City Council of Hyattsville, Maryland

AGENDA
City Council Regular Meeting
Monday, July 17, 2017
8:00 PM

Council Chambers
Hyattsville Municipal Building
4310 Gallatin Street, 3rd Floor
Hyattsville, MD 20781
(301) 985-5000 www.hyattsville.org

CITY COUNCIL
Mayor Candace B. Hollingsworth
Edouard Haba, Council President, Ward 4
Thomas Wright, Council Vice President, Ward 3
Bart Lawrence, Ward 1
Kevin Ward, Ward 1
Robert S. Croslin, Ward 2
Shani N. Warner, Ward 2
Carrianna Suiter, Ward 3
Paula J. Perry, Ward 4
Joseph Solomon, Ward 5
Erica Spell, Ward 5

ADMINISTRATION
Tracey E. Nicholson, City Administrator
Laura Reams, City Clerk, 301-985-5009, lreams@hyattsville.org

Watch Council Meetings Live View Past Council Meetings

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

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

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

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

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

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

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

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

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

Inclement Weather: In the event of inclement weather, please call 301-985-5000 to confirm the status of the Council meeting.

Twitter Facebook Instagram Vimeo

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

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

3. **Approval of Agenda**

4. **Approval of the Minutes**

4.a) Approval of the Minutes

I move that the Mayor and Council approve the Council Meeting Minutes for the following meetings: (1) Council Work Session of January 18, 2017, (2) Council Meeting of January 23, 2017, (3) Council Work Session of February 1, 2017, (4) Council Meeting of February 6, 2017, and (5) Council Meeting of February 15, 2017.

Motion #: N/A

Sponsor(s): At the Request of the City Administrator

Minutes_Jan 18_FINAL.pdf

Minutes_Jan 23_FINAL.pdf

Minutes_Feb 1 2017_FINAL.pdf

Minutes_Feb 6 2017_FINAL.pdf

Minutes_Feb 15 2017_FINAL.pdf

5. **Public Comment (8:10 p.m. – 8:20 p.m.) Limit 2 minutes per speaker**

6. **Presentations (8:20 p.m. - 8:25 p.m.)**

6.a) FY-2015, 2016 and 2017 Audit Update (5 minutes)

Motion #: Presentation

Sponsor(s): At the Request of the City Administrator

7. **Consent Items (8:25 p.m. - 8:30 p.m.)**

7.a) FY-2018 Budget Amendment: Share our Strength - Nutrition Assistance Grant

I move that the Mayor and Council amend the FY-2018 budget to appropriate the remaining fund balance of $5,028 from the Share our Strength - Nutrition Assistance Grant previously approved in FY-2017.

Motion #: HCC-1-FY18

Sponsor(s): At the Request of the City Administrator

7.b) FY18 Budget Appropriation: $1K Grant from the Target Corporation for 2017 National Night Out Against Crime

I move that the Mayor and Council accept and appropriate into the FY2018 Police Department budget a grant from the Target Corporation in the amount of $1,000.00 to support the 2017 National Night Out Against Crime celebration.

Motion #: HCC-2-FY18

Sponsor(s): At the Request of the City Administrator

Target Grant NNO 2017.pdf

7.c) Service Agreement with Motorola for the Radio Communications Dispatch System, and Portable and Mobile Radios

I move that the Mayor and Council authorize the expenditure of $28,831.60 for the service agreements for the Motorola Communications Dispatch System and Motorola portable and mobile radios.

Motion #: HCC-3-FY18

Sponsor(s): At the Request of the City Administrator

Motorola Contract.pdf

Motorola Maintenance Contract Memo.docx

7.d) Anacostia Trails Heritage Area, Inc. (ATHA) Governing Board Appointment

I move that the Mayor and Council appoint Councilmember Bart Lawrence to serve as the City's representative on the Anacostia Trails Heritage Area, Inc. (ATHA) Governing Board and submit a letter to ATHA confirming the appointment.

Motion #: HCC-4-FY18

Sponsor(s): Hollingsworth

7.e) Information Technology Server Replacement Project

I move the Mayor and Council authorize the City Administrator to execute a Purchase Agreement with Dataprise Inc., in an amount not to exceed $60,000 for the purpose of replacing the City's existing information technology (IT) server network.

Motion #: HCC-5-FY18

Sponsor(s): At the Request of the City Administrator

Memo - IT Server Replacement.pdf

Dell-PowerEdge-M630-Spec-Sheet.pdf

7.f) Purchase of one Chevrolet Bolt Electric Vehicle and one Zero DPS Electric Police Motorcycle.

I move that the Mayor and Council authorize FY2018 Police Department expenditures in the amount of $42,783.99 to purchase one Chevrolet Bolt Electric Car from Criswell Chevrolet and $19,677 to purchase one Zero DSP Electric Police Motorcycle from Chesapeake Cycles.

Motion #: HCC-6-FY18

Sponsor(s): At the Request of the City Administrator

Memo Electric Car and Motorcycle Purchase.docx

Electric Car and Motorcycle Quotes.pdf

7.g) Ward 5 Council Discretionary Funds to Support Teen Club

I move that the Mayor and Council approve the appropriation and disbursement of $150.00 from the Ward 5 Council Discretionary Fund to provide support for meals offered by the Teen Club program.

Motion #: HCC-7-FY18

Sponsor(s): Spell

7.h) Prince George's Stormwater Stewardship Grant - Letter of Support
I move the Council authorize the Mayor to send a letter of support to Chesapeake Bay Trust Prince George's Stormwater Stewardship Grant in support of the City's partnership with the Environmental Finance Center to develop a pet waste management outreach plan in the City of Hyattsville.
Motion #: HCC-8-FY18
Sponsor(s): Executive Committee

Chesapeake_Bay_Trust_Pet_Waste_Grant_-_Draft.pdf

7.i) Proclamation Declaring July 15 a Day for Art and Pizza
I move that the Mayor and Council declare July 15, 2017 a Day for Art and Pizza in Hyattsville.
Motion #: HCC-9-FY18
Sponsor(s): At the Request of the City Administrator

Art Works Now and Pizzeria Paradiso.docx

7.j) Cable Studio Renovation Labor Cost - National Capitol Contracting
I move that the Mayor and Council authorize payment for labor by National Capitol Contracting to install equipment in and renovate the cable studio at a cost not to exceed $15,000.
Motion #: HCC-10-FY18
Sponsor(s): At the Request of the City Administrator

8. **Discussion Items (8:30 p.m. - 9:50 p.m.)**

8.a) University Hills Sidewalk and Street Renovation Construction Funds (10 minutes)
Motion #: Discussion Only
Sponsor(s): At the Request of the City Administrator

Memo_-_University Hills Funding Request FY18.docx

8.b) 37th Street Sidewalk Installation (10 minutes)
Motion #: Discussion, Scheduled for Action on 8/7/17
Sponsor(s): At the Request of the City Administrator

8.c) Pet Waste Ordinance (15 minutes)
Motion #: Discussion, Scheduled for Action on 8/7
Sponsor(s): Hollingsworth

Pet Waste Ordinance - 2017.docx

MM to JChandler Re Pet Waste 7.10.17.pdf

MinutesrMarch_15_17_Approved.doc

Code Committee Recommendation - June 21, 2017.doc

8.d) Hyattsville Rent Stabilization and Renter Protection Ordinance (45 minutes)

I move that Mayor and Council authorize the City Attorney to prepare a rent stabilization and renter protection ordinance as defined in the attached Memo titled Hyattsville Comprehensive Rent Stabilization and Renter Protection Ordinance.
Motion #: Discussion Only
Sponsor(s): Solomon

Rent Stabilization and Tenant Protect Ordinance Memo v20170713.pdf

Rent Stabilization Financial Impact Estimates-Rent Stabilization Foregone Revenue Estimate.pdf

Rent Stabilization Financial Impact Estimates-Short Term Rental Revenue Estimate.pdf

Takoma Park - UMD Rent Control Analysis Final Report January 2005.pdf

College Park-Sage Policy Group Report Rent Stabilization2012.pdf

Chicago Vacation Rental Ordinace.pdf

College Affordability for Low-Income Adults.pdf

9. Council Dialogue (9:50 p.m. - 10:00 p.m.)

10. Community Notices and Meetings

10.a) City Calendar: July 18 - August 7, 2017
Motion #: N/A
Sponsor(s): At the Request of the City Administrator

Main City Calendar July 18-August 7 2017.docx

11. Motion to Close

11.a) Motion to Close (Please note that the Council will not return to Open Session)
I move that the Mayor and Council close the Council Meeting of June 5, 2017 in order to discuss contract negotiations and to consider the investment of public funds.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (5) to consider the investment of public funds, and (14) to discuss, before a contract is awarded or bids are opened, 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.
Motion #: HCC-11-FY18
Sponsor(s): At the Request of the City Administrator

CITY COUNCIL WORK SESSION, HYATTSVILLE MD
WEDNESDAY JANUARY 18, 2017

1) Call to Order and Council Roll Call

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

Present: Candace Hollingsworth, Mayor (arrived at 8:07 p.m.)
Edouard Haba, W4 (Council Pres.)
Bart Lawrence, W1 (Council VP) (departed at 11:13 p.m.)
Kevin Ward, W1
Robert Croslin, W2
Shani Warner, W2
Patrick Paschall, W3
Thomas Wright, W3
Paula Perry, W4
Ruth Ann Frazier, W5
Joseph A Solomon, W5

Also present were the following City staff members:
City Administrator Tracey E. Nicholson
Assistant City Administrator, Dir. of Community and Economic Development Jim Chandler
City Treasurer Ron Brooks
Police Chief Doug Holland
Director of Human Resources Vivian Snellman
Director of Community Services Jake Rollow
City Clerk Laura Reams

2) Pledge of Allegiance to the Flag

3) Approval of the Agenda

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bart Lawrence, W1 (Council VP)
SECONDER:	Kevin Ward, W1
AYES:	Haba, Lawrence, Ward, Croslin, Warner, Paschall, Wright, Perry, Frazier, Solomon
NAYS:	None
ABSENT:	Hollingsworth

5) Public Comment (8:10 p.m. - 8:20 p.m.) Limit 2 minutes per speaker

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

7) Presentations (8:20 p.m. - 8:35 p.m.)

7.a Hyattsville Environment Committee: FY18 Budget Recommendations

HEC_Presentation Cover.pdf

7.a 1) Incentive for residents to plant native trees on their residential property
Suggested Action: I move that the Mayor and Council allocate $5,000 as incentive to residents to purchase a native tree for their residential property (up to $50 per property, for up to 100 residential properties).

7

HEC_Native Tree Program.pdf

7.a **2) Incentive for residents to remove English Ivy and other damaging vines from trees on their property**

Suggested Action: I move that the Mayor and Council allocate $7,500 as incentive to residents for removal of tree-damaging vines, and for maintenance over a period of time sufficient to eradicate from tree canopy (up to $75 per property, in 3 installments of $25 over 1 year, for up to 100 residential properties).

HEC_English Ivy Program.pdf

NPS English Ivy Fact Sheet.pdf

7.a **3) Gas Powered Mower Replacement Program**

Suggested Action: I move that the Mayor and Council allocate $10,000 to fund the Gas-Powered Mower Replacement Program.

HEC_Gas Powered Mower Replacement Program.pdf

7.a **4) Arbor Day/Earth Day and Green Expo Event Funds**

Suggested Action: I move that the Mayor and Council: Increase the budget by $2,000 to fund two environmentally-themed events for 2017. The two events are: Arbor Day / Earth Day 2017 in late April and a Green Expo, which would take place in early September. The funding would provide for a speaker, an event-day workshop, environmentally-beneficial hands – such as reusable water bottles, refreshments, and promotional literature to spread awareness about the event to residents.

HEC_Arbor Day_Green Expo.pdf

7.a **5) Climate Change and Local Adaptation Measures – Workshop and Speaker Series**

Suggested Action: I move that the Mayor and Council allocate $1,000 to fund a series of speakers and a workshop. The series will consist of three speakers and one workshop. The topics will be climate science research and climate adaptation opportunities for government, small businesses and community members. The workshop will focus on helping Hyattsville residents learn how they can be prepared and help their neighbors prepare for climate change (long-term) and weather-related emergencies (short-term). The funding for these initiatives will go toward promotion of these events, speaker transportation reimbursement if needed, food and beverages, the filming or audio-recording of these events, and the printing of supplementary literature.

HEC_Workshop Speaker Series.pdf

NOTE FOR THE RECORD: All Environment Committee Budget Recommendations were discussed as one topic.

Councilmember Paschall, in his position as Council Liaison to the Hyattsville Environment Committee (HEC), introduced members of the committee to present the budget requests.

HEC Committee Chair, Brie Welzer thanked the Council for their time and provided background information on the committee budget proposals. Committee Member Janet Nackoney presented the proposal for a Native Shade Tree Rebate. She described various benefits of trees and noted the Arbor Day Foundation has found urban shade tree canopies to be in decline. Ms. Nackoney provided information on the structure of the proposed program and noted a budgetary impact to the City of $5K.

Committee Member Julie Wolf presented the proposal for an English ivy removal incentive program. She provided information on the harmful effects of English ivy on the tree canopy. The proposal offered an incentive to residents who remove ivy from trees on their property, paid in incremental amounts for a total of $75 per household, with an overall proposed budget impact of $7.5K.

Committee Member Daniel Broder presented the proposal for a gas-powered lawn mower exchange program. Mr. Broder detailed environmental issues associated with the use of gas powered lawn mowers. The proposed program offered a $100 rebate for trading in a gas-powered lawn mower for hand powered, battery, or electric mowers. The overall proposed cost to the City was $10K.

Chair Welzer noted the final two proposals shifted the committee's focus to community events. She provided an overview on the proposed Arbor Day/Earth Day event and Green Expo. Ms. Welzer said funds requested would be utilized for speakers at the events as well as promotional items for attendees. In closing the HEC thanked the Council, noted the Committee was flexible on program structure, and interested in the Council's feedback.

Councilmember Wright thanked the committee for their work and said he believed all the items were worth consideration. Regarding the ivy removal program, he noted that some may consider the program as the City paying homeowners for upkeep of their property. Ms. Wolf said ivy removal was not typically a regular feature of lawn care for homeowners and the committee hoped that by incentivizing ivy removal it would increase awareness and removal activity benefiting the overall health of the City's tree canopy. Councilmember Wright asked if other municipalities offered an ivy removal incentive. Mr. Broder said that in his discussions with professional grounds crews, he discovered that several kinds of ivy are fatal to trees and noted that removal could save homeowners money associated with future tree removal.

Councilmember Wright asked for additional cost and program specifics on the native tree rebate program. Ms. Nackony said the City's rebate combined with a State rebate would allow participants to purchase a $75 tree. She added that the program was proposed to focus on large shade trees and noted that there was a list of eligible trees available on the State website. Director of Public Works Riddle clarified that the proposed program was only for trees located on private property.

The discussion turned to staff support of the proposed programs. Director Riddle highlighted concerns with existing staff capacity and suggested the committee pursue business partnerships for some of the programs.

Regarding the gas-powered lawn mower program, Councilmember Lawrence asked the HEC how many mowers the City would need to purchase to receive a bulk discount. Mr. Broder said the committee had not researched bulk purchases and prices quoted earlier in the presentation were for individual units. Councilmember Warner thanked the committee for their work and said she was most excited about the ivy removal program. She suggested that a future program could address the area mosquito population. Councilmember Warner also noted there was a needed educational component to the ivy removal program and suggested Council Ward discretionary funding if any of the proposals were unfunded after the budget process. Council President Haba asked if the committee intended to assist residents in determining placement and selection of tree variety. Committee members said they had not considered providing this service but would discuss the idea.

Councilmember Lawrence said he was generally supportive of the initiatives but wanted to hear more from Director Riddle. Ms. Riddle said she would like time to take a closer look at the proposals and impact on staff capacity. She added she would like to meet with the Environment Committee to refine details.

There was a brief discussion regarding community outreach on environmental education. City Administrator Nicholson noted that an environmental campaign had been a City objective over the last few years and staff was looking at ways to energize and start the outreach campaign.

Councilmember Wright asked Mayor Hollingsworth for clarity on the budget proposal procedure. Mayor Hollingsworth said the meeting objective was to inform staff if there were any proposals the Council did not support and provide feedback on those supported so staff could finalize details and costs.

Council President Haba asked the HEC how many of the initiatives they believed they could take on without active staff participation. Chair Welzer said the majority of the efforts were informational and educational, but noted that staff support would be required for administration of finances for rebates and expenditures. Councilmember Solomon asked if the estimated costs included staff time, to which Administrator Nicholson responded that they did not.

Mayor Hollingsworth took a general consensus of the Council on all HEC initiatives and all were supported by a majority of the Council. Council President Haba and Croslin asked for follow up information regarding staff participation in the initiatives.

6. Summary of FY18 Budget Requests

FY18 Budget Request Summary Worksheet

FY18 Council Budget Initiatives_SUMMARY.pdf

City Administrator Nicholson stated that staff had reviewed and completed an initial analysis of the submitted budget initiatives and were prepared to provide feedback on each item.

8. Discussion Items (8:45 p.m. - 9:50 p.m.)

7.b Budget Item - Low Cost City Administered School Aftercare

Suggested Action: I move that the Mayor and Council authorize the Director of Community Services work to establish a City run aftercare pilot for 1 year at Hyattsville Elementary School that will be of zero net cost to the City. The aftercare will be piloted at Hyattsville Elementary for a year, and if successful it will be expanded to other schools in Hyattsville city limits.

Ward_Low Cost School Aftercare.pdf

Councilmember Ward summarized the program proposal. He noted that in Prince George's County the school day ends prior to 2:00 p.m., requiring many parents to utilize aftercare programs for their school aged children. Councilmember Ward said operational costs for the program were estimated at $75K with potential revenues over $100K. He said excess revenues would return to the program for future operational costs and that as proposed there would be net zero cost to the City for operating the aftercare program.

Councilmember Paschall praised the idea and asked logistical questions of Community Services Director Rollow. His questions included the timing of a pilot program, the general level of community interest and need for the program, and program location. Director Rollow responded that he believed it was feasible to launch the program in the fall. Councilmember Ward added that aftercare programs in the community reached maximum capacity quickly and highlighted the low cost of the proposed program in comparison with existing options. Councilmember Ward said the program would launch first at Hyattsville Elementary School and be hosted at the school facility. Councilmember Paschall also inquired about insurance requirements. Director Rollow said the program would be covered under the City's existing policy. Director Rollow also noted there was a required certification process and a to-be-determined facility fee.

Councilmember Perry suggested the program pilot at Felegy Elementary School and noted a few concerns with the proposal, including the possible requirement for an onsite nurse. Councilmember Ward said he was open to changing the location and added he did not believe an onsite nurse was required. Councilmember Frazier inquired about staffing the program and expressed concerns with potential costs.

After additional discussion regarding logistics and implementation, Mayor Hollingsworth took a consensus of the Council and all Council supported moving forward with including the proposal in the draft FY-18 budget.

7.c **President's Task Force on 21st Century Policing Assessment – Implementation**
Suggested Action: I move that the Mayor and Council allocate funding (amount to be assessed/determined) and staff resources to implement what remains to be implemented from recommendations 1.7, 2.2, 2.2.1, 2.2.4, 2.13, 5.9.1, and 5.11 of the Hyattsville City Police Department's baseline assessment against the report from the President's Task Force on 21st Century Policing.

Hollingsworth_Presidents Task Force.pdf

Mayor Hollingsworth summarized the proposal, noting the intent was to move the City into the implementation stage for the 21st Century Policing program. She read the list of seven (7) recommended implementation items and opened the floor to Police Chief Holland. Chief Holland provided details on each recommendation. He highlighted the survey on policing and the educational tuition assistance program as the two (2) items with the highest potential fiscal impact. Regarding the educational assistance program, Chief Holland said the City Administrator recommended the benefit be offered to all employees to reflect the City's current personnel manual policy, instead of limiting the benefit to police employees.

Council President Haba clarified the FY-18 budget implications of the recommended implementation items. Chief Holland stated the final budget proposal was currently undergoing work, but consideration would be made to the survey and the educational assistance plan. City Administrator Nicholson concurred but noted that staff did not have an idea of how much funding would be allocated to each item at that time.

Councilmember Paschall asked Mayor Hollingsworth how she determined which task force priorities to implement. Mayor Hollingsworth said she had consulted with Police Chief Holland and chose the items she believed were the highest priority to the community. Councilmember Paschall asked the Council to consider integrating policing survey questions into an annual community survey. Mayor Hollingsworth said that in addition to the annual survey, she would also like to proactively solicit feedback from those who have encounters with the Police Department, Code Compliance, or anyone who has interactions with other members of City staff. Mayor Hollingsworth took a consensus of the Council and all Council supported moving forward with including the proposal in the draft FY-18 budget.

7.d **Conceptual Design Services – Magruder Park**
Suggested Action: I move that the Mayor and Council allocate $25,000 (or amount to be assessed/determined) to support professional services to reimagine Magruder Park with Neighborhood Design Center.

Hollingsworth_Conceptual Design Svc Magruder Park.pdf

Mayor Hollingsworth introduced the proposal to develop a conceptual design for the reimagining of Magruder Park. She explained that the idea had come from discussions from residents and a recent SpeakUp, HVL forum. Mayor Hollingsworth also provided brief information on the process for developing a conceptual design which included holding community meetings. There was a discussion regarding the proposed contractor, Neighborhood Design Works (NDW) and if a Request for Proposal (RFP) was necessary for the project. Director Riddle provided background information on other projects the City had worked with NDW on and said in her experience there was a low upfront cost for the visioning stage but later stages including design and architecture may be costly.

Councilmembers Solomon, Warner, and Perry expressed concern with potential future costs to move forward with recommendations from the conceptual design. Councilmember Solomon asked to consider the item in conjunction with the upcoming facilities workshop. Council President Haba inquired if the sustainability plan addressed Magruder Park. Assistant City Administrator Chandler said he thought the topic was touched on in the plan. Council Vice President Lawrence said he saw the benefits of a conceptual design phase to provide the City with a road map. He noted the conceptual design was an essential item with a relatively low cost that would be required before the Council could consider moving forward with additional steps.

Mayor Hollingsworth asked if Council would like staff to qualify the approximate cost prior to the next meeting. The Council indicated agreement.

7.e **Bikeshare Network(s)**
Suggested Action: I move that the Mayor and Council allocate funding (amount to be assessed/determined) to support implementation of a bikeshare system(s) compatible with regional needs.

Hollingsworth_Bikeshare.pdf

Mayor Hollingsworth and Assistant City Administrator Chandler summarized the information on potential bikeshare networks in the area. Mayor Hollingsworth said one of the goals was to connect the areas of Washington D.C., the Route One corridor down through College Park, University Town Center, and the Prince George's Plaza area through one (1) or two (2) bikeshare networks. Mayor Hollingsworth suggested allocating funding to work with Capital Bikeshare and mBike. Assistant City Administrator Chandler provided details on each of the bikeshare programs and the anticipated timelines for implementation. He also noted that bikeshare network connectivity was a legislative priority for the City.

7.f **Council of Governments – Membership Renewal**
Suggested Action: I move that the Mayor and Council allocate $6,660 to support continuing its membership in the Metropolitan Washington Council of Governments upon review near the end of FY17.

Hollingsworth_COG.pdf

Mayor Hollingsworth asked for continuation of the funding for the Council of Governments (COG) membership. There were no objections from the Council.

7.g **AmeriCorps VISTA – New Application (Mentoring)**

Suggested Action: I move that the Mayor and Council allocate $20,000 to support a mentoring program in partnership with Big Brothers Big Sisters of the National Capital Area upon successful application to the AmeriCorps VISTA program.

Hollingsworth_VISTA Mentoring.pdf

Mayor Hollingsworth introduced the proposal for a new mentoring program and partnership with the Big Brothers and Big Sisters (BBBS) organization. She stated that the program would focus on children ages 12-15. Mayor Hollingsworth said that in initial conversations with BBBS, the organization had informed the City that in order for them to work in Prince George's County, they would need to hire an additional coordinator at a cost of approximately $60K. The proposed VISTA partnership fund the hire of a coordinator based out of the BBBS offices in Washington D.C. with focus on the City of Hyattsville, at a significantly reduced cost for both entities.

Councilmember Solomon asked for more information on the logistics and the total cost. It was clarified that the City would pay for the $10K application cost for the VISTA position and an additional "partnership" fee of $10K to cover BBBS's costs for overseeing and managing the program. Mayor Hollingsworth also confirmed the City would receive a dedicated coordinator for Hyattsville that would match mentors and mentees. There were no concerns from the Council on bringing the item back for additional discussion and action.

7.h FY18 Budget Priorities

Suggested Action: Budget Priorities for Council Consideration:

- MD-208/Hamilton Street Road Improvements
- Senior Nutrition Site Improvements
- Police & Public Safety Citizen's Advisory Committee Requests
- Health Wellness and Recreation Committee Requests
- Pedestrian or cyclist activated stop light at the Northwest Branch Trail crossing on Queens Chapel Road

Solomon_FY18 Budget Priorities.pdf

Councilmember Solomon opened the discussion on his items by stating that each item would need to come back for additional discussion but his intent was to walk the Council through status updates that evening.

MD 208/Hamilton Street Road Improvements

Councilmember Solomon said there was a recent meeting with State Highway Administration (SHA) to walk through the MD 208 area and determine the feasibility of updates to the street. He reported that SHA said they would complete an assessment of the road but the agency believed would be difficult for SHA to designate MD 208 as a priority under their current metrics. Councilmember Solomon further reported that in an email SHA had stated that their recommendation was likely to suggest that the City absorb the cost of road improvements, some of which may be reimbursable. Councilmember Solomon suggested that the Council wait to receive formal notification from SHA regarding MD 208 and determine which elements and what cost could be associated with moving forward on the project as a priority for the City.

