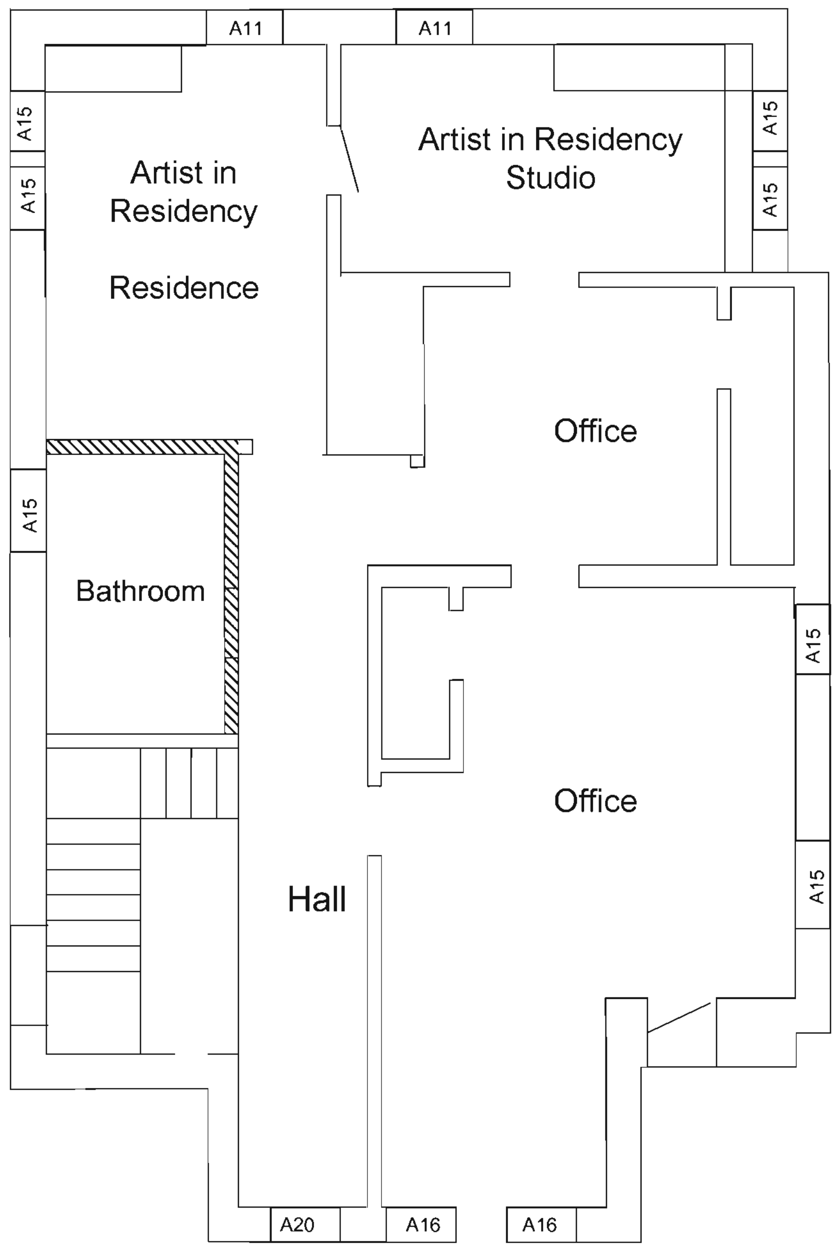
The property will continue to generate positive community impact after rehabilitation. Once the property is re-activated, it will house the Hyattsville Community Development Corporation (HCDC). This expanded space will increase the capacity of HCDC to carry out key neighborhood revitalization and economic development programmatic activity. It will also serve as programming and studio space for local artists, providing a home for the creative economy of the Gateway Arts District.