Councilmember Croslin asked for clarification on what repairs the City may take on the costs for and why the City would consider taking on those expenses. Councilmember Solomon clarified the cost would be for some of the repairs and the intent was to have the road project done sooner than SHA would be able to do. City Administrator Nicholson noted that MD 208 was one of the City's legislative priorities. She provided more details of the meeting with SHA and said a full assessment of the road from SHA was pending.

Councilmember Paschall said he had a few concerns on the item, rooted in the idea that some individuals on Council may have taken actions that could undercut the City's future bargaining authority. He added that there had been no discussions on MD 208 with the Council as a body and noted that the information needed to make such decisions was not available. Councilmember Paschall also said that Councilmember Solomon's budget proposals did not include enough information for the Council discussion or staff feedback.

Councilmember Ward clarified that MD 208 is a State-owned road and asked how the City got to a point where there could be an implied understanding that the City would pay for repairs to the road. Councilmember Solomon said he did not think there was an implied understanding that the City would expend funds for the road, but noted that SHA may be willing to reimburse the City for such repairs. Councilmember Lawrence asked questions regarding the timeline for information from SHA and who the attendees were at the recent SHA meeting. City Administrator Nicholson provided names of attendees from SHA and City staff.

Senior Nutrition Site Improvements
Councilmember Solomon provided an update on his motion to provide a senior nutrition program in the City. He said he had a follow up meeting scheduled with a neighboring municipality to obtain more information on the structure of their program. Mayor Hollingsworth asked if Councilmember Solomon could submit written narrative for the Council to consider and staff to evaluate on each item by that Friday.

Councilmember Ward said he had done research into local senior nutrition programs in the County and reported that he learned the County was paying for most of the associated program expenses and had incurred the capital expenses for the program. Councilmember Ward said he would prefer to see the City provide either delivery of meals or transportation for seniors to local nutrition centers.

Council Vice President Lawrence reiterated the Mayor's request for additional background information. Councilmember Solomon said he intended to present the updates he had prepared for the meeting. ***Councilmember Paschall moved to remove Councilmember Solomon's remaining items from the agenda for that evening because the procedure for submitting motions had not been followed. Council Vice President Lawrence seconded the motion.***

Council President Haba agreed that the budget priorities lacked the necessary background information for Council and staff to evaluate the items, but asked that the Council allow Councilmember Solomon two minutes to present that evening and ask him to provide additional information for the February 1 meeting. Councilmember Wright expressed his agreement with Council President Haba but noted the items did lack the required background information.

Councilmember Paschall corrected his motion to clarify that he meant to table the motion. The Council voted to table the remainder of Councilmember Solomon's budget proposals; the motion failed.

RESULT:	**FAILED [5-6]**
MOVER:	Patrick Paschall, Ward 3
SECONDER:	Bart Lawrence, W1 (Council VP)
AYES:	Hollingsworth, Lawrence, Ward, Paschall, Wright
NAYS:	Haba, Croslin, Warner, Perry, Frazier, Solomon
ABSENT:	None

Police & Public Safety Citizen's Advisory Committee Requests
Health Wellness and Recreation Committee Requests

Councilmember Solomon said that both committees would be presenting their budget recommendations to the Council soon. He highlighted some of the subjects he believed they would present.

Pedestrian or cyclist activated stop light at the Northwest Branch Trail crossing on Queens Chapel Road
Councilmember Solomon said the item for a pedestrian/cyclist activated stop light came from the City's survey.

7.i **Heurich Park Community Center**
Suggested Action: I move that the Council allocate the appropriate funding for staff to be able to conduct a feasibility study for the construction of a small community center at Heurich Park.

Haba_Heurich Park.pdf

Council President Haba provided background information on the request for a feasibility study to consider the construction of a small community center at Heurich Park. He noted that Heurich park had become the second most used park in the City, highlighting International Festival, movie nights and the dog park. Councilmember Paschall asked if the City were to make changes to its portion of the park if those changes would require the removal of existing physical structures. Director of Public Works Riddle clarified for the Council that the City did not own any of the park land located in Heurich Park. She said the City had a Memorandum of Understanding (MOU) with Maryland-National Capital Park and Planning (M-NCPPC) for the care of the existing playground.

Councilmember Paschall asked how funds allocated for the project could be utilized. Director Riddle said the first step would be for the City to meet with M-NCPPC regarding their future plans for the park. Councilmember Paschall asked if the City could invest in the park. Director Riddle said the City could invest funds with the commission's approval but reiterated that the first step was to speak with M-NCPPC. Councilmember Paschall said he thought it was a great idea but difficult for the City to budget funds at this stage. Council President Haba clarified that his request was to learn if the project could be done through conversations with M-NCPPC, as well as private land owners in the area.

Council Vice President Lawrence said he supported staff speaking with Park and Planning on the idea but he was also concerned that the Council was publicly discussing funding a project built on land owned by another entity. Councilmember Lawrence stated that it was possible the discussion could limit the City's negotiating power in the future, similar to the MD208 conversation earlier. He suggested that the item could be a legislative priority for the Council in the future. There was a discussion regarding the best way for the Council to move forward with items that did not have dollar amounts attached to them and how requested funding amounts were determined by Councilmembers.

Council Vice President Lawrence asked if Council President Haba was agreeable with staff proceeding with initial steps to determine feasibility and the associated funding. Mayor Hollingsworth asked for clarification on the Heurich Park and the Circulator Request, inquiring if they were for feasibility studies or for staff to do what was necessary to complete the request. Council President Haba clarified that the Circulator Bus item was specifically for a feasibility study and that he was agreeable with the Heurich Park item to continue with staff investigation.

7.j **Hyattsville Circulator Bus**
Suggested Action: I move that the Council allocate appropriate funding for a Hyattsville Circulator Bus feasibility study. Such circulator will connect the city's two metro stations to the arts district on route 1 and the Riverdale MARC train station.

Haba_Circulator Bus.pdf

Assistant City Administrator Chandler asked for clarification from Council President Haba on the scope of the proposed circulator bus. He said he viewed two (2) possible directions: extending existing services or repurposing existing services, such as the City's Call-a-Bus. He also asked if this was a transportation management initiative to evaluate the current bus services in the City. He suggested that grants may be available for that type of study. Council President Haba said he was interested in a transportation study but also asked what could be done to offer additional bus service in the City. He inquired about extending the hours of the Call-a-Bus as a pilot program while the transportation study was underway.

Councilmember Paschall said he was concerned that there was not an adequate level of demand for a circulator bus and asked Council President Haba if he had an idea of what the demand for the service would be. Council President Haba said the proposal was to connect three major areas in the City with the City's two metro stations. He added that he had heard from resident's multiple times that there is a lack of connectivity in the City. Councilmember Paschall said he did not believe there would be high enough utilization rates for the service to justify the operational costs.

Councilmember Solomon said that the feasibility study process included searching for demand and the best route for moving forward. He added that the City could partner with businesses on the service. Councilmembers Croslin and Wright stated their support for the proposal. Council Vice President Lawrence suggested that the City include a question in the community survey on a possible circulator bus service. He also wondered if another approach could be to look at existing bus routes and making changes to improve circulation. Council Vice President Lawrence said he agreed with Councilmember Paschall's belief that ridership of a circulator bus would not be large.

Mayor Hollingsworth said she thought there was value in the circulator idea but she did not recommend the feasibility study. Instead, she supported an approach that would evaluate the weaknesses in the City's existing transportation avenues. There was a discussion regarding the best approach for evaluating the City's transportation needs and if this item could be included in the upcoming City-wide traffic study. It was determined that the motion would come back to Council for additional discussion and possible action.

7.k **ADA Compliant Improvements**

Suggested Action: I move that the Council allocate the appropriate funding for staff to be able to supplement, with ADA compliant ramp for people with handicap and cyclists, the stairs from Oliver St. & Jamestown Rd. to Prince George's Plaza metro station. The same undertaking is needed at the end of 32nd Ave. and 33rd Ave. leading into Nicholas Orem Middle School.

Haba_ADA Improvements.pdf

Council President Haba reviewed the need for Americans with Disabilities Act (ADA) compliant upgrades on streets and sidewalks located in Ward 4. He asked if staff could try to engage with WMATA and PGCPS on improvements to those two areas.

7.l **Safety Improvements & Speed Mitigation: Nicholson Street, 31st Ave., Lancer Dr. and 31st Place.**

Suggested Action: I move that the Council allocate appropriate funding for staff to be able to implement needed improvements at the intersection of Nicholson St. & Maryhurst Dr., to replace the current rubber barricades; and near the playground in Heurich Park. Funding is also needed for speed mitigation on 31st Ave., Lancer Dr. and 31st Pl.

Haba_Safety Improvements_Speed Mitigation.pdf

Council President Haba clarified the locations for speed mitigation and safety improvements. Director Riddle stated the projects were currently underway and that no additional funding was needed. Director Riddle added that the traffic study would review the circulation in the entire area and make recommendations for improvements and budget allocations.

Council Vice President Lawrence inquired if members of Council were present for the previously discussed meeting regarding MD 208. City Administrator Nicholson stated that Councilmember Solomon was present at an earlier meeting and remained present for the meeting with SHA.

NOTE FOR THE RECORD: Councilmember Lawrence left the meeting at 11:13 p.m.

Councilmember Perry relayed safety concerns to Director Riddle regarding Nicholson Street. Councilmember Solomon took a moment to address Ward 5 residents regarding sidewalk improvements on 37th Place. He stated that he did not include that initiative as a budget priority because funding for the project was already allocated.

9. Council Dialogue (9:50 p.m. - 10:00 p.m.)

Councilmember Frazier read prepared comments regarding the January 9th council meeting. Councilmember Warner encouraged residents to think about running for office. Councilmember Croslin thanked staff members Colleen Aistis and Beryl Johnson for organizing a recent field trip for seniors to the African American History Museum.

10. Community Notices and Meetings

Main City Calendar_Jan 19-23 2017.pdf

11. Motion to Adjourn

The meeting adjourned at 11:23 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula Perry, W4
SECONDER:	Kevin Ward, W1
AYES:	Hollingsworth, Haba, Ward, Croslin, Warner, Paschall, Wright, Perry, Frazier, Solomon
NAYS:	None
ABSENT:	Lawrence

1) Call to Order and Council Roll Call:

The meeting was called to order by Mayor Hollingsworth at 8:04 p.m.

Present: Candace Hollingsworth, Mayor
Edouard Haba, W4 (Council Pres.)
Bart Lawrence, W1 (Council VP)
Kevin Ward, W1
Robert Croslin, W2
Shani Warner, W2
Patrick Paschall, W3
Thomas Wright, W3
Paula Perry, W4
Ruth Ann Frazier, W5
Joseph A Solomon, W5

Absent: None

Also present were the following City Staff Members:
City Administrator Tracey E. Nicholson
Assistant City Administrator and Director of Community and Economic Development, Jim Chandler
Police Chief Douglas Holland
Director of Public Works Lesley Riddle
City Treasurer Ron Brooks
Director of Human Resources Vivian Snellman
Community Planner Katie Gerbes
City Clerk Laura Reams
Assistant City Clerk Lillie Littleford

2) Pledge of Allegiance to the Flag

3) Approval of Agenda

Councilmember Perry moved that Motion #: 119-01-FY17 Hyattsville Ordinance 2017-01: Revisions to Chapter 8, Elections Code (SECOND READING/ADOPTION) be moved from the Consent Agenda to the Action Agenda.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Edouard Haba, W4 (Council Pres.)
SECONDER:	Patrick Paschall, W3
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Paschall, Wright, Perry, Frazier, Solomon
ABSENT:	None

4) Public Comment (8:10 p.m. – 8:20 p.m.) Limit 2 minutes per speaker

Nina Faye, a Ward 3 resident, addressed the Mayor and Council regarding the proposed Fence Ordinance. Ms. Faye first noted that the Horticultural Seed Sale would be held on February 4, 2017 in the 2nd Floor Prangley Room, and provided details about the event. Ms. Faye then expressed support for the proposed changes for the Fence Ordinance, but urged the Council to revisit language that could potentially outlaw certain types of garden enclosures and hedges. Ms. Faye added that she hoped to see Councilmember Croslin's changes enacted, but asked the Council to go further into revising the ordinance.

5) Presentations (8:20 p.m. - 8:40 p.m.)

5.a FY-2015 Audit Update (5 minutes)

Cover Page_FY15 Audit.pdf

Treasurer Brooks provided an update to the FY-2015 Audit. Mr. Brooks noted that the auditors recommended additional policies to be written for grants to ensure that the City would meet the requirements for existing grants. Mr. Brooks stated that projects were scheduled to close out in February. Mr. Brooks noted that the auditors had started track files for the FY-2016 Audit and were on track to close out two fiscal years by June.

5.b Riverfront at West Hyattsville Metro (15 minutes)

Cover_Riverfront WHVL_Presentation.pdf
Memo - Riverfront at West Hyattsville Metro - Presentation.docx
Riverfront at West Hyattsville Metro PPS and DSP Presentation.pdf

Director Chandler provided background information on the preliminary plan for subdivision and introduced the development team for Riverfront at West Hyattsville; Thomas Haller, Attorney for West Hyattsville Property Company, Alex Villegas, Rogers Consulting, and Mike Sponseller, West Hyattsville Property Company. Director Chandler noted that this item would return on the Discussion Agenda later in the meeting and turned the presentation over to Thomas Haller.

Thomas Haller, Attorney for West Hyattsville Property Company, gave a brief overview of the status of the project. Mr. Haller noted that two applications had been filed and were pending; a preliminary plan of subdivision and a detailed infrastructure site plan. Mr. Haller continued that the preliminary plan would establish the lot layout, right of way, and adequate public facilities throughout the project. Mr. Haller noted that the infrastructure site plan would establish grading, landscaping, and recreational facilities, but would not include architecture. Mr. Haller clarified that the plan was split into two phases due to the amount of site work necessary, and that field work would begin after the approval of the infrastructure site plan. Mr. Haller added that there would be one more mandatory referral application that would be reviewed, regarding converting the parcel of land adjacent to the property, currently owned by the Maryland National Capital Park and Planning Commission (M-NCPPC), into an active park site for use for storm water management. Mr. Haller noted that this application would be reviewed by the M-NCPPC shortly, and added that the preliminary plan of subdivision, being reviewed that evening, would be before the Planning Board on March 2, 2017, while the detailed site plan would be before the Board on March 23, 2017. Mr. Haller then highlighted various details of the approval process and turned the presentation over to Alex Villegas to provide an overview of the current design and to address issues raised by residents, City staff, and County staff.

Alex Villegas, of Rogers Consulting, addressed the Mayor and Council and noted that he would review updates to the current design, including an additional pocket park in a centrally located area, additional open space, and additional connectivity in terms of sidewalks. Mr. Villegas noted locations of multiple pocket parks and added that there would be three hundred (300) multifamily units, one hundred and eighty-three (183) townhomes, ten thousand (10,000) square feet of retail space, and the 4.5-acre public park with a promenade and a greenway. Mr. Villegas also noted that the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) had approved the storm water management concept. Mr. Villegas then reviewed the infrastructure detailed site plan and highlighted the street sections. Mr. Villegas noted that there would be narrow streets with the addition of green spaces and sidewalks to allow for street trees to be planted. Mr. Villegas concluded the presentation and it was noted that the Council would discuss the item further later in the agenda.

6) Consent Items (8:40 p.m. - 8:45 p.m.)

6.b Motion #120-01-FY17 Appointment to the Planning Committee
Suggested Action: I move that the Mayor and Council re-appoint David Marshall (Ward 2) to the Planning Committee for a term of 2 years to expire on January 23, 2019.

Cover Page_Planning Appointment.pdf
D. Marshall_Planning Reappointment.pdf

6.c Motion #: 121-01-FY17 Appointment to the Code Compliance Advisory Committee
Suggested Action: I move that the Mayor and Council appoint Nicolas Michiels (Ward 1) to the Code Compliance Committee for a term of 2 years to expire on January 23, 2019.

Cover Page_Code Appointment.pdf
Nicolas Michiels_Code Application_redacted.pdf

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Robert Croslin, W2
SECONDER:	Joseph Solomon, W5
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Paschall, Wright, Perry, Frazier, Solomon
ABSENT:	None

7) Action Items (8:45 p.m. - 9:05 p.m.)

6.a **Motion #: 119-01-FY17 Hyattsville Ordinance 2017-01: Revisions to Chapter 8, Elections Code (SECOND READING/ADOPTION**)
Suggested Action: I move that the Mayor and Council adopt Hyattsville Ordinance 2017-01, an ordinance whereby the City Council updates chapter 8 of the Code to reflect changes in the charter regarding qualifications to vote and to make explicit the authority of the Board of Supervisors of Elections, to provide for a Supplemental Voting Registry, to add a list of definitions and duties so as to clarify the elections law, to specify minimum times for the polls to be open, to change Absentee voting to Vote-by-Mail, to adjust campaign finance reporting deadlines to reflect early voting dates, to specify certain rules, and regulations and limitations regarding campaign finance, and to outline a complaint procedure for election law violations (SECOND READING/ADOPTION).

Cover Page_Ordinance 2017-01.pdf
Chapter 8 Elections FINAL.pdf

Council President Haba noted that this item had been moved from the Consent Agenda to the Action Agenda.

RESULT:	**APPROVED 9-2**
MOVER:	Edouard Haba, W4 (Council Pres.)
SECONDER:	Shani Warner, W2
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Paschall, Wright, Solomon

NOES:	Perry, Frazier
ABSENT:	None

7.b Motion #: 124-01-FY17 Purchase of Police Vehicles (10 minutes)
Suggested Action: I move that the Mayor and City Council authorize the purchase of ten replacement vehicles from Hertrich Ford, the purchase of vehicle equipment and up-fitting from the Brekford Corporation, and four mobile radios from Motorola Corporation. Total expenses will not exceed the approved FY17 Capital Expenditure line item 70-202-001-5642 funding balance of $419,256.

Cover_Police Vehicles.pdf
2017 Vehicle Replacement.docx

Chief Holland noted the ten-year replacement plan for Police Vehicles that the Police Department Budget Committee referenced each year. Chief Holland highlighted the various vehicles and purposes within the proposed purchase, and noted that they would be purchased from Hertrich Fleet Services through State Contracts. Chief Holland added that the equipment and up-fitting would be purchased from the Brekford Corporation through State Contracts and that the radios would be purchased from Motorola Corporation through County Contracts. Chief Holland noted that the purchases would be funded from the Capital Expenditures Budget for $418,156.00, which was within the allotted FY2017 Budget. Treasurer Brooks added that he would address Council at the following meeting to address the lease financing for the vehicles at hand.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Edouard Haba, W4 (Council Pres.)
SECONDER:	Bart Lawrence, W1 (Council VP)
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Paschall, Wright, Perry, Frazier, Solomon
ABSENT:	None

Council President Haba apologized to Director Riddle and noted that item 7.a Motion #: 123-01-FY17 had been skipped.

7.a Motion #: 123-01-FY17 Purchase of Department of Public Works Parks Operations Vehicle (10 minutes)
Suggested Action: I move the Mayor and Council approve the purchase of a 2017 Chevrolet Silverado 3500HD Crew Cab from Criswell Automotive under the Maryland State Contract, to replace Parks operations vehicle PKV0489, at a cost not to exceed $57,000.00.

Cover Page_DPW Vehicles.pdf

Director Riddle provided background information on the proposed purchase and noted that the purchase would help replace at least one of the Parks vehicles that was over thirteen (13) years old. Director Riddle added that the vehicle would be purchased from Criswell Automotive through a State Contract.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Edouard Haba, W4 (Council Pres.)
SECONDER:	Shani Warner, W2
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Paschall, Wright, Perry, Frazier, Solomon
ABSENT:	None

Councilmember Paschall made a Point of Order regarding the voting technology and asked Clerk Reams to hold the voting screen until the end of the discussion to allow Council to access supporting materials and documents.

8) Discussion Items (9:05 p.m. - 9:50 p.m.)

8.a Riverfront at West Hyattsville Metro (15 minutes)

Cover_Riverfront WHVL_Discussion.pdf
Memo - Riverfront at West Hyattsville Metro - Discussion.pdf
SOJ-DSP16029.docx
Composite Concept Plan 2016_10_07.pdf
PPS-415020_002.pdf
Planning Committee Minutes - 10.18.2016.docx
Planning Committee Minutes- 11.15.2016.docx

Director Chandler referenced the presentation made regarding Riverfront at West Hyattsville Metro earlier that evening and noted that some modifications that had been made in response to concerns from residents, City staff, and County staff. Director Chandler then introduced Community Planner Katie Gerbes to review variance requests from the applicant.

Community Planner Gerbes stated that the applicant was requesting three (3) variances for the project and noted that the variance requests had staff support. Ms. Gerbes stated that the first request was for the removal of a decaying red maple tree located in an area that required significant grading work, the second variance request was submitted due to the impracticality of a three hundred (300) foot depth requirement for a residential plot adjacent to a transit right of way, and the final variance was requested to design public utility easements to a more urban standard rather than the requirement of ten (10) continuous feet.

Director Chandler added that, in addition to the variances, there were four categories of staff feedback included in the documentation. Director Chandler noted that the first category regarded recreation and landscaping and added that these additions could come back in a future phase. Director Chandler noted staff support of access to the promenade being compliant with Americans with Disabilities Act (ADA) requirements, M-NCPPC continuing maintenance of the promenade, low-lying vegetation in the bioretention swells, and converting extra parking into a pocket park. Director Chandler then highlighted the category of streets and street trees, and noted the recommendations of dimensions for on-street parking isles, sidewalks, and planting strips within the right of way; that street trees were required to be native and in scale with urban tree standards; that the applicant conduct and provide a landscape survey to allow the City to maintain the public right of way in a GIS database; that the applicant provide clarity on street connectivity; and that street lighting be consistent with Pepco standards. Director Chandler then highlighted the need for management of parking on the site, with metered spaces on primary roadways and residential parking on the interior roadways to be regulated with a Memorandum of Understanding (MOU). Director Chandler noted that these categories could be addressed closer to late Spring, into Summer with the architectural detailed site plan. Director Chandler then highlighted the March 2, 2017 date for the detailed site plan hearing and asked Council to take action on or before the February 6, 2017 Council Meeting.

Councilmember Paschall asked what kind of revenue the property would produce and if it would cover the expenses of road maintenance, trash collection, and parking services. Director Chandler replied that he hoped to have numbers by the February 6, 2017 Council Meeting, and that it would be difficult to predict tax revenue without knowing sales.

Councilmember Solomon noted that he had concerns regarding street ownership and connectivity, but understood these would be addressed at the February 6th Meeting. Councilmember Solomon noted that Nicholson Street and Lancer Drive, owned by the City, would require connectivity, and asked what role the County would play in that process.

Councilmember Ward addressed the variance request regarding the three hundred (300) foot depth requirement from the transit right of way and asked the property owner what features the development would have to accommodate the noise and vibration from the Metro. Mike Sponseller, of West Hyattsville Property Company, responded and noted that a noise study had already been conducted and had plans to augment the study to include additional sound and vibration studies. Mr. Sponseller added there were no specific requirements based on noise levels at that time, but could be added moving forward.

Councilmember Frazier clarified the number of units proposed in the property and asked for more details on what the plans for parking were. Mr. Haller referenced a maximum of three hundred and sixty-six (366) off-street parking spaces for the townhomes under the West Hyattsville Transit District Development Plan, and noted that there would be two hundred and thirty-six (236) parking spaces provided in garages and one hundred and sixty-eight (168) parking spaces provided on-street with a total of around four hundred and five (405) spaces on-site. Mr. Haller noted that this number was above the required total, and echoed Director Chandlers remarks regarding converting parking spaces into a pocket park. Mr. Haller added that streets within the development would be subjected to residential parking zoning as well. Councilmember Frazier asked for more clarification on numbers, and Mr. Haller explained that the parking spaces he had accounted for were for the townhomes and added that the multifamily units would account for their own parking. Councilmember Frazier expressed concern for not providing a sufficient amount of parking spaces. Councilmember Croslin clarified that the plots for multifamily homes would account for parking spaces as well.

Council Vice President Lawrence asked for clarification on the number of townhomes and Mr. Haller noted that there would be one hundred and eighty-three (183) townhomes in the development.

8.b Gateway Arts District Sector Plan: Minor Amendment to the Table of Uses (15 minutes)

Cover Page_GAD.pdf
MNCP&PC DDO Zone 2004 Arts Gateway Minor Amendments.pdf
Gateway Arts District - Character Area Map.pdf
Memo GAD_Minor_Amendments--Tattoo_MRS.docx

Director Chandler addressed the Mayor and Council regarding the request for amendment to the Gateway Arts District Sector Plan that would include the addition of two uses; music recording studios and tattoo parlors. Director Chandler provided details about the plan and noted that City staff had reached out to arts and entertainment districts across the State of Maryland to verify how the two uses existed within their districts and whether they were permitted by right or through special permit. Director Chandler stated that staff recommended allowing tattoo parlors to be permitted by right, and added that music recording studios would not be as prevalent and stated support for issuing special permitting. Director Chandler clarified each of these respective businesses would fall under a new category for business licensing with a slightly higher fee than other businesses, due to the increased efforts for inspections. It was noted that the County had scheduled a Public Hearing on the matter for February 7, 2017, and Director Chandler asked that the Council take action on February 6, 2017 in order submit comments to the public record.

Councilmember Solomon thanked the staff for their work and asked for more clarity the permitting of tattoo parlors. Director Chandler stated that the introduction of tattoo parlors, or businesses with that kind of use, to a residential area could affect the quantity of customers or could cause turnover. Councilmember Solomon then asked if the City had the same requirement for barber shops and Director Chandler stated that he could not recall at the time, but noted that items with more use, or commercialized use in a residential setting, would get pushed to special permits. Councilmember Solomon then stressed the importance for consistency in permitting. Director Chandler noted that some businesses could have been existing, or grandfathered in, without special permitting. Councilmember Solomon then addressed permitting of recording studios and asked if that type of use would require any coupled permits, i.e. noise or dance hall. Director Chandler stated that the recording studio would not require any other permits because it was not defined as an accessory use.