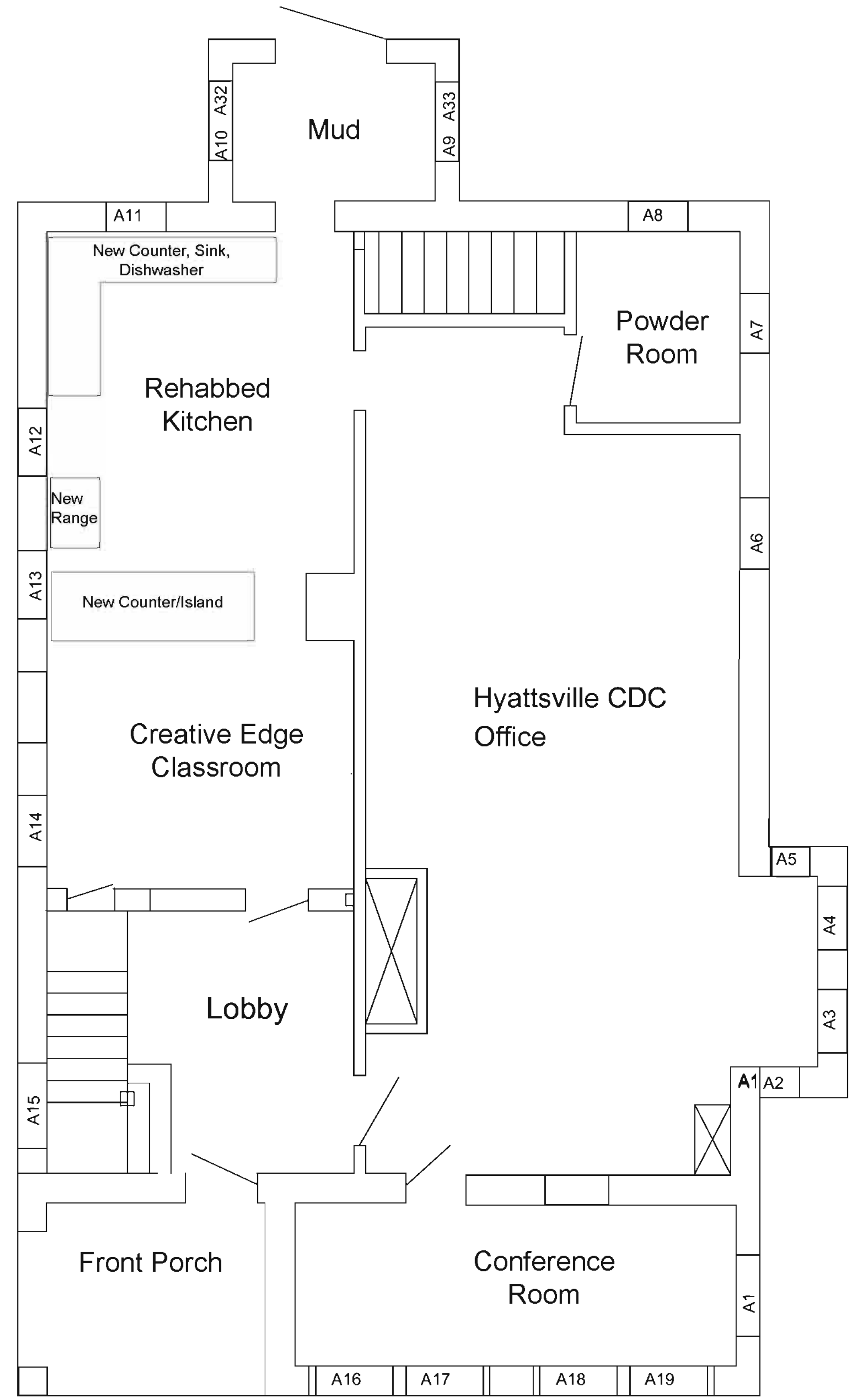
The location of the Storer/Comcast Building adjacent to the County Services Building and Justice Center allows a unique opportunity for interaction between the property and visitors and employees of Hyattsville's Civic Center. Many thousands of visitors traverse Farragut Street annually while driving to the District Court, the County's District 1 Police Station, City Hall and other local destinations. Fixing and occupying a vacant commercial building at this location will improve public safety, the perception of security on the block, and the overall impression of Hyattsville at this key location. HCDC's revitalization will reverse the perpetuation of blight and present a safe and professional image for Hyattsville's civic center. This positive result will accrue to the surrounding residences, about 40 households and businesses.