Councilmember Paschall echoed Councilmember Solomon's remarks and expressed support for tattoo parlors in the Gateway Arts District. Councilmember Paschall added that he did not believe tattoo parlors should have to go through special permitting, and noted that he believed recording studios would follow the same logic, if they did not generate noise and were not adjacent to residential neighborhoods. Councilmember Paschall concluded that he was in agreement with staff's suggestion. Mayor Hollingsworth noted that this item would return on the February 6, 2017 Council Meeting Agenda.

Council President Haba referenced the amendment and asked why the tattoo parlors and music recording studios were not included in neighborhood commercial areas. Director Chandler stated that neighborhood commercial areas in the plan were primarily used to include non-conforming uses. Director Chandler highlighted two areas in Hyattsville that met neighborhood commercial criteria and noted that the type of use in those areas was a convenience for several years. Council President Haba stated that he would not be opposed to extending tattoo parlor and music recording studio permitting to neighborhood commercial areas.

8.c Change to Wall and Fence Ordinance (15 minutes)
Suggested Action: I move that the Council direct the City Attorney to revise portions of Chapter 68 Article II subsections (7), (8), and (17) to allow maintenance, repair and replacement of non-conforming fences and add subsection (18) to address safety standards.

> 68-7, C (7) Retain only the first sentence: "All fences or retaining walls legally existing on June 30, 2003 which do not comply with the general restrictions 1-6 above shall be deemed legal non-conforming uses." Delete the remaining paragraph.
>
> 68-7, C (8). Remove "except for natural aging" from the section. "A fence or retaining wall deemed to be a legal non-conforming use under this subsection which has been removed or destroyed through no fault of, and due to circumstances beyond the control of the owner "except for natural aging" may be replaced or repaired in a manner substantially identical in all material respects to the fence so removed or destroyed provided it is repaired or replaced with a fence or wall using a different material or style for such fence or wall or varying the height or length of such fence or wall, the owner or his agent must apply for an exception. Nothing contained in this subsection shall be construed to prohibit the maintenance and repair of a non-conforming fence or wall as long as the fence or wall is not changed in character and repairs are made substantially the same as the materials requiring maintenance or repair.
>
> 68-7, C (17). Revise the first paragraph to state that "No fences or retaining wall may be erected or put in place without first obtaining a permit from the City, unless it is to maintain or repair an illegal non-conforming fence."

68-7, C (18). New: "All maintenance, repairs and replacement of non-conforming fences must comply with the safety standards outlined in this Chapter."

Cover Page_Croslin.pdf
Robert Croslin Motion.docx
Chapter 68 Housing Standards.pdf
County Code_Fences.pdf

Councilmember Croslin introduced the discussion item and provided a brief background on the proposed changes to the Wall and Fence Ordinance. Councilmember Croslin noted that the ordinance as written imposed an undue hardship on neighbors, only allowing fences to be maintained 25% at a time. Councilmember Croslin added that the proposed motion focused primarily allowing the maintenance of grandfathered fences, or those built prior to June 30, 2003.

Councilmember Wright stated that he generally supported the item and the reduced burden on residents, but asked what was the significance of the June 30, 2003 date. Councilmember Croslin stated that the County changed their respective ordinance on that date. Councilmember Wright expressed concern for the proposed date and suggested a more recent date in order to grandfather in more fences. Councilmember Wright then asked for clarification of the removal of the one hundred and eighty (180) day clause in Section 78-7C and Councilmember Croslin stated that he had not intended to take that clause out.

Council Vice President Lawrence stated that he was generally in favor of the proposed changes and highlighted two concerns he had. Council Vice President Lawrence noted Section 68-7-C7 and expressed concern for striking the second sentence and stated that he interpreted it as allowing shrubs and hedges to grow without limits. Councilmember Croslin read a provision in the same section referring to safety standards. Council Vice President Lawrence stated that he would like to see language in that section point to where the safety provisions were in the ordinance. Council Vice President Lawrence then noted that, as the ordinance was written, any hedges planted before 2003 would not have to comply to the safety standards. Director Chandler clarified that a hedge planted before 2003 would not have to comply with the safety standards, and would be considered legal non-conforming. Council Vice President Lawrence referenced language concerning the trimming of a legal non-conforming hedge and Director Chandler clarified that the language protected the life and safety of the hedge. Councilmember Paschall clarified that if a shrub or hedge, acting as a fence, had a legal non-conforming use, it would need to meet certain non-conforming standards. Council Vice President Lawrence stated that he would come back to this section at a later time.

Council President Haba asked if there was any other area in the code that addressed the maintenance of fences that were non-conforming. Director Chandler stated that the section at hand would be the appropriate place to have a provision addressing the issue. Director Chandler referenced conversations about the section throughout the drafting process and noted that if Council chose to eliminate Section 68-7-C7, a new definition would have to be made for replacements and maintenance to clarify the intent of the ordinance. Administrator Nicholson stated a need for clarity on this ordinance for both residents and staff. Council Vice President Lawrence addressed Director Chandler and asked for clarification on the definition of legal non-conforming uses and expressed concern for allowing hedges to grow wild. Director Chandler stated that he could not recall a time the City had to ask a resident to trim the height of a hedge, and believed it would only occur if the hedge encroached on sidewalks or streets. Council Vice President Lawrence concluded that the existing language would need to be considered to clarify the proposed ordinance. Director Chandler noted that the language would need to be cleaned up to streamline the safety standards. Councilmember Croslin expressed agreement, and added that the language was referring to the maintenance of the hedge. Councilmember Solomon noted safety provisions in Section 68-2, and stated that additional language would need to be added to the section at hand.

Councilmember Paschall stated that he agreed with the concept of allowing grandfathered fences to maintain their structure, but expressed concern for staff implementation of this provision. Councilmember Paschall continued to note discrepancies in the replacement of legal non-conforming uses. Director Chandler noted that it would be complicated and added that staff could rely on a few different options to determine history: GIS layers that could show imagery as far back as the 1960's, as well as pulling original County fence permits. Director Chandler then noted issues that could arise through County practices. Director Chandler and Councilmember Paschall continued to discuss procedure. Councilmember Paschall then noted a typo in Section 68-7-C17. Administrator Nicholson clarified the intent of the language. Councilmember Croslin added that his personal belief regarding maintaining a legal non-conforming fence, was that a resident would not have to receive a permit.

Council Vice President Lawrence revisited Section 68-7-C7 and stressed the importance of including a provision allowing the City to dictate maintenance. Director Chandler noted that issues in the past had surrounded the encroachment of the right-of-way, not the height of hedges, but agreed that a provision would need to be made for this matter. Mayor Hollingsworth summarized conversations regarding Section C7 and noted that the motion at hand was to direct the City Attorney to draft language for the ordinance. Mayor Hollingsworth noted that the draft would consider the discussion on safety made on the dais and noted that this item would come back on the Action Agenda on February 6, 2017.

9) Council Dialogue (9:50 p.m. - 10:00 p.m.)

Councilmember Croslin reminded residents of the upcoming book club meeting and invited all to join. Councilmember Warner stated that she could not wait to see residents channel energy from the Women's March to make the community stronger. Councilmember Wright congratulated residents that participated in the Women's March. Councilmember Solomon referenced a reported gas leak on Madison Street and asked if the street would be shut down. Administrator Nicholson stated that there was no update, but that a message would go out to the community. Mayor Hollingsworth reminded residents that the Polar Bear Plunge began on January 27, 2017 at 10:00 a.m.

10) Community Notices and Meetings

Main City Calendar_Jan 24 - Feb 1 2017.pdf

11) Motion to Adjourn

The meeting adjourned at 9:56 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula Perry, W4
SECONDER:	Robert Croslin, W2
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Paschall, Perry, Frazier, Solomon
ABSENT:	None

1) Call to Order and Council Roll Call

Mayor Hollingsworth called the meeting to order at 8:06 p.m.

Present: Candace Hollingsworth, Mayor
Edouard Haba, W4 (Council Pres.)
Bart Lawrence, W1 (Council VP)
Kevin Ward, W1
Robert Croslin, W2
Shani Warner, W2
Patrick Paschall, W3
Thomas Wright, W3
Paula Perry, W4
Ruth Ann Frazier, W5
Joseph A Solomon, W5

Absent: Ruth Ann Frazier, W5

Also present were the following City staff members:
City Administrator Tracey E. Nicholson
Assistant City Administrator, Dir. of Community and Economic Development Jim Chandler
City Treasurer Ron Brooks
Police Chief Douglas Holland
Director of Human Resources Vivian Snellman
Director of Community Services Jake Rollow
City Clerk Laura Reams
Assistant City Clerk Lillie Littleford
Elections Coordinator Nicola Konigkramer

2) Pledge of Allegiance to the Flag

3) Approval of Agenda

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Edouard Haba, W4 (Council Pres.)
SECONDER:	Kevin Ward, W1
AYES:	Hollingsworth, Haba, Lawrence, Ward, Warner, Croslin, Paschall, Wright, Perry,Solomon
ABSENT:	Frazier

4) Public Comment

Michael Bello, a Ward 1 resident, addressed the Mayor and Council regarding the proposed Hyattsville Circulator Bus system. Mr. Bello provided the Council with copies of a prepared presentation on how a circulator system could connect the key areas of the City. He also provided information on the current bus routes in the City and the wait time between pickup at the stops. Mr. Bello said that branding, partnerships with local business, and community support was needed for a successful circulator system. He said he was looking forward to meeting with Council to discuss the idea further.

Brian Wilson, a Ward 1 resident, addressed the Mayor and Council regarding the proposed Hyattsville Circulator Bus. Mr. Wilson stated that he and Mr. Bello both worked together on the presentation provided to Council. Mr. Wilson noted that he had worked with the Arts District East & West Homeowners Associations and both supported the

Hyattsville Circulator idea. He provided cost and ridership information on the existing Arts District shuttle funded by the Arts District Homeowners Associations. Mr. Wilson informed Council that he and Mr. Bello had started a change.org survey to gather community support for the circulator. Mr. Wilson said he understood the financial burden for the City but believed that those burdens could be overcome and added that there were many citizens in support of the circulator.

5) Summary of FY18 Budget Requests

FY18 Budget Request Summary Worksheet

FY18 Council Budget Initiatives Feb 1 2017_FINAL.DOCX

6) Discussion Items

6.a Incentive for residents to plant native trees on their residential property.
Suggested Action: I move that the Mayor and Council allocate $5,000.00 as incentive to resident to purchase a native tree for their residential property (up to $50 per property, for up to 100 residential properties).

6.b Incentive for residents to remove English Ivy and other damaging vines from trees on their property.
Suggested Action: I move that the Mayor and Council allocate $7,500 as incentive to residents for removal of tree-damaging vines, and for maintenance over a period of time sufficient to eradicate from tree canopy (up to $75 per property, in 3 installments of $25 over 1 year, for up to 100 residential properties.)

6.c Gas Powered Mover Replacement Program.
Suggested Action: I move that the Mayor and Council allocate $10,000 to fund the Gas Powered Mover Replacement Program.

6.d Arbor Day and Green Expo Event Funds.
Suggested Action: I move that the Mayor and Council increase the budget by $1,000 to fund two environmentally-themed events for 2017. The two events are: Arbor Day/Earth Day 2017 in late April and a Green Expo, which would take place in early September. The funding would provide for a speaker, an event-day workshop, environmentally-beneficial hands – such as reusable water bottles, refreshments, and promotional literature to spread awareness about the event to residents.

6.e Climate Change and Local Adaptation Measures – Workshop and Speaker Series.
Suggested Action: I move that the Mayor and Council allocate $1,000 to fund a series of speakers and one workshop. The series will consist of three speakers and one workshop. The topics will be climate science research and climate adaptation opportunities for government, small businesses and community members. The workshop will focus on helping Hyattsville residents learn how they can be prepared and help their neighbors prepare for climate change (long term) and weather-related emergencies (short term). The funding for these initiatives will go toward promotion of these events, the filming or audio-recording of these events, and the printing of supplementary literature.

NOTE FOR THE RECORD: The environmental committee initiatives, items 6.a – 6.e. were discussed together.

Councilmember Paschall said he believed amendments to the initial budget proposals for the Hyattsville Environment Committee (HEC) were made at a recent committee meeting. Since he was unable to attend that meeting, he had hoped Director of Public Works Riddle would be present to provide an update. City Administrator Nicholson said Director Riddle was unable to make the Council meeting and she would provide an update on the initiatives. Administrator Nicholson said the committee decided to move forward with the native tree rebate initiative and speaker series, deferring the other initiatives for a year. Councilmember Paschall noted that he introduced these programs on behalf of the Environment Committee and deferred to the agreement for moving forward determined between the committee and staff.

Mayor Hollingsworth asked Council if there were any further questions on the HEC budget initiatives. Seeing none, Mayor Hollingsworth said the agreed upon initiatives would be included in the draft budget. Councilmember Paschall raised a point of order to inquire on the process for including initiatives in the draft budget. He asked if the Council would vote on each item and if it was the appropriate time to raise objections. Mayor Hollingsworth confirmed that this was the appropriate time to raise any objections, questions, or concerns, but also noted that further in the budget process there may be adjustments made to budget items.

Councilmember Solomon inquired about staff support for the HEC initiatives. Administrator Nicholson said that many of the logistical details would be determined later, but staff would provide support to the HEC and the HEC would be required to coordinate and report to the City on expenditures. Councilmember Solomon asked for clarification on the rebate process for the native tree program. Administrator Nicholson clarified that the City would provide a rebate up to $50 per homeowner for a native tree purchase but noted residents could apply for an additional rebate through the County program. She said the County program would operate independently from the City’s program. Councilmember Paschall added further clarification on the program logistics.

Councilmember Solomon asked if businesses and apartment buildings were eligible for the program. Councilmember Paschall and Administrator Nicholson both said that eligibility for businesses and apartments had not been discussed for the native tree program. Councilmember Paschall said he believed the HEC would support including businesses but added he thought residents should receive priority and a cap should be considered for businesses to ensure equitable distribution of the rebates. He noted that the committee, Director Riddle and Treasurer Brooks could work out these details. Councilmember Wright asked if the rebate program would cover purchases necessary for the care of the tree, including gator bags, fertilizer, etc. He also asked if the committee would assist the home owner in determining placement and care for the tree. Administrator Nicholson said that was not discussed at the committee meeting but she believed that providing advice on location and care would be part of the program.

Councilmember Wright also inquired if trees could be planted in the City’s right-of-way. Administrator Nicholson stated trees could not be planted in the right-of-way without prior approval from the City. Councilmember Wright suggested that education on the meaning and location of the City’s right-of-way be provided to residents. Administrator Nicholson concurred. Councilmember Wright asked if the Shade Tree Board would participate in the administration of the program. Administrator Nicholson said she was unsure and would follow up with Council on the answer. Council Vice President Lawrence said he remembered from the last discussion that Director Riddle said that there are arborists on staff that could provide information on how to plant specific species of trees and where to plant the trees, so not to interfere with power or utility lines.

6. City Administered Low Cost Aftercare

Mayor Hollingsworth noted that the low cost aftercare item was accidently left off the discussion list for the agenda and asked Councilmember Ward to provide an update on the item. Councilmember Ward noted the program cost estimate had increased to $120K and anticipated revenues to $150K. He reiterated that the program was cost neutral for the City. Councilmember Ward said he had completed research into costs for existing similar programs and those programs were double or triple the cost the City planned to charge participants. Councilmember Ward noted the need to determine the optimal enrollment numbers for the program and said he would be working with Director Rollow on that item.

Director Rollow briefed the Mayor and Council on the status of location for the program. He said that at least one local school was interested and would have space available. He added that the $120K program costs were anticipated to cover 50 students and five (5) to six (6) part-time contractors to run the program for the one-year pilot. He noted that during his conversations with schools he had not made any commitments regarding the program. Councilmember Croslin clarified that the increased costs for the program were due to additional staffing requirements. Mr. Rollow confirmed and noted staff planned to allow participants to utilize the State voucher program for reduced enrollment fees. He also said the additional costs would include the administrative costs relating to Human Resources and Finance time, as well as the existing full-time staffer to oversee the program.

Councilmember Paschall asked if thought had given to providing care on inclement weather days or early closing days. Director Rollow said he could look into this and noted the City had recently launched a Mini Camp Magruder but that program was for planned days off school and did not operate on snow days or the like. He noted the difficulty in scheduling a program with very little notice and problems pertaining to the availability of contractors to run the program on short notice.

Council President Haba expressed concern with achieving the minimum enrollment necessary to ensure the net zero cost of the program and said he did not think the program should move forward if it did not get a minimum of 50 participants. Director Rollow said that after conversations with the locals schools he believed there would be strong interest in the program, especially if State vouchers were accepted. He noted the State vouchers would require additional administrative paperwork but thought it was worthwhile. Council President Haba asked if the part-time contractors for the program would receive benefits. Director Rollow said benefits would not be provided, but the City would incur costs for worker's compensation.

City Treasurer Brooks reiterated that the program was proposed as cost neutral and said he did not see the program bringing revenue to the City. Treasurer Brooks explained that funds remaining at the close of the program would return into the program for future year costs. He further explained the importance maintaining a separate fund account dedicated to the program. Councilmember Paschall said that ideally the City would be able to expand the program to more students and other school locations in the future and excess revenue could support those efforts. He said he believe this was a good program for Hyattsville residents. Mayor Hollingsworth asked for additional discussion. Seeing none, she clarified that the item would be included in the draft budget.

7.f) President's Task Force on 21st Century Policing Assessment – Implementation

Suggested Action: I move that the Mayor and Council allocate Funding (amount to be assessed/determined) and staff resources to implement what remains to be implemented from recommendations 1.7.,2.2, 2.2.1, 2.2.4,2.13, 5.9.1, and 5.11 of the Hyattsville City Police Department's baseline assessment against the report from the President's Task Force on 21st Century Policing.

Mayor Hollingsworth provided Council with information on the cost estimates for the implementation of the initiatives, totaling approximately $62K. She said the costs included policing questions on the resident satisfaction survey, de-escalation training for officers and tuition assistance for staff. Mayor Hollingsworth asked for feedback from the Council, adding she believed the survey required additional council conversation.

Councilmember Solomon expressed his support of the initiatives and the Mayor's prioritization of the implementation schedule. He also agreed that the body needed further discussion on the survey. Councilmember Paschall agreed and asked how much the last community survey cost. Director Rollow reported that the last survey cost approximately $24K and the inclusion of additional police questions would raise the cost for the next survey to approximately $30K. He also noted that the City had received a fairly low cost for the last survey, due to strong negotiations, so he anticipated that even without the policing questions, the cost of the next survey would increase. Council Vice President Lawrence asked questions on the methodology of the last survey.

There was a brief discussion regarding the educational assistance program. Human Resources Director Vivian Snellman provided information on the existing program, noting that while a policy for tuition reimbursement existed in the personnel manual, it had not been funded for the last several years. She said she believed there was staff interest in participating in the program. It was clarified that funds budgeted for the program would be available for all staff, not only the police employees. Mayor Hollingsworth said her proposal would give program priority to those staff members without post-secondary education or certifications, and those seeking programs for job training enhancement, or leadership training. Mayor Hollingsworth then confirmed that the Council supported including the item into the draft budget.

7.g.) Conceptual Design Services – Magruder Park

Suggested Action: I move that the Mayor and Council allocate $25,000 (or amount to be assessed/determined) to support professional services to reimagine Magruder Park with Neighborhood Design Center.

Mayor Hollingsworth provided an update on the proposal for a conceptual re-design of Magruder Park. She noted that in the motion she had requested partnership with Neighborhood Design Works (NDW), but had also instructed staff to ensure compliance with the City's procurement policy regarding the bidding process.

Council President Haba said he was concerned that the Council may not be able to immediately act upon recommendations from the conceptual design and that over time, the design would become obsolete. Mayor Hollingsworth said that from her perspective, the conceptual design would allow the City to visualize a framework on how the park could look and be used, but not include an engineering aspect with costs of materials and other labor requirements, noting these costs fluctuate over time. She said the next step would be an engineering phase, probably two (2) years in the future, and action four (4) to five (5) years after that. Mayor Hollingsworth also noted other projects on the City's plate ahead of Magruder Park. She said she believed a conceptual design was a good first step to begin talks on the park's future. Council President Haba reiterated his concern with timing of implementation and said he believed visioning could change in the future and he feared the City may not end up using the conceptual design when it came time for implementation. Mayor Hollingsworth said she believed the project was necessary to present a vision to residents. Council Vice President Lawrence said a conceptual design did not preclude changes from the design in the future, but he believed this was a necessary and good first step for the project.

Councilmember Paschall said he had concerns about the conceptual design but they were different than Council President Haba's. He said his primary concern was the unknown total cost of reimagining the park. He added that he would like clarity into the existing problems for the park and how significant those problems were for residents. Mayor Hollingsworth shared anecdotal data and noted that the community input aspect of the design would provide insight. She added that she viewed the Mayor and Council's role as one to find resources to implement projects when necessary and this was a necessary first step in determining the vision for the park.

Councilmember Paschall asked staff if there was a way to calculate or estimate the utilization of Magruder Park. Director Rollow said the City did not have specific data or a way to track utilization but he could try to get a rough estimate based on field permits and events. Administrator Nicholson noted that the time of year and pavilion rentals would also have an impact on the data. Councilmember Paschall said it sounded like it would be difficult to ascertain usage and said he did not want to expend staff time on it, although he thought it would be helpful to know how the space was utilized compared to other locations.

Councilmember Solomon said he wanted to see the Council prioritize other facility needs and learn what types of activities residents were looking for before proceeding with a conceptual design. Councilmember Croslin said he would like clarity on the problems in the park; were the issues traffic flow or lack of amenities. He also asked what gave Mayor Hollingsworth the idea for the redesign. Mayor Hollingsworth said the idea began with her own experiences in the park and conversations with residents. She also said that she noticed areas in which Magruder Park fell short in comparison to other parks and public spaces. She said she hoped to gain insight into the best way to move forward with the park from the community engagement portion of the conceptual design.

Councilmember Wright asked if the topic would be discussed during the February 15 Facilities Work Session. Mayor Hollingsworth said it would not be part of that discussion and elaborated that the only portion of the Park that lended itself to that discussion was the recreation facility, which was not up for consideration. She added that the conceptual design would look at the layout, flow and available amenities of the park, in addition to the building facilities. Councilmember Wright said he believed that some concerns were around the idea of competing capital resources and he wondered if this project was unique to the other facility projects. Mayor Hollingsworth said in her opinion, it was unique but acknowledged that ultimately implementation would require funding. She said there was potential for competition for funds but that the Council had already set capital project priorities with the DPW building and 3505 Hamilton Street. Councilmember Croslin said if the City could obtain the parking lot next door to the park, it would be a benefit to the City.

Council Vice President Lawrence asked Councilmember Solomon to reiterate what he wanted to see for this project to move forward. Councilmember Solomon said he wanted to understand the need. Council Vice President Lawrence said the community outreach portion of the conceptual design process was part of uncovering that need. Councilmember Solomon said he felt that the community outreach would determine if there was a need for a conceptual design and would help determine if minor or major renovations were necessary.

Councilmember Paschall stated that, upon reflection, he was convinced the utilization of the park was high enough and the Park such a significant resource to the City that it was worth the relatively small investment of $20K for the conceptual design. Councilmember Warner said she supported seeing the item in the budget, adding she thought the Council would be in a better position to consider spending money on the park when the annual revenues were available.

Council President Haba suggested that visioning for the park be included in the community sustainability plan. Assistant City Administrator Chandler said the plan that was underway was for a larger vision of the overall city and a more focused vision of Magruder Park had not been planned or budgeted. He suggested it was a stand-alone project. Administrator Nicholson said Director Rollow and Director Riddle had met with Neighborhood Design Works to discuss initial thoughts on how to reimagine Magruder Park. Director Rollow remarked on the sustainability planning sessions and the SpeakUp HVL forum on Magruder Park. He said a focused project with public planning sessions on the park would be beneficial.

Mayor Hollingsworth took a straw poll of the Council to see if a majority supported inclusion of the conceptual design in the draft budget. The item was supported by the majority of members.

7.h) Bikeshare Network(s)
Suggested Action: I move that the Mayor and Council allocate funding (amount to be assessed/determined) to support implementation of a bikeshare system(s) compatible with regional needs.

Mayor Hollingsworth provided background information on the proposal to support two (2) parallel bikeshare systems, mBike and Capital Bikeshare in the City at an approximate cost of $104K. Mayor Hollingsworth stated that the City's participation in the existing mBike system located in College Park would allow students access to the commercial corridor located in Hyattsville. Regarding Capital Bikeshare, the allocated funds would support the City's participation in Phase 1 of the County-wide implementation program. Mayor Hollingsworth turned the discussion over to Assistant City Administrator Chandler for additional details. She asked the Council to focus the conversation on the budget allocation and noted that the mechanics of the agreements and systems would be discussed at a later date. Assistant City Administrator Chandler briefly reviewed the timeline and implementation plans for both systems.

Council President Haba thanked Director Chandler for the detailed memo. He asked what would happen to the equipment after the end of the two (2) year agreement with mBike. Mr. Chandler said the City would have options including returning the equipment or keeping and maintaining the equipment. Council President Haba noted that mBike had a relatively limited network and that his preference was to proceed with Capital Bikeshare at a lower cost to the City and a higher connectivity network. Mr. Chandler said Council President Haba had a valid point, but noted that College Park, due to conditions of their grant was interested in subsidizing $92K of the City's investment in the mBike system, reducing the overall cost for a two (2) year trial run to $76K. He added that if the City were to approach the project independently, it would see significantly higher cost. Director Chandler also noted that the mBike system would be ready for implementation much sooner than Capital Bikeshare and asked that Council consider these factors. Council President Haba asked what the cost per user was for mBike. Director Chandler said he believed the cost was less than $2.00 per ride.

Council Vice President Lawrence stated his support for the proposal and said there was resident interest in the systems. Councilmember Warner concurred that a bikeshare system was a high priority for her residents. Councilmember Solomon asked which system the University of Maryland was utilizing and Director Chandler confirmed the university was using mBike. Councilmember Solomon stated his support for including budgeted funds for both systems in the draft budget.

Mayor Hollingsworth reiterated that the Council was not making a decision on the bikeshare system that evening, but was making a decision on funding bikeshare initiatives. Council President Haba concurred that the decision point may change prior to the adoption of the budget. Mayor Hollingsworth asked the Council if there were concerns with including the $104K in the draft budget. Council President Haba noted that he did not support the mBike system.

7.j.) AmeriCorps VISTA – New Application (Mentoring)
Suggested Action: I move that the Mayor and Council allocate $20,000 to support a mentoring program in partnership with Big Brothers Big Sisters of the National Capital Area upon successful application to the AmeriCorps VISTA program.

Mayor Hollingsworth asked if there were any follow up questions on the proposed AmeriCorps VISTA partnership with Big Brothers Big Sisters of the National Capital Area. There were no questions and Council indicated support for inclusion in the draft budget.

7.l.) Hyattsville Circulator Bus
Suggested Action: I move that the Council allocate appropriate funding for a Hyattsville Circulator Bus feasibility study. Such circulator will connect the city's two metro stations to the arts district on route 1 and the Riverdale MARC train station.

Council President Haba noted there had been a lengthy conversation on the topic at the last work session. He suggested that the City consider a feasibility study model like University Park's recent study. Director Chandler agreed and said there were also other recent studies the City may be able to piggyback off. Mayor Hollingsworth said she believed the City would benefit from a study and in a recent Council of Governance (COG) meeting she learned there were grant opportunities available for these types of studies. Councilmember Paschall noted he was still concerned with low utilization and the costs for operating an ongoing bus service. However, he said he thought spending $20K on a feasibility study was not an unreasonable investment. He also suggested partnerships with neighboring municipalities.

Councilmembers Wright and Paschall raised discussion points regarding the scope of the study. Councilmember Ward asked what information Assistant City Administrator Chandler needed to draft the scope of the study. Assistant City Administrator Chandler said he needed the geographical points and desirable wait times at stops, among other items. He noted that the University Park evaluation came back with annual operating cost estimates of approximately $300K. Administrator Nicholson said the City would provide a scope of work and work with Council to refine the scope. Council Vice President Lawrence said he was supportive of the study, but inquired if the item would come back to Council to review the scope before the City issued a Request for Proposal (RFP). He also asked if the scope could be included as a rider or amendment to the previously approved transportation study. Assistant City Administrator Chandler said that it was possible, but it depended if the City could utilize grant funds for the circulator study. Council Vice President Lawrence shared his concern that the previous transportation study had a flawed scope and noted he did not want a similar outcome with either of these studies. Mayor Hollingsworth requested that the Council confirm the scope of the circulator study prior to the item either being included in the transportation study or as a separate study.

Councilmember Paschall asked how the City could determine the appropriate amount appropriate funding for the study at this early stage. He said he feared the $20K currently proposed would not be sufficient for a detailed study that would provide exact cost estimates for the circulator bus. Council President Haba said he believed the initial analysis would allow the City to approach other entities for partnerships. Assistant City Administrator Chandler said an initial study would provide basic route mapping and cost estimates. After some additional discussion, Councilmember Paschall repeated his thoughts that utilization for the service would be too low to justify the costs. Mayor Hollingsworth stated a disclaimer that the circulator bus presentation from Mr. Bello and Mr. Wilson was not work product done on behalf of the City. She asked if the Council would like to include the item in the draft budget. Councilmember Paschall requested clarification on the scope prior to the budget adoption.

7.n.) Safety Improvements & Speed Mitigation: Nicholson Street, 31st Ave., Lancer Dr. and 31st Place.
Suggested Action: I move that the Council allocate appropriate funding for staff to be able to implement needed improvements at the intersection of Nicholson St. & Maryhurst Dr., to replace the current rubber barricades; and near the playground in Heurich Park. Funding is also needed for speed mitigation on 31st Ave., Lancer Dr. and 31st Pl.

Mayor Hollingsworth asked for clarification that funding would also be available for additional routine sidewalk projects. Administrator Nicholson confirmed funds for routine work were included in the draft budget and noted that additional funds had been included to address additional sidewalk projects. Council President Haba provided clarity to staff on the intent to remove the rubber barricades.

Hyattsville Environment Committee (HEC) – Follow Up Comments

Councilmember Paschall said he had received communication from the Environment Committee that there had been a miscommunication with staff on the initiatives the committee wanted to move forward. He said the HEC intended to move forward on the gas mower incentive as well as the other initiatives. He requested Council provide staff and the committee time to revisit this conversation. Administrator Nicholson and Council indicated agreement.

10) Council Dialogue

Council President Haba and said he looked forward to community conversations on the proposed Sanctuary City ordinance. Councimember Paschall noted the legislation was supported by nine (9) members of the Council.

11) Community Notices and Meetings
Main City Calendar_Jan 10 - 18 2017.pdf

12) Motion to Adjourn

The meeting adjourned at 10:18 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Robert Croslin, W2
SECONDER:	Thomas Wright, W3
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Paschall, Wright, Perry, Solomon
ABSENT:	Frazier

1) Call to Order and Council Roll Call

Mayor Hollingsworth called the meeting to order at 7:38 p.m.

Present: Candace Hollingsworth, Mayor
Bart Lawrence, W1 (Council VP)
Kevin Ward, W1
Shani Warner, W2
Robert Croslin, W2 (arrived at 7:58 p.m.)
Thomas Wright, W3
Ruth Ann Frazier, W5
Joseph A Solomon, W5 (arrived at 7:37 p.m.)

Absent: Edouard Haba, W4 (Council Pres.)
Patrick Paschall, W3
Paula Perry, W4

Also present were the following City staff members:
City Administrator Tracey E. Nicholson
Assistant City Administrator, Dir. of Community and Economic Development Jim Chandler
City Treasurer Ron Brooks
Police Chief Doug Holland
City Attorney E.I. Cornbrooks, IV (departed at 8:22 p.m.)
City Clerk Laura Reams
Assistant City Clerk Lillie Littleford
Elections Coordinator Nicola Konigkramer

2) Pledge of Allegiance to the Flag

3) Approval of Agenda

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bart Lawrence, W1 (Council VP)
SECONDER:	Shani Warner, W2
AYES:	Hollingsworth, Lawrence, Ward, Warner, Wright, Frazier
NAYS:	None
ABSENT:	Haba, Croslin, Paschall, Perry, Solomon

4) Motion to Close (7:30 p.m. - 8:00 p.m.)

Motion # 125-02-FY17 Motion to Close
Suggested Action: I move that the Mayor and Council close the Council Meeting of February 6, 2017 in order to consult with the City Attorney to obtain legal advice pertaining to contract negotiations, to discuss such contract negotiations and to consider the investment of public funds.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (5) to consider the investment of public funds, (7) to consult with counsel to obtain legal advice and (14) to discuss, before a contract is awarded or bids are opened, 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.

Motion to Close_cover.pdf

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bart Lawrence, W1 (Council VP)
SECONDER:	Shani Warner, W2
AYES:	Hollingsworth, Lawrence, Ward, Warner, Wright, Frazier, Solomon
NAYS:	None
ABSENT:	Haba, Croslin, Paschall, Perry

Pursuant to the requirement of the Annotated Code of Maryland State Government Article 3-306(C)(2); this statement is included in these minutes:

A closed session of the Council of the City of Hyattsville was held at 7:42 p.m. on Monday, February 6, 2017, 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 Tracey E. Nicholson, Assistant City Administrator Jim Chandler, City Treasurer Ron Brooks, City Clerk Laura Reams, and City Attorney E.I. Cornbrooks, IV.**

The authority under which the session was closed was the Annotated Code of Maryland State Government General Provisions Article Section **3-305(b) (5) to consider the investment of public funds, (7) to consult with counsel to obtain legal advice and (14) to discuss, before a contract is awarded or bids are opened, 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: The Council obtained legal advice from the City attorney regarding a proposed development agreement and a proposed non-binding Memorandum of Understanding.

Action Taken: None taken.

The Council returned to open session on a motion made **by Councilmember Ward, seconded by Council Vice President Lawrence** and approved unanimously by the body at 8:20 p.m. Open session resumed at 8:26 p.m.

5) Approval of the Minutes

Suggested Action: I move that the Mayor and Council approve the Council Meeting Minutes for the Council Meeting of November 7, 2016.

Minutes_cover.pdf

Nov 7 Minutes_FINAL.pdf

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bart Lawrence, W1 (Council VP)
SECONDER:	Joseph A Solomon, W5
AYES:	Hollingsworth, Lawrence, Ward, Croslin, Warner, Wright, Frazier, Solomon

NAYS:	None
ABSENT:	Haba, Paschall, Perry

6) Public Comment (8:10 p.m. – 8:20 p.m.) Limit 2 minutes per speaker

Hugh Turley, a Ward 1 resident, addressed the Mayor and Council regarding the replacement of his damaged recycling can. He also said he was opposed to the proposed Sanctuary City legislation. He asked how much federal funding could be cut if the City adopted sanctuary city status. He added he was disappointed to read negative comments from Councilmember Paschall regarding Councilmembers Frazier and Perry in the Hyattsville Life and Times newspaper.

Walter King, a Ward 4 resident addressed the Mayor and Council about the residential parking program and Code Compliance department. He said there was a problem with commercial vehicles parking on his street. He also expressed concern about the way his recent complaints about excessive dog barking were handled by the City's Code Compliance department.

7) Presentations (8:20 p.m. - 8:25 p.m.)

Audit_cover.pdf

City Treasurer Brooks provided an update on the FY15 audit. He stated that the auditors were in the final review phase. He noted that the FY15 audit would include the reporting of the long term fiscal liability for pensions, per Governmental Accounting Standards Board (GASB) 58 requirements.

8) Consent Items (8:25 p.m. - 8:30 p.m.)

8.a Motion # 126-02-FY17 Proclamation of Black History Month
Suggested Action: I move that the Mayor and Council proclaim February Black History Month.

Proclamation Black History Month_cover.pdf

Black_History_Month_2017.docx

8.b Motion # 127-02-FY17 Schedule Public Hearing for 2017 Ballot Question

Suggested Action: I move that the Mayor and Council schedule two Public Hearings for March 20, 2017 and April 17, 2017 at 7:30 PM in order to hear public comment regarding the 2017 Ballot Question on the Composition of Council.

Public Hearing_cover.pdf

Resolution 2016-05_Referendum_Composition of Council_FINAL_signed.pdf

Resolution_2016-05_cover.pdf

8.c **Motion # 128-02-FY17 J & M Security Solutions Contract for CCTV System**
Suggested Action: I move that the Mayor and Council approve the third year of the City's four-year contract with J&M Security Solutions in an amount not to exceed $30,000 to provide maintenance support and upgrades to our Closed Circuit Television System.

CCTV_cover.pdf

8.d **Motion # 129-02-FY17 Motorola Portable Radios**

Suggested Action: I move that the Mayor and Council authorize the purchase of four portable police radios from Motorola at a cost not to exceed $13,318.40.

Motorola_cover.pdf

Sole Source Memo_APX_6000_1_14_2017.docx

Motorola Quote.pdf

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bart Lawrence, W1 (Council VP)
SECONDER:	Kevin Ward, W1
AYES:	Hollingsworth, Lawrence, Ward, Croslin, Wright, Frazier, Solomon, Warner
NAYS:	None
ABSENT:	Haba, Paschall, Perry

9) Action Items (8:30 p.m. - 9:05 p.m.)

9.b **Motion # 130-02-FY17 Riverfront at West Hyattsville Metro: PPS 4-15020 and DSP-16029 ETOD**

Suggested Action: I move that the Council authorize the Mayor to send correspondence to the Maryland-National Capital Park and Planning Commission (M-NCPPC) stating the City of Hyattsville's support for Riverfront at West Hyattsville Metro: PPS 4-15020 and DSP-16029 ETOD subject to the following conditions:

1. Support the variance request for a departure from the standards on related to the distance of a structure from a transit right-of-way line;
2. Support the variance request for the removal of one specimen tree;
3. Support the variance request for a departure from the standard of ten contiguous feet of public utility easements;
4. In consultation with the Director for the Department of Public Works, Staff is recommending support for the variance request for a departure from the standard requiring, “an automated irrigation system to promote the health and vigor of the root system,” specifically for landscaping within the dedicated public right of way.
5. The promenade and amphitheater space must comply with the Americans with Disabilities Act (ADA);
6. Landscaping in the promenade greenway is privately maintained by the homeowner’s association;
7. The low-lying vegetation in the bio-retention swales are of durable, low maintenance materials;
8. Support for the applicants revised site plan to incorporate a tot lot or other programmed space meeting Prince George’s County Parks and Recreation standards.
9. In consultation with the City’s Department of Public Works Director, Option 3 is the City’s preferred street section for local access roads. This section would provide 10’ travel lanes, 7’ for on-street parking, a 7’ sidewalk and a 10’ planting strip in the right-of-way.
10. Street trees shall be native species and in scale with urban tree standards.

11. The applicant must conduct and provide to the City a land survey of the subject property and subdivisions to the City so that the City can maintain its GIS database and ensure proper dimensions.
12. If it is determined that the adjacent roads within the Kirkwood Apartments property are publicly dedicated and are the responsibility of either Prince George's County or the City of Hyattsville, the connection of the roadways is an appropriate condition and requirement of the applicant as part of the applicant's Infrastructure Detailed Site Plan (DSP-16029). The applicant should be required to provide sidewalk and roadway connections to Nicholson Street, Lancer Place and Kirkwood Place.
13. Street lighting within the development shall be constructed to the PEPCO standard, so that it can be accepted into the public system.

Riverfront_cover.pdf

Memo - Riverfront at West Hyattsville Metro.pdf

TC1-415020_002.pdf

Councilmember Solomon thanked Assistant City Administrator Chandler for incorporating the comments from the previous Council discussion into the letter of support. He highlighted his support for recommendation #12. Assistant City Administrator Chandler reviewed slight modifications to the conditions from the last Council discussion. He stated that the modifications had come from conversations with M-NCPPC and the Department of Public Works.

Councilmember Wright asked if there was any reason to believe there would be challenges to the City's conditions from the developer. Mr. Chandler said he believed the developers proposal reflected many of the conditions already and he did not believe there would be any challenges. Councilmember Wright inquired which entity owned the roads in the Kirkwood development. Mr. Chandler said the roads within the Kirkwood development were dedicated to Prince George's County and under the County's maintenance.

Council Vice President Lawrence asked if condition #7 could specify the inclusion of native plant species. Mr. Chandler said he believed native species were already included in the planned vegetation, but the language could be added. Councilmember Croslin asked for the removal of a tree species from the list of approved vegetation. Mr. Chandler said the eligible list of vegetation was vetted and maintained by the State. The addition of native species plants to the condition #7 was accepted as a friendly amendment to the motion for the letter of support.

RESULT:	**APPROVED [7-1]**
MOVER:	Bart Lawrence, W1 (Council VP)
SECONDER:	Joseph A Solomon, W5
AYES:	Hollingsworth, Lawrence, Ward, Croslin, Wright, Solomon, Warner
NAYS:	Frazier
ABSENT:	Haba, Paschall, Perry

9.a Motion # 131-02-FY17 Gateway Arts District Sector Plan: Minor Amendment to the Table of Uses

Suggested Action: I move that the Council authorize the Mayor to send correspondence to the Prince George's County District Council and M-NCPPC Planning Board stating the City of

Hyattsville's conditional support for the proposed minor amendment to the 2004 Gateway Arts District Development District Overlay (DDO) Zone. The conditions for support by Use and Character Area are as follows:

Tattoo Parlor: Town Center - Permitted, Arts Production and Entertainment - Permitted, Neighborhood Arts and Production - Special Permit
Music Recording Studio: Town Center - Special Permit, Arts Production & Entertainment - Special Permit, Neighborhood Arts and Production - Special Permit

GAD_cover.pdf

Memo - GAD Minor Amendments - Additional Information Request.docx

MNCP&PC DDO Zone 2004 Arts Gateway Minor Amendments.pdf

Gateway Arts District - Character Area Map.pdf

GAD Sector Plan - Table of Uses.pdf

Assistant City Administrator Chandler provided an overview of the proposed letter of conditional support for the minor amendments to the Gateway Arts District Development District Overlay (DDO) Zone. He noted regarding the previous Council discussion on Hamilton Street that the City may support a change in character zone for that area in the future, but for now, there was no proposed change. There were no questions from the Council.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bart Lawrence, W1 (Council VP)
SECONDER:	Kevin Ward, W1
AYES:	Hollingsworth, Lawrence, Ward, Croslin, Wright, Frazier, Solomon, Warner
NAYS:	None
ABSENT:	Haba, Paschall, Perry

9.c **Motion # 132-02-FY17 Prince George's County Zoning Ordinance Rewrite – Module III**
Suggested Action: I move that the Council authorize the Mayor to send correspondence to the Planning Board of the Maryland-National Capital Park & Planning Commission expressing the City of Hyattsville's position regarding Module III of the Prince George's County Zoning Ordinance.

Mr. Chandler said the County was in the process of updating the County zoning plan and had requested feedback on Module III. He noted that the intent of the rewrite was to modernize and simplify the ordinance for ease of use by residents. Mr. Chandler provide details on three of the proposed changes in Module III, including the discontinuation of "call-ups" for District Council review, the creation of a pre-application process, and the establishment of joint public hearings of the review Council. He highlighted the benefits of the proposed changes and noted the Council packet included staff and Planning Committee comments.

Councilmember Wright said he was appreciative of the zoning rewrite process. He inquired about the call-up process and its relation to a Maryland Court of Appeals case (Zimmer) from August 2017. The Zimmer case pertained to the District Council's authority over individual zoning cases. Councilmember Wright asked if the change would take away power from the District Council. Assistant City Administrator Chandler said the District Council would still have authority over site plans but would not be able to change established policy for a particular case. Councilmember Wright expressed his support for joint hearings.

Zoning Rewrite_cover.pdf

Memo County_Zoning_Rewrite_-_Final.docx

Zoning Rewrite - Module 3 - Staff Comments[2220].pdf

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bart Lawrence, W1 (Council VP)
SECONDER:	Thomas Wright, W3
AYES:	Hollingsworth, Lawrence, Ward, Croslin, Wright, Frazier, Solomon, Warner
NAYS:	None
ABSENT:	Haba, Paschall, Perry

10) Discussion Items (9:05 p.m. - 9:25 p.m.)

10.a **Motion # 133-02-FY17 Zoning Variance Request: V-159-16 - 4207 Jefferson Street, Hyattsville**

Suggested Action: I move that the City Council authorize the Mayor to send correspondence to the Prince George's County Board of Zoning Appeals stating the City of Hyattsville's support for V-159-16, a variance request for 3.2% net lot coverage and 1' setback from the alley of a pre-existing accessory structure on the property located at 4207 Jefferson Street, Hyattsville.

Mr. Chandler provided a brief overview of the variance request and stated staff's support for the request. There were no questions from the Council. Council Vice President Lawrence requested to move the item that evening.

Zoning Variance V-159-16_cover.pdf

Memo - V-159-16.docx

Jefferson Street Variance - Supporting Materials.pdf

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bart Lawrence, W1 (Council VP)
SECONDER:	Shani Warner, W2
AYES:	Hollingsworth, Lawrence, Ward, Croslin, Wright, Frazier, Solomon, Warner
NAYS:	None
ABSENT:	Haba, Paschall, Perry

10.b **Motion # 134-02-FY17 Zoning Variance Request: V-151-16 - 4101 Madison Street, Hyattsville**

Suggested Action: I move that the City Council authorize the Mayor to send correspondence to the Prince George's County Board of Zoning Appeals stating the City of Hyattsville's support for Variance Request V-151-16 for a waiver of the fence location and height requirements to construct a fence over 4' in height in the side yard (abutting 41st Avenue) for subject property 4101 Madison Street, Hyattsville .

Zoning Variance V-151-16_cover.pdf

Memo - V151-16-4101 Madison Street.docx

City of Hyattsville Zoning Variance Policy Statement and Variance Process 10 3 11.pdf

V-151-16 - 4101 Madison Street - Supporting Materials.pdf

IMG_0304.JPG

IMG_0305.JPG

Mr. Chandler summarized the variance request and stated the City's support with the condition that the driveway be abandoned, adding that the applicant had agreed to the condition. Councilmember Wright requested to move the item that evening. Councilmember Solomon commented that there was pending legislation that would give municipalities the authority to set fencing heights higher than the County standard. He asked if the support for this request was reflective of an overall City policy for higher fence heights. Mr. Chandler responded that the recommendation from staff was based on staff's interpretation of the variance policy and applied to the specific variance request. He said that a discussion about a City-wide policy was a different conversation.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Thomas Wright, W3
SECONDER:	Bart Lawrence, W1 (Council VP),
AYES:	Hollingsworth, Lawrence, Ward, Croslin, Wright, Frazier, Solomon, Warner
NAYS:	None
ABSENT:	Haba, Paschall, Perry

11) Council Dialogue (9:25 p.m. - 9:35 p.m.)

Councilmember Wright said he recently attended an informative forum on sanctuary cities in Takoma Park and that as a co-sponsor on the Hyattsville Sanctuary City legislation he looked forward to learning more and the future discussions. Councilmember Warner encouraged residents to discuss the Sanctuary City legislation and share their thoughts with the Council. Councilmember Croslin noted an upcoming book club meeting and reminded residents of the African American History Month writing contest underway.

12) Community Notices and Meetings

Main City Calendar_Feb 7-15 2017.pdf

13) Motion to Adjourn

The meeting adjourned at 9:16 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Robert Croslin, W2
SECONDER:	Shani Warner, W2
AYES:	Hollingsworth, Lawrence, Ward, Croslin, Wright, Frazier, Solomon, Warner
NAYS:	None
ABSENT:	Haba, Paschall, Perry

1) Call to Order and Council Roll Call:

The meeting was called to order by Mayor Hollingsworth at 8:07 p.m.

Present: Candace Hollingsworth, Mayor
Edouard Haba, W4 (Council Pres.)
Bart Lawrence, W1 (Council VP)
Kevin Ward, W1
Robert Croslin, W2
Shani Warner, W2
Thomas Wright, W3
Paula Perry, W4
Joseph A Solomon, W5

Absent: Patrick Paschall, W3
Ruth Ann Frazier, W5

Also present were the following City Staff Members:

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

2) Pledge of Allegiance to the Flag

3) Approval of the Agenda

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Edouard Haba, W4 (Council Pres.)
SECONDER:	Kevin Ward, W1
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Perry, Solomon,
NAYS:	None
ABSENT:	Paschall, Frazier

4) Public Comment (8:10 p.m. - 8:20 p.m.) Limit 2 minutes per speaker

Kevin Blackerby, a Ward 2 resident, addressed the Mayor and Council in support of the proposed Sanctuary City Ordinance. Mr. Blackerby thanked Council for the opportunity to speak to the item and noted that the proposed ordinance gave the City an opportunity to say it values community over politics. Mr. Blackerby cited various oppositions to the proposed policy including the loss of federal funding, preventing law enforcement from taking hardened criminals off the streets, jeopardizing the safety of Hyattsville, and breaking federal laws. Mr. Blackerby provided alternatives to each of these concerns and added that he felt the City needed to take action on the matter in order to give neighbors a message of support. Mr. Blackerby concluded to urge Council to not back down and to stand with and for all residents.

Christy Regenhardt, a Ward 2 resident, addressed the Mayor and Council in support of the proposed Sanctuary City Ordinance. Ms. Regenhardt provided negative consequences for not passing the legislation, and noted that the use of State and local Police to enforce federal law would take away resources and erode trust. Ms. Regenhardt expressed concerns for domestic violence victims and witnesses to crimes that may be too afraid to report to the police, as well as families that could be broken through deportation. Ms. Regenhardt stated that she shared concern for violent criminals, but hoped that the City would ensure due process. Ms. Regenhardt noted that she had done extensive research on the issue at hand, and had concluded that approving the proposed ordinance would make each resident in the City safer.

5) Presentation (8:20 p.m. - 8:45 p.m.)

Hyattsville Facility Planning - Informational Presentation
Facility Presentation 14 Feb 2017.pdf

City Administrator Tracey Nicholson introduced the Facility Planning Informational Presentation. Administrator Nicholson reviewed the agenda and asked that questions be held until the end of the presentation. She introduced the various staff contributors and presenters, including Jeff Burkhart, Program Manager; John DiMenna, Design Manager; Mitch Nelson, Senior Designer; and Stephanie Kunkel, MEP Engineer for Johnson, Mirmiran, and Thompson (JMT).

Administrator Nicholson provided a brief outline of Council actions to date, noting that in May of 2015, the Council had approved the renovation of 3505 Hamilton Street for relocating the Hyattsville Police Department, the development and issuance of solicitation for the redevelopment of 4310 Gallatin Street, and the authority to evaluate options for the relocation of City administrative offices. Administrator Nicholson noted significant discoveries since the May 4, 2015 meeting and stated that the original estimate of 4.8 million dollars for the renovation of 3505 Hamilton Street had been increased by three million, after considering it for a police facility. Administrator Nicholson highlighted critical factors influencing the relocation of the Police Department and presented the respective criteria for the proposed new location. Administrator Nicholson then addressed the consideration of the City Municipal Building at 4310 Gallatin Street, highlighting existing concerns, as well as issues that would arise when the Police Department relocated. After reviewing the criteria, Administrator Nicholson presented the four options for facility planning that were explored: 3505 Hamilton Street, 4310 Gallatin Street, 5012 Rhode Island Avenue, and Centennial Park. Administrator Nicholson noted that space had recently become available at 6525 Belcrest Road, University Town Center, but that the evaluation was not included due to the lack of time given. Administrator Nicholson added that staff had determined 4017 Hamilton Street, Former WSSC Headquarters, to be noncompetitive. Administrator Nicholson then turned the presentation over to Assistant City Administrator Jim Chandler.