Future tenants:

Hyattsville CDC: headquarters (1^{st} Fl)
Creative Edge Studios of Prince George's: classroom and co-office (1^{st} Fl)
Artist in Residence: 1 BR, plus studio apartment (by bi-annual competition) (2^{nd} Fl)
Up to two non-profit office tenants (to-be-determined) (2^{nd} Fl)

Stuart Eisenberg, Executive Director
Hyattsville Community Development Corporation
301 683-8267 – Office, 301 693-0073 – mobile
www.hycdc.org





Second Floor

First Floor

4314 Farragut Street

Hyattsville CDC
(301) 683-8267

Stuart Eisenberg
Executive Director

Last Updated 7/13/14

Main City Calendar for July 21 – August 21, 2015

Hyattsville Farmer's Market
Tuesdays, through Sept 29, 3:00 PM - 7:00 PM @ 3779 East West Highway (At the corner of East West Highway and Queens Chapel Road, in the parking lot of Redeemer Lutheran Church)
Join us at the Market through July 26 for the Buy Local Challenge, sponsored by the Southern Maryland Agriculture Development Commission! The Buy Local Challenge is a personal commitment to eat at least one thing from a local farm every day during Buy Local Week. On July 21 at the Farmers Market, the City will have certificates and fun giveaways for those who choose to take on the challenge!

Planning Committee
July 21, 7:30 PM - 9:30 PM @ 4310 Gallatin Street

Education Advisory Committee
July 23, 6:30 PM - 8:00 PM @ 4310 Gallatin Street

Shakespeare in the Park presents Romeo & Juliet
July 24, 7:30 PM - 9:30 PM @ Magruder Park
The City of Hyattsville is pleased to host this year's production of Romeo and Juliet by the Prince George's Summer Shakespeare Festival. Rain Location: Municipal Building, 1st Floor Multi-Purpose Room. For more information call; 301 446-3232 TTY; 301-699-2544. www.pgparks.com arts.pgparks.com

City Council Meeting
August 3, 8:00 PM - 10:00 PM @ Third Floor, Council Chambers

National Night Out Against Crime
August 4, 6:00 PM - 9:00 PM @ Heurich Park

University Hills Street Project Community Meeting
Please join us for a meeting to review the design update for the University Hills Street Project
August 12, 7:00 PM - 9:00 PM @ 4310 Gallatin Street, Multipurpose Room

Summer Jam
August 14, 6:30 PM - 8:30 PM @ City Municipal Building
Musical Guests: The Dave Kline Band

Candidate Registration Deadline for Ward 5 Special Election
August 7, 5:00 PM @ 4310 Gallatin Street

Deadline to Register to Vote in the Ward 5 Special Election
August 21, 5:00 PM, Please contact the Prince George's County Board of Elections at 301-341-7300 for more information.

Apply for a Grant to Fund Neighborhood Projects!
In the FY16 Budget, the City Council authorized funding for grants up to $1,000 per Ward to fund neighborhood projects. For more information, please reach out to your City Councilmembers!

Motion to Close: MOTION #94-07-15 Motion to Close

SUBJECT: Motion to Close

SECTION: Motion to Close

RECOMMENDED ACTION:

Motion #94-07-15

I move that the Mayor & Council close the Council Meeting of July 20, 2015 in order to discuss performance evaluations and contract negotiations for two employees over whom the Council has jurisdiction and contract negotiations pertaining to the investment of public funds.

BACKGROUND:

The authority under which the session will be closed are the following sections from the Annotated Code of Maryland State Government.

Section 10-508(a)(1)(I) discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction.

Section 10-580(a)(14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Section 10-580(a)(5) - consider the investment of public funds.

NEXT STEPS:

n/a

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS

Goal: Goal 4 - Foster Excellence in All City Operations

Hyattsville City Council
4310 Gallatin Street, 3rd floor
Hyattsville, MD 20781

Meeting:7/20/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: At the Request of the City Administrator
DOC ID: (ID # 1210)

Motion to Close: MOTION #94-07-15 Motion to Close

FISCAL IMPACT:

None

Tracey Nicholson, City Administrator 7/14/2015