Assistant Administrator Chandler reviewed the various facility options highlighting advantages and disadvantages per option. Assistant Administrator Chandler first addressed the consideration of 3505 Hamilton Street for the relocation of the Police Department, and noted that the site would allow the department to meet Commission on Accreditation for Law Enforcement Agencies (CALEA) standards as well as provide a more centralized location, but would require additional substantial modifications and costs. Assistant Administrator Chandler then presented the consideration of retaining the use of 4310 Gallatin Street for City Administrative Office, noting additional space gained from relocation of the Police Department. Mr. Chandler added that the building would require critical upgrades as well as time restraints and swing space costs during renovation. Assistant Administrator Chandler then presented the consideration of the County Services Building at 5012 Rhode Island Avenue and stated many of the disadvantages centered around the fact that the location was only available for lease at that time. Mr. Chandler noted that there were considerable advantages, including location, parking, and community spaces. Assistant Administrator finally addressed the consideration of new construction at Centennial Park and provided a brief description and visual for the new proposed facility. Assistant Administrator Chandler then introduced Jeff Burkhart, Program Manager, JMT to provide building construction cost estimates.

Jeff Burkhart addressed the Mayor and Council and detailed the approach used for the assessment of the various facilities. Mr. Burkhart noted studies conducted of both existing locations, 3505 Hamilton Street and 4310 Gallatin Street, in addition to needs determined by police operations and CALEA standards. Mr. Burkhart added that evaluations of the County Services Building had been conducted and included together in a rough program prior to preparing cost estimates. Mr. Burkhart began with presenting the cost estimates for 3505 Hamilton Street and noted that a large portion of the interior would need to be demolished, but that the structure was sound and could handle the interior renovation. Mr. Burkhart highlighted changes to be made to accommodate the Americans with Disabilities Act (ADA) accessibility as well as current code compliance issues. Mr. Burkhart then reviewed the cost estimates for administrative offices at Centennial Park and noted that it would be a new facility, unlike the other three options where the buildings were well into their life cycle. Mr. Burkhart then highlighted two options for repurposing 4310 Gallatin Street, noting that the building was younger than the other options but would need higher energy efficiency standards. Mr. Burkhart noted inefficiencies including single paned windows, water intrusion, and electric heating and cooling. Mr. Burkhart then addressed the cost estimates for leasing the County Services Building and noted that the elevators were no longer compliant and that mechanical issues needed to be addressed. Mr. Burkhart added that there was another option to have both Police and Administration in this location which would be the most expensive option.

Mr. Burkhart then reviewed all construction costs and noted additional costs that had not been included: architectural and engineering design services, annual compounded interest, furnishings, fixtures and equipment, relocation costs, possible short-term leases, and possible long-term leases. Mr. Burkhart then turned the presentation over to Department of Public Works Director, Lesley Riddle.

Director Riddle presented six (6) compatibility scenarios for both Police and Administration. Director Riddle noted that there would be a continuity of services affected by each scenario, the least of which being with the County Services Building and Centennial Park options. Director Riddle provided a summary of the total projected development costs noting investments that would add value to City assets. Director Riddle turned the presentation back to City Administrator, Tracey Nicholson. Administrator Nicholson stated that the first step would need to be to determine the location of the Police Department and highlighted the possible scenarios: 1) Police and Administration relocation to the County Services Building, 2) Police relocation to 3505 Hamilton Street and Administration relocation to the County Services Building, 3) Police relocation to 3505 Hamilton Street and Administration relocation to Centennial Park, and 4) Police relocation to 3505 Hamilton Street and Administration repurposing of 4310 Gallatin Street. Administrator Nicholson noted additional decisions that would have to be made pending the possible relocation to 3505 Hamilton Street and repurposing of 4310 Gallatin Street. Administrator Nicholson then transitioned the presentation into an open floor discussion.

6) Discussion (8:45 p.m. - 9:50 p.m.)

Hyattsville Facility Planning - Questions & Answers, Open Floor Discussion

City Administrator Nicholson opened the floor for questions. She acknowledged that it was possible that staff has not considered every scenario and would be open to other options.

Councilmember Warner thanked staff for their work and noted she believed some decisions would be easier than others. Councilmember Warner noted that the question of where to locate administrative offices would be more complex and stated that she would like more information on what a full renovation of 4310 Gallatin Street would look like. Councilmember Warner noted that a full renovation would be $1.8 million more than just a second-floor renovation.

Mr. Burkhart responded, and noted that the building at 4310 Gallatin Street was twenty-seven (27) years old and was nearing the end of its life cycle. Mr. Burkhart stated that a full renovation, while displacing staff and continuity of services, could take care of all existing issues; ADA accessibility, relocation of Council Chambers to the first floor, community services offices, and more. Mr. Burkhart noted that a renovation of the second floor alone would focus on taking care of the mechanical issues, but would not extend the life of the building. Mr. Burkhart introduced Stephanie Kunkel, MEP Engineer to further address the renovation of 4310 Gallatin Street.

Ms. Kunkel addressed the Mayor and Council and echoed remarks that the mechanical system would have to be completely renovated in both scenarios for the building. Ms. Kunkel highlighted existing issues with the HVAC system and electric heating and cooling that could be resolved with a full renovation. Councilmember Warner stated that she understood the advantages to extending the life of the building, but asked how the City could afford this option of around $15 million when it only has an annual operating budget of around $16 million. Mayor Hollingsworth expanded and asked what the ceiling was for considering this type of project, given the other capital project priorities.

City Treasurer, Ron Brooks provided documentation for the Treasurer's Report and noted that it was designed to give Council adequate information addressing facility needs and the City's financial capacity. including the Department of Public Works facility project. Treasurer Brooks highlighted facility budget items within the operating budget that consisted of the approved $3.3 million Department of Public Works facility project, the proposed $7.8 million in construction costs presented that evening, and other buildings or facility projects of $5.9 million. Treasurer Brooks summarized what he believed the City could afford at that time to be $17 million, as the total exposure for infrastructure needs. Treasurer Brooks then reviewed the debt forecast if the City were to take on the additional debt service. Treasurer Brooks added that he hoped this information could help facilitate the Council's decision-making process.

Councilmember Ward asked if there were any accounting mechanisms that could help the City save money in the out years or in the long run, while taking these projects into consideration. Treasurer Brooks referenced leasing opportunities discussed earlier, and noted that the City would be subjected to operational costs and lease hold improvements, concluding that he did not believe leasing was a good option for the City.

Councilmember Solomon thanked staff for the presentation and asked for clarity on the City's operating budget capacity. Councilmember Solomon noted that paying 35% of the operating budget to debt services seemed high and asked if there was a Governmental Accounting Standards Board (GASB) recommendation or percentage of operating expenses the City could consider. Councilmember Solomon then asked for an alternative analysis to limit the debt exposure. Treasurer Brooks stated that the purpose of the analysis was to give residents an idea of what additional debt exposure the City could manage based on current revenue and financial streams obligations. Treasurer Brooks agreed that the debt service number increased dramatically, but noted that it also accounted for the reduction of current debt at about $50K a year. Treasurer Brooks noted that GASB recommendations stated that the fund balance should be anywhere between 10-15% of the general operating budget, but that the City had adopted a policy of sustaining a fund balance of 20% until 2020. Treasurer Brooks stated that the City would drop below its own policy, but would stay within the GASB recommendation. Councilmember Solomon then asked if there was a recommended ratio of debt service to general operating expenses, to which Treasurer Brooks stated that he believed there was a general rule of thumb of 15-20%, but depended on the overall revenue structure and remaining fund balance.

Councilmember Solomon then asked for more clarity on the reduction of operating costs through the proposed renovations of 4310 Gallatin Street. Assistant Administrator Chandler stated that they did not have a difference in numbers for the two proposed renovations, however he noted that the City was currently operating at $13/ft^2$ versus where the City should be at $5-10/ft^2$.

Council Vice President Lawrence asked for clarification on the proposal for leasing the County Services Building, while renovating and maintaining for future use, and Assistant Administrator Chandler stated that he was correct and noted that the leasing rate discussed was around $9-11/ft^2$. Council Vice President Lawrence then noted the $17 million maximum exposure figure used earlier in the conversation and clarified that it was the maximum amount of debt the City could accrue over the next five (5) years. Treasurer Brooks agreed with his statement and added, if the City were to issue bonds at that time, that number would represent the maximum exposure he would recommend the City take on over the next two (2) to three (3) years. Council Vice President Lawrence expressed concerns for how the City could pursue any of the given scenarios, if they were referring to construction costs alone. Council Vice President Lawrence added that the proposed $5.9 million would cover the renovation of the second floor of 4310 Gallatin Street only, and that the City would not be able to move forward with any of the proposals over the next three (3) years. Treasurer Brooks clarified what he believed the City could afford at that time, and added that some numbers would change as they moved forward due to the closing out of audits.

Councilmember Wright thanked staff for the presentation and noted that he had a few points of clarification for the two locations that were not discussed in detail. Assistant Administrator Chandler noted that he had received notification of open space in University Town Center that Monday evening and stated that the window to make a decision on that location would be shorter than the other options. Assistant Administrator Chandler added that the location at the former WSSC Headquarters was out of the City's capabilities. Councilmember Wright then noted a discrepancy in square footage for the property at 3505 Hamilton Street and Assistant Administrator Chandler clarified that it represented the addition of the sally port.

Councilmember Wright then clarified the square footage for both properties at 4310 Gallatin Street and 3505 Hamilton Street. Assistant Administrator Chandler confirmed the numbers and noted that the Police Department at 3505 Hamilton would not be maxing out the square footage and allowed Mr. Burkhart to further describe the design of the facility. Mr. Burkhart highlighted the programming of spaces within the building and noted overlapping uses and room for growth. Councilmember Wright then asked what the market value of the building would be if the City were to decide to sell it and Assistant Administrator Chandler stated that it would be between $1 million and $4 million, subject to negotiation.

Councilmember Wright then addressed Treasurer Brooks and asked what would happen if the City exceeded $17 million in investment in facilities. Treasurer Brooks stated that he ran the analysis months prior to that evening and noted that interest and material costs had increased since that time. Treasurer Brooks then addressed Councilmember Wright's concerns regarding the maximum exposure, and Treasurer Brooks stated that $17 million was a figure that he was comfortable with, based on current revenue streams and management of debt. Treasurer Brooks noted that he would have more clarity at the close out of the next audit.

Councilmember Wright then asked what the next step would be in the process of facility planning. Mayor Hollingsworth stated that several Councils had dealt with versions of the facilities presentation and noted that she wanted to see the current Council chart a path and execute a decision before Election Day on May 2, 2017. Mayor Hollingsworth noted that there were many outstanding questions that needed to be answered in order to make a decision and added that the timing of the next discussion would depend on how long it would take to receive answers.

Council President Haba thanked staff and presenters and addressed Treasurer Brooks to clarify the total amount of new debt the City could carry. Treasurer Brooks stated that the current bonded debt was $8.8

million and the additional debt would total around $14.8 million with an additional $2.2 million in cash funds. Council President Haba concluded that the best option at that time would be to continue to stay at 4310 Gallatin Street while renovating 3505 Hamilton Street. Council President Haba then asked if the current projection for 3505 Hamilton Street included architectural design. Assistant Administrator Chandler reviewed the slide with full numbers for design costs and furnishings. Assistant Administrator Chandler added that partial renovation of 4310 Gallatin Street could not occur until the Police Department had been relocated, and stated that the City would have to include two (2) to three (3) years of the compounded annual number of $790,000.00 per year. Councilmember Ward clarified and Treasurer Brooks confirmed that the City would be able to capitalize the cost.

Mayor Hollingsworth asked if there were any additional comments and requested that Council send any outstanding questions to City Administrator Nicholson. Councilmember Wright then clarified that the City already owned Centennial Park.

7) Community Notices and Meetings

Main City Calendar_Feb 16-21 2017.pdf

8) Council Dialogue (9:50 p.m. - 10:00 p.m.)

Councilmember Warner stated that there had been a lot of discussion about the proposed Sanctuary City Ordinance on the neighborhood listserv and noted that comments posted on social media and neighborhood listservs may not always reach Councilmembers. Councilmember Warner asked residents to write to Councilmembers through their City accounts in order to communicate feedback and comments to the decision makers. Councilmember Warner added that she hoped residents would have civil constructive engagement regarding this issue.

9) Motion to Adjourn

The meeting adjourned at 9:49 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Perry
SECONDER:	Ward
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Perry, Solomon
ABSENT:	Paschall, Frazier

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Ron Brooks
Submitting Department: Finance
Item Type: Audit
Agenda Section: Presentations (8:20 p.m. - 8:25 p.m.)

SUBJECT
FY-2015, 2016 and 2017 Audit Update (5 minutes)

Motion #
Presentation

Recommendation:

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS

Summary Background:
The closing documents for FY-2015 have been delayed due to a second review of various documents including the Fixed Assets and Re-statement of current fund balances. The Treasurer will address the delay in closeout and the plan to complete back to back audits to ensure the City is in total compliance.

Next Steps:
Closeout current audit and implement plan to complete of back-to-back audits.

Fiscal Impact:
Late filings can result in the loss of various State Grants and loss of revenues from State Highway Funds.

City Administrator Comments:
See summary background above.

Community Engagement:
N/A

Strategic Goals:
Goal 1 - Ensure Transparent & Accessible Governance

Legal Review Required?
N/A

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Jake Rollow
Submitting Department: Community Services
Item Type: Legislative
Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

SUBJECT
FY-2018 Budget Amendment: Share our Strength - Nutrition Assistance Grant

Motion #
HCC-1-FY18

Recommendation:
I move that the Mayor and Council amend the FY-2018 budget to appropriate the remaining fund balance of $5,028 from the Share our Strength - Nutrition Assistance Grant previously approved in FY-2017.

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS

Summary Background:
The City received a grant from the Southern Maryland Agricultural Development Commission for the 2017 Farmers Market. However, the market runs from June through September, FY17 into FY18. For this reason, remaining grant funds must be re-appropriated before they can be used in FY18.

Next Steps:
Re-appropriate remaining SMADC grant funds.

Fiscal Impact:
Sets the FY-2018 budget for the Share our Strengh -Nutrition Assistance Grant at $5,028

City Administrator Comments:
Recommend Approval

Community Engagement:
NA

Strategic Goals:
SG 2 - Ensure the Long-Term Economic Viability of the City.

Legal Review Required?
NA

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Douglas Holland
Submitting Department: Police Department
Item Type: Grant
Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

SUBJECT
FY18 Budget Appropriation: $1K Grant from the Target Corporation for 2017 National Night Out Against Crime

Motion #
HCC-2-FY18

Recommendation:
I move that the Mayor and Council accept and appropriate into the FY2018 Police Department budget a grant from the Target Corporation in the amount of $1,000.00 to support the 2017 National Night Out Against Crime celebration.

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS
Target Grant NNO 2017.pdf

Summary Background:
The Target Corporation has for many years been a sponsor of the City's National Night Out Against Crime celebration. Target has provided a contribution of $1,000.00 to be used to help purchase supplies for the 2017 National Night Out event scheduled for Tuesday, August 1 at Heurich Park.

Next Steps:
Purchase give away items

Fiscal Impact:
Additional FY2018 appropriation of $1,000.00

City Administrator Comments:
Recommend Approval

Community Engagement:
N/A

Strategic Goals:
Goal 3 – Enhance a safe and pleasant community

Legal Review Required?
N/A

TARGET CORPORATION

VENDOR NAME: HYATTSVILLE CITY POLICE   VENDOR NO: 621900

VENDOR DOC#	SAP DOC#	DOC DATE	GROSS	DEDUCTIONS	NET AMOUNT
41124791_HOLLAND 102915_NATIONAL NIGHT OUT AGAI	1914009451	05/15/2017	1,000.00	0.00	1,000.00

GROSS AMOUNT	DEDUCTIONS	NET AMOUNT	CHECK DATE	CHECK #
1,000.00	0.00	1,000.00	05/25/2017	2504041

PLEASE PROVIDE CHECK #, VENDOR #, AND SAP DOCUMENT #
WHEN WRITING OR CALL TARGET (612) 307-9208

* Withholding Tax Amount

REMOVE DOCUMENT ALONG THIS PERFORATION

THIS DOCUMENT IS PRINTED IN TWO COLORS. DO NOT ACCEPT UNLESS RED AND BLACK ARE PRESENT.

Target Corporation
PO Box 1296
Minneapolis, MN 55440-1296

Wells Fargo Bank NA
Van Wert, OH

DATE 05/25/2017

56-382
412

CHECK NO. 2504041

9600138673

NET AMOUNT

PAY ONE THOUSAND AND 00/100-------

***$1,000.00**

TO THE ORDER OF

HYATTSVILLE CITY POLICE
DEPT
4310 GALLATIN STREET
HYATTSVILLE, MD 20781

THIS CHECK IS VOID IF NOT CASHED WITHIN 150 DAYS.

⑈2504041⑈ ⑆041203824⑆ 9600138673⑈

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Douglas Holland
Submitting Department: Police Department
Item Type: Purchase
Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

SUBJECT
Service Agreement with Motorola for the Radio Communications Dispatch System, and Portable and Mobile Radios

Motion #
HCC-3-FY18

Recommendation:
I move that the Mayor and Council authorize the expenditure of $28,831.60 for the service agreements for the Motorola Communications Dispatch System and Motorola portable and mobile radios.

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS

Motorola Contract.pdf

Motorola Maintenance Contract Memo.docx

Summary Background:
The Hyattsville City Police Department purchased a Motorola, State-of-the-Art Radio Communications Dispatch System in 2011. This system was under a manufacturer's warranty, as specified in the original contract price with the Prince George's County Government, and all repairs and upgrades were included in the warranty.

The warranty has expired and an annual service agreement is required to allow the police department to receive periodic software updates, equipment upgrades, and 24 hour, 7-day a week emergency service.

The annual cost for the maintenance contract is $26K.

Additionally, the police department purchased 49 Motorola APX7000 Portable 2-Way Radios and 55 APX7500 Mobile 2-Way Radios in 2011, which also included a warranty. The portable radios are assigned to individual officers and worn on their duty belts and the mobile radios are mounted in the police vehicles. As with the dispatch equipment, the warranty on the radios has expired, and an annual service agreement is necessary to cover the cost of repairs.

The annual cost for that maintenance contract is $3831.60.

The total cost for both contracts is $28,831.60

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

Fiscal Impact:
FY2018 expenditure of $28,831.60

City Administrator Comments:
Recommend support.

Community Engagement:
N/A

Strategic Goals:
: Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?
N/A

MOTOROLA

SERVICE AGREEMENT

Attn: National Service Support
1307 East Algonquin Road
Schaumburg, IL 60196
(800) 247-2346

Date: 10/9/2016

Service Agreement# **USC000005865**

Company Name: Hyattsville, City of
Attn: Richard Harnett
Billing Address: 4310 Gallatin St.
City, State, Zip: Hyattsville, MD 20781
Customer Contact: Richard Harnett
Phone: 240-606-4165
Fax:

Required P.O.: Yes
Customer # : 1036336643
Bill to Tag # : 0001
Contract Start Date: 07/01/2017
Contract End Date: 06/30/2018

Payment Cycle: Annual
Tax Exempt: Yes
PO # :

Qty	Model/Option	Description	Monthly Ext	Extended
		Service Agreement Pricing Effective 7-1-17 through 6-30-18		
		Including the following Services for Radio Communications:		
		Dispatch **Network Monitoring** **Technical Support** **Fixed Equipment Board Repair w/ Advanced Replacement** **Onsite Support (7 X 24 X 365)** **PTP Support** **One (1) Network Preventative Maintenance** **Software Maintenance Agreement**		**$ 26,000.00**
		Radio Repair at Teltronic		
		49 ea APX7000 @ $2.70 per month		**$ 1,587.60**
		55 ea APX7500 @ $3.40 per month		**$ 2,244.00**
		TOTAL		**$ 29,831.60**
				$ 29,831.60

SPECIAL INSTRUCTIONS - ATTACH STATEMENT OF WORK FOR PERFORMANCE DESCRIPTIONS

THIS SERVICE AMOUNT IS SUBJECT TO STATE & LOCAL TAXING JURISDICTIONS, TO BE VERIFIED BY MOTOROLA.

SUBCONTRACTOR(S)	CITY	STATE
Motorola Infrastructure Depot Operations (IDO)	Elgin	IL
Motorola FSO DO250	Beltsville	MD

Authorized Customer Signature   Phone   Date

Dawn Nobles

10/9/2016

Motorola Representative   Phone: 443-542-1586   Date

City of Hyattsville

Memo

To: Mayor and Council (FONT FOR HEADER IS CALIBRI 12 pt)

From: Douglas K. Holland, Chief of Police

CC: Tracey Nicholson, City Administrator

Date: June 29, 2017

Re: Service Agreement with Motorola for the Radio Communications Dispatch System, and Portable and Mobile Radios.

Summary Background

The Hyattsville City Police Department purchased a Motorola, State-of-the-Art Radio Communications Dispatch System in 2011. This system was under a manufacturer's warranty, as specified in the original contract price with the Prince George's County Government, and all repairs and upgrades were included in the warranty.

The warranty has expired and an annual service agreement is required to allow the police department to receive periodic software updates, equipment upgrades, and to provide us with 24 hour, 7-day a week emergency service, should the system go down or need repair.

The annual cost for that maintenance contract is $26K.

Additionally, the police department purchased 49 Motorola APX7000 Portable 2-Way Radios and 55 APX7500 Mobile 2-Way Radios in 2011, which also included a warranty. The portable radios are assigned to individual officers and worn on their duty belts and the mobile radios are mounted in the police vehicles. As with the dispatch equipment, the warranty on the radios has expired, and an annual service agreement is necessary to cover the cost of repairs.

The annual cost for that maintenance contract is $3831.60.

The total cost for both contracts is $28,831.60

This expenditure is included in the approved FY2018 Police Budget line item #70-202-001-5662 and has a balance of $40,000.

Recommendation

I move that the Mayor and Council authorize the expenditure of $28,831.60 for the service agreements for the Motorola Communications Dispatch System and Motorola portable and mobile radios.

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Candace Hollingsworth, Mayor
Submitting Department: Legislative
Item Type: Appointment
Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

SUBJECT
Anacostia Trails Heritage Area, Inc. (ATHA) Governing Board Appointment

Motion #
HCC-4-FY18

Recommendation:
I move that the Mayor and Council appoint Councilmember Bart Lawrence to serve as the City's representative on the Anacostia Trails Heritage Area, Inc. (ATHA) Governing Board and submit a letter to ATHA confirming the appointment.

Sponsor(s):
Hollingsworth

ATTACHMENTS

Summary Background:
ATHA has requested that all partner municipalities submit a letter confirming the formal appointment of a city representative to serve on the ATHA Governing Board.

Next Steps:
Council approval.

Fiscal Impact:
None

City Administrator Comments:
Recommend Approval

Community Engagement:
N/A

Strategic Goals:
Goal 1 - Ensure transparent and accessible governance.

Legal Review Required?
N/A

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Jim Chandler
Submitting Department: Information Technology
Item Type: Purchase
Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

SUBJECT
Information Technology Server Replacement Project

Motion #
HCC-5-FY18

Recommendation:
I move the Mayor and Council authorize the City Administrator to execute a Purchase Agreement with Dataprise Inc., in an amount not to exceed $60,000 for the purpose of replacing the City's existing information technology (IT) server network.

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS

Memo - IT Server Replacement.pdf

Dell-PowerEdge-M630-Spec-Sheet.pdf

Summary Background:
As part of the City's 2014 Information Technology (IT) Assessment Summary Report, the replacement of Server Infrastructure, Network Security and Enterprise Services were identified as IT priorities for the City. Over the past three years, the City has worked with Dataprise, Inc. assigned Virtual CIO (vCIO) and Network Engineer to take the necessary steps to secure the organization's City's IT network.

As part of the next planned steps, the City will be retiring its existing IT server network. The scope of services will include all hardware and technical services required to complete the following:

- Project management, server configuration services and verification;
- Conversion of nine (9) existing servers to a virtual environment;
- Acquiring and configuring one (1) Dell PowerEdge VRTX Chasis;
- Installation and configuration of three (3) Dell M630 Blades;
- Installation and configuration of a new active directory domain controller and firewall for the Public Works facility.

Next Steps:
The City will proceed with the work immediately upon approval and issuance of a purchase order, with the project completion expected within 4 – 6 weeks.

Fiscal Impact:
The City has included $60,000 in the adopted FY2018 Capital Improvement Plan (CIP) budget to complete all work associated with this project.

City Administrator Comments:
Recommend Approval

Community Engagement:
N/A

Strategic Goals:
Goal 4 – Foster Excellence in all City Operations

Legal Review Required?
N/A

Memo

To: Mayor and Council

From: Tracey Nicholson, City Administrator

CC: Jim Chandler, Director, Community and Economic Development
Ron Brooks, City Treasurer
Julius Wiggins, Contracts, Grants & Procurement

Date: July 7, 2017

Re: IT Server Replacement Project

This memorandum provides the City Council with a detailed summary of the City's replacement of Information Technology servers and a request for authorizing the City Administrator to execute a contract for services.

Summary

As part of the City's 2014 Information Technology (IT) Assessment Summary Report, the replacement of Server Infrastructure, Network Security and Enterprise Services were identified as IT priorities for the City. Over the past three years, the City has worked with Dataprise, Inc. assigned Virtual CIO (vCIO) and Network Engineer to take the necessary steps to secure the organization's City's IT network.

As part of the next planned steps, the City will be retiring its existing IT server network. The scope of services will include all hardware and technical services required to complete the following:

- Project management, server configuration services and verification;
- Conversion of nine (9) existing servers to a virtual environment;
- Acquiring and configuring one (1) Dell PowerEdge VRTX Chasis;
- Installation and configuration of three (3) Dell M630 Blades;
- Installation and configuration of a new active directory domain controller and firewall for the Public Works facility.

The City has included $60,000 in the adopted FY2018 Capital Improvement Plan (CIP) budget to complete all work associated with this project. Dataprise has provided the City with a scope of services and Purchase Agreement work order for a total project cost of

$59,386.78. The work will be performed under the existing terms of services of the vCIO contracted services agreement between the City and Dataprise, Inc.

Staff is requesting approval of the City Council to proceed with the scope of services and authorization for the City Administrator to execute a Purchase Agreement with Dataprise Inc., in an amount not to exceed $60,000 to proceed. The City will proceed with the work immediately upon approval and issuance of a purchase order, with the project completion expected within 4 – 6 weeks.

POWEREDGE M630

An ultra-efficient blade server with up to 44 cores of Intel processing power and 24 DIMMs of DDR4 memory in a dense, easy-to-manage platform ideal for data center workloads.

Easily scale your workload capacity

Deliver the compute power your demanding applications require with the PowerEdge M630 blade server. Designed for use with the PowerEdge M1000e blade enclosure and PowerEdge VRTX converged infrastructure, the M630 offers exceptional scalability in environments ranging from IT as a service (XaaS) providers and private clouds to remote and branch offices.

The Intel® Xeon® processor E5-2600 v4 product family offers the processing cycles and threads to help increase virtualization performance, allowing the M630 to deliver more, larger and higher-performing virtual machines with help from more cores and up to 15 percent greater memory bandwidth.

Drive peak performance

Unleash the workload capabilities of your converged infrastructure with the ample memory capacity of the M630's 24 DDR4 DIMM slots and up to four 1.8" SSDs — twice the number of flash drives per server than previous generations. This extreme memory density and high-bandwidth memory makes the M630 ideal for workloads like high-performance computing (HPC).

Tailor your blades to your business

The M630 provides flexibility to optimize in-server storage and I/O performance, allowing you to tailor your servers to your workloads today and tomorrow. With drive options from 2 x 2.5" HDDs or Express Flash PCIe SSDs to up to 4 x 1.8" SSDs, it's easy to configure in-server storage to meet your needs. For network flexibility, the M630 features Dell Select Network Adapters. These modular integrated NICs offer you a choice of fabric, speed and vendor, allowing you to precisely address workload bandwidth requirements and enable rapid access to the storage resources your server or cloud requires — NAS or SAN.

Innovative management with intelligent automation

The Dell OpenManage systems management portfolio simplifies and automates server lifecycle management — making IT operations more efficient and Dell servers the most productive, reliable and cost effective. The capabilities of Dell's agent-free integrated Dell Remote Access Controller (iDRAC) with Lifecycle Controller make server deployment, configuration and updates more automated and efficient than ever. Dell M630 servers also benefit from the Chassis Management Controller (CMC), an embedded component that provides management of the converged infrastructure in every chassis and monitors multiple chassis at once via a web browser.

Both iDRAC and CMC technologies are leveraged by the rest of the OpenManage portfolio. OpenManage Essentials provides enterprise-level monitoring and control of Dell and third-party data center hardware, and works with OpenManage Mobile to provide similar information on smart phones. OpenManage Essentials also delivers server configuration management capabilities that automate bare-metal server and OS deployments, replication of configurations and ensures ongoing compliance with set system configurations.

PowerEdge M630

- Up to 44 cores with the latest Intel Xeon processor E5-2600 v4 product family
- 24 DIMMs of DDR4 memory
- Up to four 1.8" SSDs with double the storage bandwidth

Feature	Technical specification	
Form factor	Half-height blade with up to 16 nodes in a 10U M1000e chassis; up to four nodes in a VRTX chassis	
Dimensions	H: 197.9 mm (7.79 in), W: 50.35 mm (1.98 in), D: 564.9 mm (22.2 in)	
Processor	Intel® Xeon® processor E5-2600 v4 product family	
Processor sockets	2	
Cache	2.5MB per core; core options: 4, 6, 8, 10, 12, 14, 16, 18, 20, 22	
Memory[1]	Up to 1.5TB (24 DIMM slots): 4GB/8GB/16GB/32GB/64GB DDR4 up to 2400MT/s	
I/O mezzanine cards	2 x PCIe 3.0 (x8) mezzanine cards	
RAID controllers	**Internal controllers:** PERC S130 (SW RAID), PERC H330, PERC H730, PERC H730P	
Primary storage	**Hot-plug hard drive options:** PowerEdge Express Flash NVMe PCIe SSD, SATA HDD/SSD or SAS HDD/SSD 4 x 1.8" SSD. 2 x 2.5" PCIe SSDs	
Optional adapters	Broadcom 5719 Quad port 1GBE Mezz Card for M-Series Blades Broadcom 5720 1GB Quad Port KR Blade Network Daughter Card Emulex LPE1205-M 8GBps Dual Port Fibre Channel I/O Mezz Card for M-Series Blades Emulex LPM16002 16GBps Dual Port Fibre Channel I/O Mezz Card Emulex OCm14102-U5-D, Dual Port 10GBE, KR Mezzanine, Converged Network Adapter for M-Series Blades Emulex OCm14104-U3-D, Dual Port 10GBE, KR Mezz Converged Network Adapter for M-Series Blades Emulex OneConnect OCm14102B-N5-D 2-port 10GBE Mezz NIC Emulex OneConnect OCm14102B-N6-D 2-port 10GBE bNDC NIC Emulex OneConnect OCm14102B-U4-D 2-port 10GBE bNDC CNA Emulex OneConnect OCm14102B-U5-D 2-port 10GBE Mezz CNA Emulex OneConnect OCm14102-N5-D 2-port 10GBE Mezzanine NIC Emulex OneConnect OCm14102-N6-D 2-port 10GBE KR NIC, Blade Network Daughter Card	Emulex OneConnect OCm14102-U4-D, Dual Port 10GBE, KR CNA Network Daughter Card Intel i350 Quad Port 1 Gigabit, KR Blade Network Daughter Card Intel i350 Quad Port 1GB Serdes Mezz Card for M-Series Blades Intel x520-k Dual Port 10GB KR Blade Network Daughter Card Intel X710 Dual Port, 10GB KR Blade Network Daughter Card Intel X710 Quad Port, 10GB KR Blade Network Daughter Card Intel® X520-x/k 10GB Dual Port I/O Mezz Card for M-Series Blades Mellanox Connect X3 FDR IB / 56GB Mezz Card for M-Series Blades Mellanox Connect X3 FDR10 IB Mezz Card for M-Series Blades Mellanox ConnectX-3 Dual Port 10GB KR Mezz Card for M-Series Blades Mellanox ConnectX-3 Pro Dual Port 10 GBE KR Mezzanine Card QLogic 57810-k Dual port 10GB KR CNA Blade Network Daughter Card QLogic 57810-k Dual port 10GB KR CNA Mezz Card for M-Series Blades QLogic 57840S 10GB Quad Port KR CNA Blade Network Daughter Card Qlogic QME2572 8GBps Fibre Channel I/O Mezz Card for M-Series Blades QLogic QME2662 16Gbps Fibre Channel I/O Mezz Card
Power supplies	Chassis level – PowerEdge M1000e 2700W Platinum and 3000W Titanium PSU options	
Video card	Video type Matrox® G200 (integrated with iDRAC8) Video memory: 16MB shared with iDRAC8 application memory	
Systems management	**Systems management:** IPMI 2.0 compliant; Dell OpenManage Essentials; Dell OpenManage Mobile; Dell OpenManage Power Center **Remote management:** iDRAC8 with Lifecycle Controller, iDRAC8 Express (default), iDRAC8 Enterprise (upgrade) 8GB vFlash media (upgrade), 16GB vFlash media (upgrade)	**Dell OpenManage Integrations:** · Dell OpenManage Integration Suite for Microsoft® System Center · Dell OpenManage Integration for VMware® vCenter™ **Dell OpenManage Connections:** · HP Operations Manager, IBM Tivoli® Netcool® and CA Network and Systems Management · Dell OpenManage Plug-in for Oracle® Database Manager
Operating systems	Microsoft® Windows Server® 2016 Microsoft Windows Server 2012 R2 SUSE® Linux Enterprise Server	Red Hat® Enterprise Linux VMware® ESXi™

[1] GB equals 1 billion bytes and TB equals 1 trillion bytes; actual capacity varies with preloaded material and operating environment and will be less.

Recommended services

ProSupport Plus with SupportAssist provides proactive and predictive support for critical systems. ProSupport provides comprehensive hardware and software support. Get more from your technology starting on day one with ProDeploy Enterprise Suite deployment offers. For more information, visit Dell.com/itlifecycleservices.

End-to-end technology solutions

Reduce IT complexity, lower costs and eliminate inefficiencies by making IT and business solutions work harder for you. You can count on Dell EMC for end-to-end solutions to maximize your performance and uptime. A proven leader in Servers, Storage and Networking, Dell EMC Services deliver innovation at any scale. And if you're looking to preserve cash or increase operational efficiency, Dell Financial Services™ has a wide range of options to make technology acquisition easy and affordable. Contact your Dell Sales Representative for more information.*

Learn more at Dell.com/PowerEdge

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Douglas Holland
Submitting Department: Police Department
Item Type: Purchase
Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

SUBJECT
Purchase of one Chevrolet Bolt Electric Vehicle and one Zero DPS Electric Police Motorcycle.

Motion #
HCC-6-FY18

Recommendation:
I move that the Mayor and Council authorize FY2018 Police Department expenditures in the amount of $42,783.99 to purchase one Chevrolet Bolt Electric Car from Criswell Chevrolet and $19,677 to purchase one Zero DSP Electric Police Motorcycle from Chesapeake Cycles.

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS

Memo Electric Car and Motorcycle Purchase.docx

Electric Car and Motorcycle Quotes.pdf

Summary Background:
On June 5, 2017 the Hyattsville City Council accepted and appropriated into the FY2018 budget a grant from the Maryland Smart Energy Communities in the amount of $62,800 for the purchase of one Chevrolet Bolt electric vehicle, one Zero DPS Electric Police Motorcycle, two electric vehicle charging stations and labor to install the stations. The City committed to contribute (match) up to 20% of the total award.

City procurement procedures require three price quotes unless there is an existing state, county or municipal contract price in effect with a vendor that we can "piggyback".

Criswell Chevrolets in Gaithersburg, Maryland has an existing contract (# 1059643) with Montgomery County, Maryland, for special "fleet" pricing on the Chevrolet Bolt (Contract #1059643) and currently has the vehicle in stock. The cost is $42,783.99

There are only two dealers in Maryland that sell the Zero DSP Electric Police Motorcycle. Quotes were obtained from both Chesapeake Cycles Inc. of Annapolis and Cyclemax in Gaithersburg. Chesapeake Cycles, Inc. provided the lowest bid and best value at a cost of $19,677.00

The total cost for both vehicles is $62,460.99

Next Steps:
Purchase the vehicle and motorcycle according to the City's procurement policy and approval of the City Treasurer.

Fiscal Impact:

FY2018 expenditures in the amount of $62,460.99

City Administrator Comments:
Recommend Approval

Community Engagement:
Marketing Campaign to inform the community of the benefits of the new vehicles.

Strategic Goals:
Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?
N/A

City of Hyattsville

Memo

To: Mayor and Council

From: Douglas K. Holland, Chief of Police

CC: Tracey Nicholson, City Administrator

Date: June 10, 2017

Re: Purchase of Police Department Electric Car and Motorcycle

---

Summary Background

On June 5, 2017 the Hyattsville City Council accepted and appropriated into the FY2018 budget a grant from the Maryland Smart Energy Communities in the amount of $62,800 for the purchase of one Chevrolet Bolt electric vehicle, one Zero DPS Electric Police Motorcycle, two electric vehicle charging stations and labor to install the stations. City procurement procedures require three price quotes unless there is an existing state, county or municipal contract price in effect with a vendor that we can "piggyback".

Criswell Chevrolets in Gaithersburg, Maryland has an existing contract (# 1059643) with Montgomery County, Maryland, for special "fleet" pricing on the Chevrolet Bolt (Contract #1059643) and currently has the vehicle in stock. The cost is $42,783.99

There are only two dealers in Maryland that sell the Zero DSP Electric Police Motorcycle. Quotes were obtained from both Chesapeake Cycles Inc. of Annapolis and Cyclemax in Gaithersburg. Chesapeake Cycles, Inc. provided the lowest bid at a cost of $19,677.00

The total cost for both vehicles is $62,460.99

Recommendation

I move that the Mayor and Council authorize FY2018 Police Department expenditures in the amount of $42,783.99 to purchase one Chevrolet Bolt Electric Car from Criswell Chevrolet and $19,677 to purchase one Zero DSP Electric Police Motorcycle from Chesapeake Cycles.

Prepared By:
ssilverman
Criswell Fleet Sales
503 Quince Orchard Rd.
Gaithersburg, MD 20878
Phone: (240) 876-8233
Fax: (301) 948-1381
Email: fleet-man@msn.com

2017 Fleet/Non-Retail Chevrolet Bolt EV 5dr HB Premier 1FC48

PRICING SUMMARY

PRICING SUMMARY - 2017 Fleet/Non-Retail 1FC48 5dr HB Premier

	MSRP	Invoice
Base Price	$40,905.00	$39,268.81
Total Options:	$1,730.00	$1,574.30
Vehicle Subtotal	$42,635.00	$40,843.11
Advert/Adjustments	$0.00	$1,065.88
Destination Charge	$875.00	$875.00
GRAND TOTAL	**$43,510.00**	**$42,783.99**

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 495.0, Data updated 6/13/2017

Customer File:

OFFICE OF PROCUREMENT

Isiah Leggett
County Executive

Cherri Branson
Director

August 30, 2016

Scott Silverman
Criswell Chevrolet, Inc.
503 Quince Orchard Rd
Gaithersburg, MD 20878

Re: Contract Renewal – Electric Drive Vehicles and Equipment
Modification # 1
Contract No.:1059643

According to the provision entitled "Contract Term" of the above cited contract, this letter constitutes notice of renewal of the contract to cover the 12-month performance period beginning the day immediately following the current expiration date of 10/15/16.

You are obliged to keep on file with this office a current original Certificate of Insurance. The existing Certificate shows an expiration date of 7/1/17. The Certificate must:

4. List Montgomery County, Maryland as an additional insured under liability policies.
5. Provide notice to the Certificate Holder of cancellation or change in any materials in accordance with policy provisions.
6. Show Montgomery County, Maryland as the Certificate Holder.

For additional information please contact the Office of Procurement at (240) 777-9900.

FOR MONTGOMERY COUNTY, MARYLAND

Andrew J. Ros— for 9/15/16

Cherri Branson, Director — Date
Office of Procurement

cc: Criswell Chevrolet, Inc.
Kathleen Hynes
Peter Schuler

PMMD 41b Rev. 6/15

OFFICE OF PROCUREMENT

Isiah Leggett
County Executive

Cherri Branson
Director

August 30, 2016

Scott Silverman
Criswell Nissan of Germantown, LLC DBA Criswell Nissan
19574 Amaranth Dr
Germantown, MD 20874

Re: Contract Renewal – Electric Drive Vehicles and Equipment
Modification # 1
Contract No.:1059651

According to the provision entitled "Contract Term" of the above cited contract, this letter constitutes notice of renewal of the contract to cover the **12**-month performance period beginning the day immediately following the current expiration date of 10/15/16.

You are obliged to keep on file with this office a current original Certificate of Insurance. The existing Certificate shows an expiration date of 7/1/17. The Certificate must:

7. List Montgomery County, Maryland as an additional insured under liability policies.
8. Provide notice to the Certificate Holder of cancellation or change in any materials in accordance with policy provisions.
9. Show Montgomery County, Maryland as the Certificate Holder.

For additional information please contact the Office of Procurement at (240) 777-9900.

FOR MONTGOMERY COUNTY, MARYLAND

9-15-16

Cherri Branson, Director — Date
Office of Procurement

cc: Criswell Nissan of Germantown, LLC DBA Criswell Nissan
Kathleen Hynes
Peter Schuler

PMMD 41b Rev. 6/15

OFFICE OF PROCUREMENT

Isiah Leggett
County Executive

Cherri Branson
Director

August 30, 2016

Scott Silverman
Criswell Performance Imports, Inc., DBA Criswell Honda
19525 Amaranth Dr.
Germantown, MD 20874

Re: Contract Renewal – Electric Drive Vehicles and Equipment
Modification # 1
Contract No.:1059647

According to the provision entitled "Contract Term" of the above cited contract, this letter constitutes notice of renewal of the contract to cover the 12-month performance period beginning the day immediately following the current expiration date of 10/15/16.

You are obliged to keep on file with this office a current original Certificate of Insurance. The existing Certificate shows an expiration date of 7/1/2017. The Certificate must:

16. List Montgomery County, Maryland as an additional insured under liability policies.
17. Provide notice to the Certificate Holder of cancellation or change in any materials in accordance with policy provisions.
18. Show Montgomery County, Maryland as the Certificate Holder.

For additional information please contact the Office of Procurement at (240) 777-9900.

FOR MONTGOMERY COUNTY, MARYLAND

Andrew W. Kohn for 9/16/16

Cherri Branson, Director
Office of Procurement

Date

cc: Criswell Performance Imports, Inc., DBA Criswell Honda
Kathleen Hynes
Peter Schuler

PMMD 41b Rev. 6/15

Gmail

Richard Hartnett <rthartnett@gmail.com>

Motorcycle Price Quote Needed

Mike Eichhorn <Mike.Eichhorn@chesapeakecycles.com>
To: Richard Hartnett <rhartnett@hyattsville.org>

Fri, Jun 23, 2017 at 12:51 PM

Sgt. Hartnett,

Thank you again for the opportunity to bid for the purchase of a new, 2017, Zero DSP Authority Motorcycle, as well as all the accessories requested in your bid. We have already supplied several Zero Police Motorcycles to multiple other local jurisdictions and we would very much like to assist you as well.

The following is a breakdown of our bid for your review:

2017 Zero DSP NA ZF 13.0 ABS (in White)

Discounted Unit Price:	$16,299.00
Light Pkg (Red & Blue)	inc.
Charge Tank 2.5kw (white)	$ 1,799.00
Zero Side cases by Givi & Rack	$ 499.00
Zero Top Box by Givi & rack	$ 324.00
Touring Screen	$ 219.00
Zero Hand guards (white)	$ 149.00
Rain Guard	$ 21.00
LED License Plate Kit	$ 169.00
12V Acc. Socket kit	$ 42.00
12v Acc w/harness	$ 89.00
Zero Brake Lever Lock	$ 8.00
Zero Smartphone Mount	$ 59.00

Total Unit Price with accessories (without tax, tag or Title): $19,677.00

Please contact me at any time at the numbers listed below should you have any questions or require additional information.

Thanks again,

Mike Eichhorn

Mike Eichhorn

President

Chesapeake Cycles, Inc.

104 Defense Highway

Annapolis, MD 21401

410-266-0015 p

410-266-5299 f

meichhorn@chesapeakecycles.com

From: Richard Hartnett [mailto:rhartnett@hyattsville.org]
Sent: Friday, June 09, 2017 9:57 AM
To: Mike Eichhorn
Subject: Re: Motorcycle Price Quote Needed

Thank you. You don't have to rush. We will not be able to spend the money until after July 1st, as that is the start of our new budget year, but I was tasked with gathering price quotes now, since July 1 is just around the corner.

[Quoted text hidden]

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Nicola Konigkramer
Submitting Department: Legislative
Item Type: Budget
Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

SUBJECT
Ward 5 Council Discretionary Funds to Support Teen Club

Motion #
HCC-7-FY18

Recommendation:
I move that the Mayor and Council approve the appropriation and disbursement of $150.00 from the Ward 5 Council Discretionary Fund to provide support for meals offered by the Teen Club program.

Sponsor(s):
Spell

ATTACHMENTS

Summary Background:
The Hyattsville Teen Club at Magruder provides a safe, positive environment for teenagers to play sports, improve academically, and do community service. The free drop-in program is open to teenagers ages 13-18 who live in Hyattsville or the surrounding area or attend Northwestern High School. The 10-week program launched, in June 2017. Discretionary funds of $150 will be used to provide support for meals offered by the program.

Next Steps:
N/A

Fiscal Impact:
$150.00

City Administrator Comments:
Recommend Support

Community Engagement:
Continuous teen and parent outreach to encourage participation

Strategic Goals:
Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?
N/A

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Lesley Riddle
Submitting Department: Public Works
Item Type: Grant
Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

SUBJECT
Prince George's Stormwater Stewardship Grant - Letter of Support

Motion #
HCC-8-FY18

Recommendation:
I move the Council authorize the Mayor to send a letter of support to Chesapeake Bay Trust Prince George's Stormwater Stewardship Grant in support of the City's partnership with the Environmental Finance Center to develop a pet waste management outreach plan in the City of Hyattsville.

Sponsor(s):
Executive Committee

ATTACHMENTS
Chesapeake_Bay_Trust_Pet_Waste_Grant_-_Draft.pdf

Summary Background:
Funded by a Stormwater Stewardship grant from the Chesapeake Bay Trust (CBT), the Sustainable Maryland program has partnered with Prince George's County Department of the Environment (DoE) and the People for Change Coalition (PFCC) to launch this new County initiative to educate residents about the issue of pet waste and install infrastructure that will help communities address the problem.

The Environmental Finance Center is currently in the first year of a CBT Prince George's Stormwater Stewardship grant. They were funded to work with 6 municipalities in the county to develop a pet waste management outreach plan that would include bilingual signage, flyers, social media, and install up to 10 pet waste stations in the towns, all at no cost to towns. This work helps the county meet stormwater requirements.

The Environmental Finance Center reports that the first year is going very well and the county and CBT are very pleased with their work. They are currently preparing to apply for the 2018 -2019 grant funding and have invited the City of Hyattsville to be a partner on this second round of funding.

Next Steps:
With Council approval a letter of support will be sent to the Environmental Finance Center.

Fiscal Impact:
The fiscal impact may be City staff support as in-kind labor for implementation of community outreach or installation of dog waste stations.

City Administrator Comments:
Recommend Approval

Community Engagement:

This may include community outreach forums to educate residents about pet waste problems.

Strategic Goals:
Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?
N/A

Candace B. Hollingsworth
Mayor

Tracey E. Nicholson
City Administrator

July 12, 2017

Chesapeake Bay Trust
60 West Street, Suite 405
Annapolis, MD 21401

To the Chesapeake Bay Trust,

The City of Hyattsville supports the University of Maryland Environmental Finance Center's (EFC) Sustainable Maryland proposal to the Chesapeake Bay Trusts' Prince George's Stormwater Stewardship Grant Program to foster awareness and mitigation of pet waste pollution and stormwater pollution in municipalities in Prince George's County. We look forward to partnering with the EFC on the Sustainable Maryland program's efforts to assist our town with a pet waste education and stormwater pollution prevention program. The City of Hyattsville looks forward to using the proven Sustainable Maryland-specific framework of support, training, and certification that has yielded measurable results in terms of residents engaged, and Actions completed, in a variety of sustainability areas.

The City of Hyattsville commits to support this Sustainable Maryland initiative by working with the Sustainable Maryland program staff to:

- conduct a pet waste management outreach and education program for local residents;
- assist in identifying appropriate locations for pet waste infrastructure and distribution of educational materials, and
- where appropriate, install pet waste stations and signage that would be purchased as part of this grant, and monitor their usage for a limited time period.

We look forward to a partnership with the EFC's Sustainable Maryland program and working to help foster targeted stormwater pollution prevention efforts in our municipality.

Sincerely,

Candace B. Hollingsworth
Mayor

cc: Hyattsville City Council

CITY OF HYATTSVILLE
4310 Gallatin Street, Hyattsville, MD 20781 | 301-985-5000 | www.hyattsville.org

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Jake Rollow
Submitting Department: Community Services
Item Type: Proclamation
Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

SUBJECT
Proclamation Declaring July 15 a Day for Art and Pizza

Motion #
HCC-9-FY18

Recommendation:
I move that the Mayor and Council declare July 15, 2017 a Day for Art and Pizza in Hyattsville.

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS
Art Works Now and Pizzeria Paradiso.docx

Summary Background:
Art Works Now and Pizzeria Paradiso held a ribbon-cutting ceremony on their new locations in the City of Hyattsville on July 15.

Next Steps:
Make Art. Eat Pizza.

Fiscal Impact:
N/A

City Administrator Comments:
Recommend support.

Community Engagement:
Council Vice President Kevin Ward spoke to all who attended the ribbon-cutting ceremony.

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

Legal Review Required?
N/A

PROCLAMATION
DECLARING JULY 15 A DAY FOR ART AND PIZZA

This proclamation declares July 15, 2017, to be a day for art and pizza in the City of Hyattsville in honor of the grand opening of Art Works Now and Pizzeria Paradiso.

WHEREAS, Art Works Now and Pizzeria Paradiso are cutting the ribbon today on their new locations in the City of Hyattsville; and

WHEREAS, this follows years of planning and work to bring to fruition the vision of Barbara Johnson and Ruth Gresser; and

WHEREAS, the City of Hyattsville supported the adaptive reuse and renovation of the Marché Florist Building with a façade improvement grant, and support was also provided by the State of Maryland, Prince George's County Council, and community members; and

WHEREAS, countless Hyattsville residents will benefit from the artistic and delicious opportunities offered by these two institutions;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Hyattsville declare July 15 to be a day for art and pizza.

____
Candace B. Hollingsworth July 15, 2017
Mayor
City of Hyattsville

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Jake Rollow
Submitting Department: Community Services
Item Type: Legislative
Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

SUBJECT
Cable Studio Renovation Labor Cost - National Capitol Contracting

Motion #
HCC-10-FY18

Recommendation:
I move that the Mayor and Council authorize payment for labor by National Capitol Contracting to install equipment in and renovate the cable studio at a cost not to exceed $15,000.

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS

Summary Background:
This purchase request is part of the lifecycle replacement program and upgrading video equipment in FY18. Staff is seeking Council approval to pay a contractor to install new equipment in the cable studio and Council Chambers. The work will take place this summer during the break between Council meetings.

Most of the components of the City's video system - used primarily to record and broadcast Council meetings, have reached the end of their life-cycle. Many components are more than five years old, and some are more than 10 years old. This has caused increased technical issues over the past few years.

The FY18 budget includes $200,000 from PEG funds for video equipment life-cycle replacement and upgrades. PEG funds are paid to the City by Verizon, and can be used to support our cable/video system. No taxpayer dollars will be spent on replacement equipment and upgrades.

The new equipment will enable the City to record in high definition and will simplify the recording processes behind the scenes. Additionally, funds will be used to improve the audio and lighting in Council Chambers which will ultimately improve the quality of our broadcasts.

Next Steps:
Authorize purchase and begin upgrades.

Fiscal Impact:
$15,000 (non-taxpayer-dollars)

City Administrator Comments:
Recommend Approval

Community Engagement:
The video system is an integral part of community engagement.

Strategic Goals:
Goal 1 – Ensure Transparent and Accessible Governance

Legal Review Required?
N/A

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Lesley Riddle
Submitting Department: Public Works
Item Type: Contract
Agenda Section: Discussion Items (8:30 p.m. - 9:50 p.m.)

SUBJECT
University Hills Sidewalk and Street Renovation Construction Funds (10 minutes)

Motion #
Discussion Only

Recommendation:

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS
Memo - University Hills Funding Request FY18.docx

Summary Background:
The University Hills Sidewalk and Street Rehabilitation Project to upgrade curbs, sidewalks, and roadways in University Hills began in the summer of 2015. The project was divided into 3 phases and was to be completed over a 3-year period.

Phase 1 was completed in CY2016 and included the following work:
Stanford Street – Curb, gutter and overlay of street asphalt
Adelphi Road to Gumwood – Curb, gutter, and overlay of street asphalt
Notre Dame to Adelphi Road - Curb, gutter, and overlay of street asphalt
Rosemary Lane and Gumwood to the dead-end - Sidewalk, curb, gutter, mill and overlay of street asphalt
Gumwood to the 3200 Block - Sidewalk, curb, gutter, mill and overlay of street asphalt

Phase 2 was completed in CY2017 and included the following work:
Rutgers, Perdue, and Pennsylvania Streets - curb and gutter replacement, and overlay of street asphalt
Claymore Ave -sidewalk replacement and new Installation, curb and gutter replacement and overlay of street asphalt
Gumwood Drive - sidewalk, curb and gutter installation from the end of phase 1 to Wells Blvd and overlay of street asphalt

Phase 3 is under design and will include the following work:
Green streets improvements for Wells Blvd and Rosemary Lane.
Complete: Pony Trail Lane, Bridle Path Lane, Bridle Path Court, Hitching Post Lane, Calverton Drive, and the dead-end section of Stanford Street. Dedication of park space between Rosemary Lane and Pony Trail Lane.

Next Steps:
Staff is requesting that Council approve the funding for the last and final phase if the University Hills project and green streets improvements. Funding will include design funds, construction costs, low impact design

infrastructure, installation of new sidewalks, replacement of existing sidewalk, replacement of existing curbs and overlay of the street surface. JMT Engineering services and NZI Construction have been providing the design and construction services for this project and will continue on the current contracts that they have with the City. The cost will not exceed $1,000,000.00.

Fiscal Impact:
The funding for this project is in the FY18 Capital Improvements Budget

City Administrator Comments:
Recommend Approval

Community Engagement:
Continue to meet with the University Hills residents to share updates and new information related to the design, construction and timeline of the project.

Strategic Goals:
Ensure the Long-Term Economic Viability of the City.

Legal Review Required?
N/A

City of Hyattsville

Memo

To: Tracey Nicholson, City Administrator

From: Lesley Riddle, Director of Public Works

Date: July 17, 2017

Re: Request for Funding – University Hills Sidewalk and Street Renovation Project

---

The University Hills Sidewalk and Street Rehabilitation Project construction began in summer of 2015 to upgrade curbs, sidewalks, and roadways in the University Hills area of the City. The project was divided into 3 phases to be completed over a 3-year period.

Phase 1 included the following work and construction is complete:

Stanford Street – Curb, gutter and overlay of street asphalt
Adelphi Road to Gumwood – Curb, gutter, and overlay of street asphalt
Notre Dame to Adelphi Road - Curb, gutter, and overlay of street asphalt
Rosemary Lane and Gumwood to the dead-end - Sidewalk, curb, gutter, mill and overlay of street asphalt
Gumwood to the 3200 Block - Sidewalk, curb, gutter, mill and overlay of street asphalt

Phase 2 included the following work and construction is complete:

Rutgers, Perdue, and Pennsylvania Streets - curb and gutter replacement, and overlay of street asphalt
Claymore Ave -sidewalk replacement and new Installation, curb and gutter replacement and overlay of street asphalt
Gumwood Drive - sidewalk, curb and gutter installation from the end of phase 1 to Wells Blvd and overlay of street asphalt

Phase 3 is under design and will include the following work:

Green streets improvements for Wells Blvd and Rosemary Lane are currently in design.

Streets to be completed are: Wells Blvd, Rosemary Lane, Pony Trail Lane, Bridle Path Lane, Bridle Path Court, Hitching Post Lane, Calverton Drive, and the dead-end section of Stanford Street. Dedication of park space between Rosemary Lane and Pony Trail Lane.

Staff is requesting that Council approve the funding for the last and final phase if the University Hills for design of the green streets improvements and construction costs for the implementation of designs, installation of the LID infrastructure, installation of new sidewalks, replacement of existing sidewalk, replacement of existing curbs and overlay of the street surface. JMT Engineering services and NZI Construction have been providing the design and construction services for this project and will continue on the current contracts that they have with the City. The cost will not exceed $1,000,000.00.

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Lesley Riddle
Submitting Department: Public Works
Item Type: Contract
Agenda Section: Discussion Items (8:30 p.m. - 9:50 p.m.)

SUBJECT
37th Street Sidewalk Installation (10 minutes)

Motion #
Discussion, Scheduled for Action on 8/7/17

Recommendation:

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS

Summary Background:
During FY17 budget deliberations Ward 5 Council representatives requested an assessment of traffic and safety conditions on 37th Place. The DPW staff conducted several community meetings and the residents unanimously expressed concerns about volume, speed of cars traveling on the road and pedestrians being required to walk in the road due to the lack of sidewalk.

The DPW staff conducted a review of the existing conditions and used the data collected along with visual inspections to validate the residents volume and speed concerns.
As a trial, and to mitigate speed, the staff placed temporary barriers and speed bumps in the roadway.

During that same period and over the past year, the staff conducted community meetings with residents and Council members. Several recommendations were shared with residents for consideration and possible implementation. The majority of the residents supported making Gaines Alley one way flowing into the neighborhood from 38th, installing sidewalks on one side of 37th, low impact design considerations and installing permanent speed humps. The first step of modifying the traffic pattern to make Gaines Alley one-way has been completed.

Next Steps:
Funding was included in the FY2018 budget to bump out at the intersection of Gaines and 37th to reduce the number of cars traveling from Hamilton St down 37th to access Gaines Alley. We are also proposing sidewalk installation on the west side of 37th street and the installation of two speed humps. The cost of this project should not exceed $35,000.00. The installation of the sidewalks will be accomplished by NZI Construction on the current contract with the City.

Fiscal Impact:
The cost for this project is in the Capital Improvement Projects budget for FY18.

City Administrator Comments:
Recommend Approval

Community Engagement:
We have met with the community several times to review this project scope. We plan on meeting with the residents before beginning construction of the sidewalk in late summer or early fall CY2017.

Strategic Goals:
Ensure the Long-Term Economic Viability of the City

Legal Review Required?
N/A

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Jim Chandler
Submitting Department: Community & Economic Development
Item Type: Resolution
Agenda Section: Discussion Items (8:30 p.m. - 9:50 p.m.)

SUBJECT
Pet Waste Ordinance (15 minutes)

Motion #
Discussion, Scheduled for Action on 8/7

Recommendation:

Sponsor(s):
Hollingsworth

ATTACHMENTS

Pet Waste Ordinance - 2017.docx

MM to JChandler Re Pet Waste 7.10.17.pdf

MinutesrMarch_15_17_Approved.doc

Code Committee Recommendation - June 21, 2017.doc

Summary Background:
As directed by the City Council through Motion #116-01-FY17, the City Attorney has drafted an ordinance to amend Chapter 65 of the Code of the City of Hyattsville to include an article that establishes the regulations for proper disposal of pet waste and the enforcement and fines for violations thereof.

In addition to the draft ordinance, the City Attorney has provided the City Council and Staff with a memorandum intended to provide supplemental legal guidance and a request for additional guidance from Council regarding feral animals.

The drafted ordinance was reviewed by the Code Compliance Advisory Committee at its meeting on April 19, 2017 and in addition to its review of the ordinance provided additional recommendations to address the issue of pet waste for the City Council's consideration. The meeting minutes and additional comments are attached to this item.

Next Steps:
An ordinance, with any specific revisions requested by the City Council, can be available for a first reading for September 18, 2017.

Fiscal Impact:
N/A

City Administrator Comments:

This draft Pet Waste Ordinance can be embedded in Chapter 52 or 65 and should be cross-referenced as discussed during the Jan, 2017 Council Meeting.
Enforcement of this ordinance, specifically identifying and citing pet owners at the time of the violation will be difficult. To help reduce violations, the staff will ensure an active educational campaign, additional signage and waste stations are in place.
The draft ordinance describes a pet owner as a person who "possesses, maintains, houses, or harbors any pet or otherwise has custody of a pet regardless of whether the person is the actual owner of such pet." The City Attorney requests additional guidance or clarification from Council regarding feral animals.

Community Engagement:
Outreach and messaging on requirements and policy.

Strategic Goals:
Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?
Pending

CITY OF HYATTSVILLE
ORDINANCE 2017-0__

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

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

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

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hyattsville in regular session assembled that Article ____ is hereby added to the City of Hyattsville Code to read as follows:

ARTICLE ______

SOLID PET WASTE

§ ____ Requirements for disposal.

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

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

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

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

§ ___ Animals exempt from requirements for disposal.

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

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

§ ___ Enforcement.

The provisions of this Article shall be enforced by the City of Hyattsville's Code Compliance Officers.

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

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

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

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

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

Adopted: ________________________

Attest: ___________________________ ______________________________________
Mayor

~~[ ]~~ indicate deletions
Underline indicates additions
Asterisks * * * Indicate matter retained in existing law but omitted herein

From: E.I. Cornbrooks IV

To: Jim Chandler

Date: July 10, 2017

Subj: Pet Waste Ordinance

MEMO

Please accept this memorandum as a more formal summary of the comments that were forwarded from my office to the Code Committee.

The ordinance has been drafted so that it can fit into either Chapter 52 or 65 depending on the Council's preference. Adjustments will need to be made to the ordinance once Council decides where it would like to place the ordinance. For example, Chapter 52 will need to have its existing provisions placed in Article I if it is determined that the ordinance will be placed therein and the penalty provision will need to be carved out into Article III. Chapters 52 and 65 have penalty provisions that match the one suggested by the ordinance. *See* section 52-9A and 65-27. Thus, I have removed the penalty provision from the ordinance. A cross-reference to the Chapter which is not utilized would be extraordinarily useful as well.

The proposed definition section has been removed from the original version. Equivalent language was inserted that matches the Code's format. I generally prefer definition sections, but that is not the way the City's Code is drafted. I am reluctant to go against the existing format absent a complete overhaul of the Code. Language regarding "owner/keeper" was replaced with "owner" so that whoever the person is that has the dog is treated as the owner for the purposes of the waste ordinance. Language was added to make it clear that the waste's journey to the sewer system may not be encumbered by any container (plastic bag etc). Substantive language has been added to the exemption provision to include a requirement that the disability animal be professionally trained. Police canines are also exempted.

As you know, Code Compliance is concerned that it will not be able to enforce the ordinance unless it sees the animal "do its business" and sees the owner fail to clean up the waste. I am not sure why that would be if the City Council has designated Code Compliance with the authority to do so. For example, Chapter 52 envisions this type of enforcement being done by the Animal Warden under the supervision of the Police Department or Code Compliance. It also allows for a "City agent" to be designated to enforce the provisions if that agent is designated by the Council. I see no reason why the Council could not designate Code Compliance as the appropriate authority. That said, I do believe that such an ordinance has the potential to be problematic in court unless there is an extremely cooperative and credible witness who is willing to come to court. I recommend adding the Police Department as being authorized to enforce the ordinance as well.

Whether to exempt feral animals and to what extent they can be exempted, cannot be done absent additional guidance from counsel.

CITY OF HYATTSVILLE

CODE COMPLIANCE ADVISORY COMMITTEE MINUTES

WEDNESDAY, APRIL 19 2017

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

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

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

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

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

Adjourned at 7:40pm

Respectfully submitted Gloria Felix-Thompson, Secretary

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

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

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

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Joseph Solomon, W5
Submitting Department: Legislative
Item Type: Legislative
Agenda Section: Discussion Items (8:30 p.m. - 9:50 p.m.)

SUBJECT
Hyattsville Rent Stabilization and Renter Protection Ordinance (45 minutes)

Motion #
Discussion Only

Recommendation:
I move that Mayor and Council authorize the City Attorney to prepare a rent stabilization and renter protection ordinance as defined in the attached Memo titled Hyattsville Comprehensive Rent Stabilization and Renter Protection Ordinance.

Sponsor(s):
Solomon

ATTACHMENTS

Rent Stabilization and Tenant Protect Ordinance Memo v20170713.pdf

Rent Stabilization Financial Impact Estimates-Rent Stabilization Foregone Revenue Estimate.pdf

Rent Stabilization Financial Impact Estimates-Short Term Rental Revenue Estimate.pdf

Takoma Park - UMD Rent Control Analysis_Final Report_January 2005.pdf

College_Park-Sage_Policy_Group_Report_Rent_Stabilization2012.pdf

Chicago Vacation Rental Ordinace.pdf

College_Affordability_for_Low-Income_Adults.pdf

Summary Background:
To preserve the city's affordable housing stock; to provide reasonable rent stabilization measures; to define and regulate short-term rental units and agreements; to offer a means to offset possible revenue losses as a results of rent stabilization; to provide renter protections through first right of refusal and fair leasing practices; and to create a funding source for future affordable housing expenditures.

Next Steps:
Upon adoption the City Attorney shall prepare an ordinance to be returned to Council.

Fiscal Impact:
Requires analysis of revenue tax losses to City of Hyattsville for rent stabilization and revenue increases for short-term leasing regulations.

City Administrator Comments:

This is a complex proposal that may need to be approached in parts (Short Term, Management & Rent Stabilization). My preliminary assessment along with that of the Director of Economic Development and Director of Finance follows:

Short-Term Rental

1. Chapter 96 - Licensing of Rental Units as currently written assumes long-term renters and requires licensing on an annual basis. It does not consider the modern practice of short-term residential property rentals.
2. In addition to the single (1) annual inspection, the inspector may need to conduct a follow-up inspection for minor corrective actions, for a violation of the rental license, or a reported code violation;
3. If short-term rental licensing is approved, the Code should be modified to require a minimum of three (3) annual inspections w/additional inspections authorized based on use/turnover and license history;
4. Short-term rental licensing should consider a flat annual licensing fee, not a per use fee, to encourage full disclosure;
5. Violations of the short-term rental license should include a monetary fine coupled with the possibly of the licence being rescinded;
6. Maximum for civil violations is $1,000 per violation.

Management:

1. Staffing for program management may require a minimum of .25 inspector and .25 administrative licensing. This may fluctuate depending on residential unit count and associated workload.
2. The licensing fee (revenue) should cover the costs of personnel, supplies and materials necessary to administer the short-term rental program and any net revenue can be considered for other program activities. This is consistent with current practices.
3. If adopted, recommend the HRC be a recommending body to the City Council rather than be given the authority to approve rent increase exemptions, duration/time frame, and other decisions impacting income, tax credits, property values, and revenue streams.
4. A staff representative should be appointed as a non-voting member of the Hyattsville Rent Commission (HRC);

Rent Stabilization

1. Properties that are rent stabilized may result in a reduction in property taxes to the City.
2. If adopted, this will need to be actively communicated with significant lead time and a continuous outreach campaign.

Community Engagement:

- Hyattsville 2016 Affordable Housing discussion.
- Hyattsville Community Sustainability Plan, Goal 5 - Support the Affordability & Diversity of Housing Options

Strategic Goals:

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

Legal Review Required?

Pending. Initial conversation held with City Attorney. Additional review of short-terming leasing and rental lease agreement requirements necessary.

Memo

Hyattsville City Council Member, Joseph Solomon | PO Box 5454, Hyattsville, MD 20782 | jsolomon@hyattsville. org

TO:
Mayor Candace Hollingworth
Hyattsville City Council Members

CC:
Hyattsville City Administrator, Tracey Nicholson
Hyattsville City Clerk, Laura Reams

Hyattsville Comprehensive Rent Stabilization and Tenant Protection Ordinance

To preserve the city's affordable housing stock; to provide reasonable rent stabilization measures; to define and regulate short-term rental units and agreements; to offer a means to offset possible revenue losses as a results of rent stabilization; to provide renter protections through first right of refusal and fair leasing practices; and to create a funding source for future affordable housing expenditures. I recommend the City Attorney prepare a Draft Comprehensive Rent Stabilization and Tenant Protection ordinance within the following scope and outline:

Overall Ordinance Objectives

- To provide financial security for individuals unable to accommodate significant rental rate increases.
- Modernizing municipal regulatory authority over short term rental units, platforms, and agreements. Providing a revenue mechanism to offset possible foregone revenue as a result of rent stabilization.
- Establish a fund for future investment in Affordable Housing Development and renovations.
- Providing uniformity and fairness to leasing practices throughout the City of Hyattsville.

1. Hyattsville Rent Stabilization Program

Based on 2011-2015 ACS data an estimated 55% of Hyattsville residents are tenants under a rental agreement. Despite this high percentage of renters, and significant amounts of rental development underway there remains an expected and consistent rise in rental cost. The City of Hyattsville does not offer a municipal affordable housing policy through either programing, policy or legislation targeting the significant financial burden of affordable housing. This program is intended to provide a modest 2-5% financial and market introduction into affordable housing by exerting the City's authority to demand relief through legislative actions that tailor a Rent Stabilization Program for well-defined groups of financially vulnerable populations. While the scope is narrow to accommodate room for growth and evaluation, as this is the first program of such kind in the City of Hyattsville the, the administration and legislative breadth remains vast.

1.1. Purpose

The median price for rental units in DC Metro Area has increased dramatically over the past 10 years. This increases disproportionately impact seniors, the disabled, and college students already facing challenging financial burdens of fixed incomes, medical cost, or tuition. The Hyattsville's Rent Stabilization Program provides protection against significant annual rental rate increases which may upset delicate financial circumstances.

1.2. Program Outline

- Qualifying tenants can apply to the Hyattsville Rent Commission for Rent Stabilization Protection.

- Rental increases for rent stabilization approved tenants will be limited to the rate set by Hyattsville Rent Commission, based on Baltimore-Washington Regional Rental Consumer Price Index.
- Tenants approved for complete rental increase exemptions will not be required to pay rental increases for a time period determined by the Hyattsville Rent Commission.
- Unless explicitly expressed in a judgement by the Hyattsville Rent Commission, applicants must apply and reapply annually.
- Landlords shall have an opportunity to dispute rent stabilization designation before Hyattsville Rent Commission.
- The Hyattsville Rent Commission may choose to approve an applicant, side with Landlord, offer landlord tax credits to offset rent losses in certain instances, or deem certain individuals exempt from rental rate increases.

1.3. <u>Individual Demographic Qualifications</u>

- Age 60 and above.

Based on the 2011-2015 American Community Survey, individuals age 60 and about account for 12.27% of the City of Hyattsville population. An estimated 2,236 in a population of 18,225 people.

Subject	Hyattsville city, Maryland			
	Estimate	Margin of Error	Percent	Percent Margin of Error
SEX AND AGE				
Total population	18,225	+/-99	18,225	(X)
Male	8,902	+/-465	48.8%	+/-2.6
Female	9,323	+/-475	51.2%	+/-2.6
Under 5 years	1,480	+/-233	8.1%	+/-1.3
5 to 9 years	1,101	+/-180	6.0%	+/-1.0
10 to 14 years	936	+/-184	5.1%	+/-1.0
15 to 19 years	1,002	+/-231	5.5%	+/-1.3
20 to 24 years	1,519	+/-347	8.3%	+/-1.9
25 to 34 years	3,860	+/-362	21.2%	+/-2.0
35 to 44 years	2,652	+/-256	14.6%	+/-1.4
45 to 54 years	2,202	+/-264	12.1%	+/-1.4
55 to 59 years	1,237	+/-194	6.8%	+/-1.1
60 to 64 years	792	+/-165	4.3%	+/-0.9
65 to 74 years	845	+/-151	4.6%	+/-0.8
75 to 84 years	380	+/-141	2.1%	+/-0.8
85 years and over	219	+/-73	1.2%	+/-0.4
Median age (years)	33.1	+/-1.6	(X)	(X)
18 years and over	14,209	+/-340	78.0%	+/-1.8
21 years and over	13,540	+/-363	74.3%	+/-1.9
62 years and over	1,950	+/-209	10.7%	+/-1.1
65 years and over	1,444	+/-167	7.9%	+/-0.9

Figure 1: 2011-2015 ACS Demographic and Housing Estimate

Based on 2011-2015 American Community Survey, 20.52% of individuals age 60 and above are tenants of renter occupied spaces. An estimated 459 of the presumed 2,236.

	Hyattsville city, Maryland	
	Estimate	Margin of Error
Total:	6,353	+/-315
Owner occupied:	2,848	+/-225
Householder 15 to 24 years	53	+/-39
Householder 25 to 34 years	296	+/-92
Householder 35 to 44 years	462	+/-93
Householder 45 to 54 years	764	+/-123
Householder 55 to 59 years	364	+/-117
Householder 60 to 64 years	330	+/-89
Householder 65 to 74 years	344	+/-96
Householder 75 to 84 years	147	+/-64
Householder 85 years and over	88	+/-41
Renter occupied:	3,505	+/-286
Householder 15 to 24 years	304	+/-108
Householder 25 to 34 years	1,233	+/-192
Householder 35 to 44 years	677	+/-167
Householder 45 to 54 years	495	+/-129
Householder 55 to 59 years	337	+/-101
Householder 60 to 64 years	152	+/-67
Householder 65 to 74 years	205	+/-82
Householder 75 to 84 years	87	+/-48
Householder 85 years and over	15	+/-17

Figure 2: 2011-2015 ACS Tenure By Age of Householder

Based 2011 - 2015 American Community Survey 66.78% of individuals 65 and older pay 30% or more of income toward rent. While the survey does estimate income/rent ratio for age 60-64, for the purpose of this estimate we assume the same 67% of the estimated 152 individuals.

	Hyattsville city, Maryland	
	Estimate	Margin of Error
Total:	3,505	+/-286
Householder 15 to 24 years:	304	+/-108
Less than 20.0 percent	28	+/-33
20.0 to 24.9 percent	53	+/-47
25.0 to 29.9 percent	69	+/-59
30.0 to 34.9 percent	14	+/-22
35.0 percent or more	116	+/-77
Not computed	24	+/-22
Householder 25 to 34 years:	1,233	+/-192
Less than 20.0 percent	366	+/-135
20.0 to 24.9 percent	123	+/-62
25.0 to 29.9 percent	254	+/-87
30.0 to 34.9 percent	207	+/-81
35.0 percent or more	262	+/-97
Not computed	21	+/-19
Householder 35 to 64 years:	1,661	+/-238
Less than 20.0 percent	425	+/-133
20.0 to 24.9 percent	339	+/-116
25.0 to 29.9 percent	265	+/-116
30.0 to 34.9 percent	102	+/-57
35.0 percent or more	446	+/-128
Not computed	84	+/-63
Householder 65 years and over:	307	+/-89
Less than 20.0 percent	26	+/-23
20.0 to 24.9 percent	34	+/-30
25.0 to 29.9 percent	16	+/-17
30.0 to 34.9 percent	60	+/-45
35.0 percent or more	145	+/-84
Not computed	26	+/-41

Figure 3: 2011-2015 ACS Age of Householder by Selected Monthly Owner Cost As A Percentage of Household Income In the Past 12 Months

This provides at total of about 306 seniors contributing 30% or more toward monthly rent.

- Age 18-24 enrolled at 6 hours at accredited college or university. Full-time employment. Independent status.

In addition to identifying the disproportion number of seniors paying significant portions of income toward rent, Figure 3 also indicates that about 43% of Hyattsville tenants age 15 to 24 encounter the same cost burden. This number stands out not only because it demonstrates that the City's youngest residents are the second most impacted group by rent cost, but also because the percentage is far lower than regional numbers (68% in DC and 52% in Prince George's County). While this number has remained relatively high regionally, in Hyattsville this number has remained less consistent. Moving drastically from 100% in 2009 and 2010 to 0 in 2011 and jumping between 36% and 43% during 2012 - 2015.

	District of Columbia		Maryland		Prince George's County, Maryland		Hyattsville city, Maryland	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Total:	112,750	+/-1,534	1,447,662	+/-7,892	189,462	+/-1,791	2,848	+/-225
Householder 15 to 24 years:	333	+/-105	7,619	+/-587	723	+/-149	53	+/-39
Less than 20.0 percent	68	+/-36	2,214	+/-300	118	+/-58	7	+/-11
20.0 to 24.9 percent	7	+/-10	1,208	+/-254	99	+/-62	15	+/-24
25.0 to 29.9 percent	23	+/-29	790	+/-220	81	+/-51	5	+/-8
30.0 to 34.9 percent	5	+/-8	771	+/-186	37	+/-29	0	+/-19
35.0 percent or more	220	+/-100	2,428	+/-338	341	+/-103	22	+/-34
Not computed	10	+/-16	208	+/-101	47	+/-31	4	+/-5
Householder 25 to 34 years:	13,852	+/-703	127,702	+/-2,293	14,768	+/-677	296	+/-92
Less than 20.0 percent	6,396	+/-543	46,815	+/-1,305	4,816	+/-445	101	+/-47
20.0 to 24.9 percent	2,269	+/-257	25,771	+/-1,057	2,347	+/-307	36	+/-32
25.0 to 29.9 percent	1,808	+/-242	18,078	+/-874	2,152	+/-323	21	+/-26
30.0 to 34.9 percent	1,115	+/-214	12,044	+/-722	1,696	+/-245	56	+/-52
35.0 percent or more	2,178	+/-349	24,378	+/-1,123	3,674	+/-390	82	+/-47
Not computed	86	+/-53	616	+/-183	83	+/-61	0	+/-19
Householder 35 to 64 years:	67,614	+/-1,198	935,362	+/-5,714	128,835	+/-1,474	1,920	+/-171
Less than 20.0 percent	33,333	+/-1,033	436,796	+/-4,109	49,043	+/-1,369	783	+/-125
20.0 to 24.9 percent	9,785	+/-654	143,122	+/-2,302	20,036	+/-816	362	+/-94
25.0 to 29.9 percent	7,167	+/-495	98,828	+/-2,205	14,599	+/-733	147	+/-62
30.0 to 34.9 percent	4,282	+/-347	67,048	+/-1,742	12,438	+/-677	216	+/-97
35.0 percent or more	12,563	+/-886	184,114	+/-2,981	32,273	+/-1,006	412	+/-108
Not computed	484	+/-165	5,454	+/-572	446	+/-112	0	+/-19
Householder 65 years and over:	30,951	+/-684	376,979	+/-3,003	45,136	+/-853	579	+/-91
Less than 20.0 percent	17,027	+/-513	194,499	+/-2,139	20,341	+/-673	223	+/-69
20.0 to 24.9 percent	2,815	+/-311	37,437	+/-1,073	4,530	+/-294	61	+/-42
25.0 to 29.9 percent	1,979	+/-268	30,230	+/-1,046	4,079	+/-349	123	+/-60
30.0 to 34.9 percent	1,479	+/-181	22,281	+/-834	2,961	+/-279	20	+/-21
35.0 percent or more	7,381	+/-413	90,429	+/-1,854	12,938	+/-666	145	+/-54
Not computed	270	+/-78	2,103	+/-289	287	+/-72	7	+/-12

Figure 4: 2011-2015 ACS Age of Householder by Selected Monthly Owner Cost As A Percentage of Household Income In the Past 12 Months (Including Prince George's County, DC & Maryland)

Figure 5 provides some possible insight into the sporadic shifts in number of younger residents paying high percentage of income toward rent. The table indicates that this same group is also the most mobile population within the City. Thus it is reasonable to conclude that historical rent-to-income trends (either up or down) do not necessarily indicate progress in combating the burden of high rent costs, but rather younger residents are more likely to move to areas within the County with greater ability to accommodate. Moreover, the regional numbers indicate **younger (under 25) and older (65 or older) householders experience similar rates of housing burden to each other**.

According to the 2011-2015 ACS 54% Hyattsville residents age 18-24 are enrolled as students (1088 of and estimated 2022).

Population 18 to 19 years	503	+/-138	(X)	(X)	(X)
18 and 19 year olds enrolled in school	331	+/-107	65.8%	+/-15.1	289
Population 20 to 24 years	1,519	+/-347	(X)	(X)	(X)
20 to 24 year olds enrolled in school	757	+/-276	49.8%	+/-11.0	656

Figure 5: 2011-2015 ACS SCHOOL ENROLLMENT (Hyattsville)

The share of students experiencing significant financial need while in school has grown in recent years. Analysis by the Institute for Women's Policy Research (IWPR) finds that in just five years between 2008 and 2012, the proportion of college students who had low-incomes rose dramatically, from 40 percent of undergraduate students with incomes under 200 percent of the Federal Poverty Level (FPL), in 2008, to 51 percent in 2012. The proportion of students under 100 percent of the FPL also increased from 20 percent to 30 percent of students during that time. In 2012, 17 percent of college students had incomes below 50 percent of the FPL. The growing share of students in poverty suggests that access to public benefits and supports must be improved to help low-income students afford college and make ends meet.

Low-income students are more likely to be financially independent than their higher-income peers. Two-thirds of low-income students (with incomes between zero and 200 percent of the poverty level), and 41.8 percent of students with incomes between 200 and 500 percent of poverty are financially independent.
According the a 2013 College Board Study of Trends in Student Aid, virtually all independent Pell Grant recipients without dependents have family incomes under $30,000. Among independent recipients with dependents, 25% have incomes exceeding $30,000.

Given these statistics, the best estimate of the number individuals 18-24 enrolled in college as financially independent would be similar to the total number of undergraduate students with incomes below the poverty level. Bases on 2011-2015 ACS data, this number is estimated at 149, roughly 14% of the estimated student population of the City of Hyattsville.

	Prince George's County, Maryland	Hyattsville city, Maryland	
	Margin of Error	Estimate	Margin of Error
Total:	+/-1,545	17,156	+/-356
Income in the past 12 months below the poverty level:	+/-2,983	1,855	+/-410
Enrolled in school:	+/-1,692	584	+/-201
Enrolled in nursery school, preschool	+/-284	13	+/-22
Enrolled in kindergarten	+/-352	39	+/-44
Enrolled in grade 1 to grade 4	+/-541	104	+/-72
Enrolled in grade 5 to grade 8	+/-554	66	+/-57
Enrolled in grade 9 to grade 12	+/-610	110	+/-75
Enrolled in college undergraduate years	+/-848	149	+/-71
Enrolled in graduate or professional school	+/-420	103	+/-61
Not enrolled in school	+/-1,890	1,271	+/-329
Income in the past 12 months at or above the poverty level:	+/-3,020	15,301	+/-565
Enrolled in school:	+/-2,129	4,190	+/-438
Enrolled in nursery school, preschool	+/-703	221	+/-94
Enrolled in kindergarten	+/-738	279	+/-102
Enrolled in grade 1 to grade 4	+/-1,161	695	+/-146
Enrolled in grade 5 to grade 8	+/-1,180	733	+/-183
Enrolled in grade 9 to grade 12	+/-895	621	+/-173
Enrolled in college undergraduate years	+/-1,392	967	+/-225
Enrolled in graduate or professional school	+/-825	674	+/-151
Not enrolled in school	+/-2,282	11,111	+/-488

Figure 6: 2011-2015 ACS POVERTY STATUS IN THE PAST 12 MONTHS BY SCHOOL ENROLLMENT BY LEVEL OF SCHOOL FOR THE POPULATION 3 YEARS AND OVER

- Disabled and receiving federal Supplemental Security Income (SSI).

Based on the 2011-2015 ACS roughly 10% of the population of the City of Hyattsville has a federally recognized disability.

Based on the Social Security Administration's Fast Facts & Figures About Social Security 2016 a 54% of the individuals receiving SSI benefits have no other income sources. Of the remaining 46%, 33% receive Social Security payments, 10% receive other unearned income, and on 3.2% are able to earn a limited wage.

Within the context of Hyattsville rent rates, given that according to the Social Security Administration the monthly SSI payment for 2017 is $735.00, nearly half the $1,181.00 2015 median contract rent for the City of Hyattsville. Given that

SSI payments are sole income source for most SSI recipients, disabled residents of Hyattsville are nearly priced out of the Hyattsville rental market by income limitations or well above the recommended 30% rent-to-income threshold recommended by HUD.

While rental cost for disabled residents is a concern that requires the attention of the Hyattsville City Council, this legislation is proposed to address the rate of increase for individuals able to rent. To the estimate this number, given that that the 2017 annually SSI contribution is [] and the poverty amount is []

Because of their limited incomes and the high cost of housing, many people with disabilities have become chronically homeless. HUD defines a chronically homeless individual as a homeless person with a disabling condition (such as a substance-use disorder, serious mental illness, developmental disability, post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability), who has been either continuously homeless for a year or more or has had at least four episodes of homelessness in the previous three years.

Estimate of Population Impacted:

55% of population are renters: 3505

11% of renters house holds are non-elderly disabled: 386 (HUD 2009)

66% of non-elderly disabled rental households have very low-income: 254 (HUD 2009)

63% of very low income rental house holds do not receive assistance: 160

- US Military Veteran

Compared to metrics on the overall Hyattsville population, Hyattsville military veterans out perform the general population in the areas of education, median earnings, and employment status. Despite this appearance of financial and social security, the poverty rate amongst Hyattsville military veterans remains on par with the general Hyattsville population.

%15 of veterans below the poverty level are homeless.

Virtually all homeless persons can be assumed to have income under the poverty guidelines, and the vast majority of persons at risk for becoming homeless live in poverty. Accounting for poverty status is particularly important in a study of homelessness among Veterans because Veterans are substantially underrepresented among the poverty population when compared to the general population.

31 Veterans

1.4. <u>Individual Financial Qualifications</u>

- Annual household income is at or less than the median income for the City of Hyattsville
- Contract Rent (excluding utilities) accounts for 30% or more of annual gross household income

1.5. <u>Estimated Financial Impact</u>

Program financial estimates review impacts on Hyattsville budget, tenants, and landlords.

1.5.1. <u>Hyattsville Budget Impact</u>

Maryland SDAT uses the following formula to determine rental property assessment values:

Value = SUM(number of units * monthly rent) * 12 * (1- vacancy rate) * (1- expenses rate) / (base rate + effective tax rate)

Detailed formula permutations, variable definitions, and foregone revenue estimates are included as an attachment. The formula uses rent value to determine assessment value, therefore controlling the rate of increase potentially places limitations on revenue growth, this is considered potential foregone revenue. The attached estimate is a worse case scenario assuming at all qualified tenants use the program (living in a 2 bedroom apartment), and market rental rates increase uninterrupted each year.

1.5.2. Tenant Impact

Detailed tenant impact estimate attached.

1.5.3. Owner Impact

Detailed landlord impact estimate attached.

1.6. Hyattsville Rent Stabilization Charter and Code Updates:

1.6.1. Update Chapter 96 of the Hyattsville Code to establish Hyattsville Rent Stabilization Commission

- Empowers Commission to Collects and reviews all leases long term leases
- Reviews Tenant applications for Rent Stabilization Program
- Resolves Landlord-Tenant Conflicts
- Review Landlord Rent Stabilization Exemption Request
- Publish Annual Rental Increase Rate
- Publish Annual Hyattsville Median Income, and Median Rent Rates
- Respond to tenants complaints
- Provide bi-annual report to Hyattsville City Council on status Rent Stabilization Program
- Advise Hyattsville Council on Affordable Housing solutions
- Should board positions be paid? (paid around the amount for election judges)
- Board appointments? ()

1.6.2. Update Chapter 96 of the Hyattsville Code to include the following rent stabilization measures:

- Empower the Hyattsville Rent Stabilization Commission to set the maximum amount a landlord can increase a tenant's rent during any twelve month period to a percentage of the annual increase in the Consumer Price Index for the Washington/Baltimore region.
- allow a landlord to apply for an additional rent increase, above that permitted by the rent stabilization allowance, in situations where the net operating income generated by the rental facility has not been maintained due to escalating operating expenses.
- ensure landlords have a right to a fair return on their rental property and may petition the Commission on Landlord and Tenant Affairs for a rent increase above the annual rent increase allowance to ensure the maintenance of a fair net operating income. A fair return rent increase is intended to protect tenants from unwarranted rent increases, while allowing rent levels that provide landlords with a fair return.
- The ordinance shall apply to all individual condominium units and multi-family rental facilities.
- The ordinance will NOT apply to single family houses, accessory apartments, and duplexes when one of the units is occupied by the owner as their primary residence.
- Landlords shall be required to submit an annual accounting of the rents and fees charged to their tenants and any rent increases that may have been imposed during the twelve month period
- Landlords with tenants receiving rental assistance (i.e. Section 8 Housing Choice Voucher program) and those who provide affordable housing to low and moderate income households under contract with a governmental agency such as the State of Maryland may apply to the City for an exemption from rent stabilization.
- Newly constructed multi-family rental facilities are also eligible for an exemption.

2. Short Term Rental Agreements

Establishes a regulatory framework for "short term rental agreements" including licensure, taxation, building codes, and anti-discrimination provisions. Specific requirements are established for both an owner that offers short-term rental through a hosting platform and for a hosting platform operator that facilitates reservations and collects payments for the rental of a short-term rental.

2.1. Definitions

"Short-term rental unit" extends the City of Hyattsville definition of "Dwelling Unit" and "Rental Dwelling Unit" (provided in Chapter 96 of the Hyattsville Charter and Code) to include any single-family house or dwelling, multifamily house or dwelling, condominium, or cooperative, or any portion of the unit by an owner to provide accommodations to transient guests for sleeping or lodging purposes in exchange for a charge or fee imposed in a booking transaction.

"Short-term rental agreement" extends the City of Hyattsville definition of "Lease" (provided in Chapter 96 of the Hyattsville Charter and Code) to include properties defined as short-term rental units.

"Hosting platform" means an Internet-based digital entity that facilitates reservations and collects payments for booking transactions for rental of a short-term rental unit. A hosting platform operator is a person that owns or operates a hosting platform.

2.2. Market Analysis

48% of homeowners with vacation and investment properties plan to rent these homes to others. From 2004 to 2015 the average age of the vacation home owner dropped from 55 to 43 – an average drop of about one year for every passing year. In addition, recent reports of Millennials choosing to rent their primary residences in urban locals and purchasing, instead, vacation homes as an investment are changing the way real estate is considered. As evidence of these trends, HomeAway, a leading vacation rental booking platform, reported 89 percent of newly purchased vacation homes will be rented out within their first year.

Airbnb has reported substantial growth within the last five years. Summer travel through their site has grown 353 times over and last summer nearly 17 million guests stayed in an Airbnb rental. Future growth estimates expect Airbnb's room nights to increase from 79 million this year to around 500 million within the next five years, according to a survey from Cowen Group Inc.

This optimistic growth stems from the fact that only 11% of American adults have stayed in a short term rental. With only 35 percent of adults having heard of such services like Airbnb, HomeAway, and VRBO, there's still a lot of room for growth.

General Market Summary Provided by:
http://blog.pillowhomes.com/the-basics-of-the-short-term-rental-industry-for-hosts-and-guests/

Detailed Hyattsville Market Report Provided by AirDNA, LLC attached.

2.3. Requirements for Landlords:

An Owner may not use a hosting platform to offer a short-term rental agreement to the public unless the Owner meets the following requirements. A Owner that owns, operates, or manages a short-term rental unit must:

- be licensed by the City of Hyattsville Department of Code Compliance;
- display the registration number issued by the City of Hyattsville with the license in any advertisement related to the availability of a short-term rental unit that is posted or exhibited to the public on a hosting platform;
- ensure that the use of the short-term rental unit for short-term rental is in accordance with the applicable laws of the local jurisdiction in which the short-term rental unit is located; and
- provide to the hosting platform operator, at least annually, a written attestation stating that the owner has not received a notice from the City of Hyattsville that the use of the short-term rental unit for short-term rental agreements is in violation of any laws or ordinances of the City of Hyattsville.
- *Record keeping:* For each booking transaction for a short-term rental unit, an owner must keep a record of specified information related to the transaction, including the amount paid for the transaction, the amount of sales and use tax collected from the transaction and remitted to the City of Hyattsville. The records must be maintained for four years or until the date the tax related to the booking transaction is remitted to the City of Hyattsville, whichever is later. The records must be made available during the course of any enforcement action defined herein or in the Charter and Code of the City of Hyattsville.
- *Penalties:* After determining that an owner is in violation of these requirements, the City of Hyattsville Department of Code Compliance may (1) order the owner to cease and desist from using a hosting platform to offer a short-term rental unit to the public until the owner complies with the requirements and (2) issue a civil citation and impose a penalty of a $500 fine for a first violation, $1,000 for a second violation, and $2,500 for a third or subsequent violation. Each booking transaction that violates licensing requirements is a separate violation, but multiple violations of record keeping requirements for a single booking transaction are a single violation.

2.4.Requirements for Hosting Platforms

A hosting platform operator may not participate in or facilitate a booking transaction unless the hosting platform meets the following requirements. A hosting platform operator that participates in or facilitates booking transactions of a short-term rental unit must:

- be licensed by the City of Hyattsville; and
- be registered in good standing with the State Department of Assessments and Taxation (SDAT) to do business in the State.
- collect any taxes on short-term rental agreements set by the Hyattsville City Council (recommended at 4%).
- *Record keeping:* A hosting operator is required to keep similar transaction records for each booking transaction to those of an owner. The records must be maintained and may be inspected in the same manner as owner records.
- A hosting platform operator may not participate in or facilitate a booking transaction for a short-term rental unit on behalf of an owner if:
    - the owner is not licensed by the City of Hyattsville Department of Code; or
    - the owner has not provided to the hosting platform, within the last 12 months, any require written attestation; or
- *Penalties:* After determining that a hosting platform is in violation the above requirements, the City of Hyattsville Department of Code Compliance may issue a civil citation and impose a penalty of a $2,500 fine for a first violation, $5,000 for a second violation, and $7,500 for a third or subsequent violation. Each day that a hosting platform operator operates without being licensed and registered under the bill is a separate violation. Each booking transaction in violation of the other above requirements is a separate violation.
- A hosting platform operator that receives a civil citation that is not related to record keeping is prohibited from operating and/or facilitating or participating in a booking transaction until the entity that issued the civil citation determines that the hosting platform operator and/or the innkeeper are no longer in violation.

2.5.Additional Short-Term Rental Agreement Charter & Code Updates

- Empowers City of Hyattsville to levy a tax on short-term rental units.

- *Sprinkler Systems:* Under current Maryland State law, since 1990, a sprinkler system must be installed in each newly constructed dormitory, hotel, lodging, or multifamily residential dwelling. The requirement has been in place since 1992 for a newly constructed townhouse. “Lodging” means a building (1) in which separate sleeping rooms are rented and (2) that provides sleeping accommodations for 16 or fewer individuals on either a transient or permanent basis and with or without meals, but without individual cooking facilities. It includes an inn, club, and bed and breakfast establishment. Under this ordinance the State’s definition of, “lodging” also includes a the City’s definition of short-term rental unit, thereby making the sprinkler requirement apply to newly constructed units.

- *Nondiscrimination:* Under current Maryland State law, a “place of public accommodation” means, among other things, an inn, hotel, motel, or other establishment that provides lodging to transient guests. Generally, an owner or operator of a place of public accommodation or an agent or employee of the owner or operator may not refuse, withhold from, or deny to any person any of the accommodations, advantages, facilities, or privileges of the place of public accommodation because of the person’s race, sex, age, color, creed, national origin, marital status, sexual orientation, gender identity, or disability. This prohibition does not apply to an establishment that provides lodging to transient guests located within a building that contains up to five rooms for rent or hire and is also occupied by the proprietor of the establishment as the proprietor’s residence. Under this ordinance the State’s definition of, “place of public accommodation” will also include the City’s definition of short-term rental unit, making the above general prohibition against discrimination apply. However, the existing exception continues to apply, provided that the establishment with five or fewer rooms that is also owner-occupied has not been listed or advertised to the general public on a hosting platform.

3. Affordable Housing Fund

The treasurer of the City of Hyattsville shall be authorized to establish an Affordable Housing Fund. The treasurer shall be authorized to transfer either a percentage of (up to 100%) revenue collected from short-term rental agreement taxes, licensing, or violation fee in the Affordable Housing Fund. The Affordable Housing Fund shall be available for funding future affordable housing projects in the City of Hyattsville or offsetting foregone revenue as a result of Rent Stabilization measures.

4. Leasing Standards and Tenant Protections

Update Chapter 96 of the Hyattsville Code to include following renter protection:

- provides tenants with the right to purchase the rental facility where they live in the event is it is placed on the market for sale.

Update Chapter 96 of the Hyattsville Code to include the following lease requirements:

- must be offered for an initial term of at least one year, to be accepted at the option of the tenants unless reasonable cause exists for offering another lease term.
- must also include a provision stating the landlord's responsibility to offer in writing, two months prior to the end of the lease, a renewal of the initial one year lease, unless the landlord or the tenant terminates the lease in accordance with a proper written notice to vacate.
- must acknowledge the landlord's responsibility to maintain the rental facility in accordance with the City's Property Maintenance Code.
- must have a provision requiring written receipts for all cash or money orders paid in person. Tenants who want a receipt for payments paid by mail should include a self-addressed stamped envelope with their payments.
- must have a provision requiring that all security deposits be handled according to State law.
- must permit the tenant to terminate the lease with at least one-month's written notice to the landlord prior to the rent due date due to an involuntary change of employment which requires the tenant to re-locate outside of the Washington D.C. area, death of a major wage earner, unemployment, or for any other reasonable cause beyond the tenant's control.
- must identify all rent due and owing through the lease termination date must be paid by the tenant.
- must inform the tenant of the City of Hyattsville Rental Stabilization law if the rental facility is subject to rent stabilization.
- must stipulate that the rent may be increased only once in a 12 month period and the tenant must receive a two month written notice prior to the rent due date.
- must inform that the transfer of utility costs to the tenant without implementing a corresponding reduction in the rent is unlawful.
- must stipulate Entry and Notice to Vacate requirements and Air Conditioning limitations.
- must have a provision entitling the tenant to unimpaired use and enjoyment of the premises.
- shall not authorize the landlord to take possession of the rental unit or the tenant's personal property without a judicial order from the court.
- shall not charge a total late fee of more than 5% of the monthly rent or allow for late fees to be charged for rental payments received within ten days of the rent due date.
- shall not waive the landlord's liability for damages resulting from the landlord's negligence or violation of an applicable law.
- shall not fail to comply with state, county and city ordinances or regulations pertaining to lead paint requirements, window air conditioners and monthly fee limitations, or contains any provision that is not authorized by the City Hyattsville Chapter 96.
- shall not require a tenant to give more than a one-month written notice of their intent to vacate the rental unit.
- shall not require a tenant to cover court filing fees for eviction proceedings
- Except as otherwise specifically provided by this chapter, no rental agreement may provide that the landlord or tenant:
    - Agrees to waive or forego rights, remedies or obligations provided under this chapter;
    - Authorizes any person to confess judgment on a claim arising out of the rental agreement;
    - Agrees to the limitation of any liability of the landlord or tenant arising under law;
    - Agrees to waive any written termination of tenancy notice or manner of service thereof provided under state law or this chapter;
    - Agrees to waive the right of any party to a trial by jury;
    - Agrees that in the event of a lawsuit arising out of the tenancy the tenant will pay the landlord's attorney's fees except as provided for by court rules, statute, or ordinance;
    - Agrees that, if a tenant pays rent before a specified date or within a specified time period in the month, the tenant shall receive a discount or reduction in the rental amount
- A provision prohibited by this section included in a rental agreement is unenforceable. The tenant may recover actual damages sustained by the tenant because of the enforcement of a prohibited provision. If the landlord attempts to enforce a provision in a rental agreement prohibited by this section the tenant may recover two months' rent.
- It is declared to be against public policy of the City of Hyattsville for a landlord to take retaliatory action against a tenant, except for violation of a rental agreement or violation of a law or ordinance. A landlord may not knowingly terminate a tenancy, increase rent, decrease services, bring or threaten to bring a lawsuit against a tenant for possession or refuse to renew a lease or tenancy because the tenant has in good faith:
    - Complained of code violations applicable to the premises to a competent governmental agency, elected representative or public official charged with responsibility for enforcement of a building, housing, health or similar code; or
    - Complained of a building, housing, health or similar code violation or an illegal landlord practice to a community organization or the news media; or
    - Sought the assistance of a community organization or the news media to remedy a code violation or illegal landlord practice; or

- Requested the landlord to make repairs to the premises as required by a building code, health ordinance, other regulation, or the residential rental agreement; or
- Becomes a member of a tenant's union or similar organization; or
- Testified in any court or administrative proceeding concerning the condition of the premises; or
- Exercised any right or remedy provided by law.

- If the landlord acts in violation of this section, the tenant has a defense in any retaliatory action against him for possession and is entitled to the following remedies: he shall recover possession or terminate the rental agreement and, in either case, recover an amount equal to and not more than two months' rent or twice the damages sustained by him, whichever is greater, and reasonable attorneys' fees. If the rental agreement is terminated, the landlord shall return all security and interest recoverable, and all prepaid rent. In an action by or against the tenant, if there is evidence of tenant conduct protected herein within one year prior to the alleged act of retaliation, that evidence shall create a rebuttable presumption that the landlord's conduct was retaliatory. The presumption shall not arise if the protected tenant activity was initiated after the alleged act of retaliation.

Thank you,

Joseph A. Solomon, Jr.
Hyattsville City Council, Ward 5

Rent Stabilization Foregone Tax Assessment Revenue Estimate

Estimated Residents Impacted	646
Estimated Seniors Impacted	306
Estimated College Students	149
Estimated Disabled Impacted	160
Estimated Veterans Impacted	31

Assessment Formula Values		
Adoption Rate	0.02	Annual Growth Rate
Base Rental Rate	1342	Median 2BR Rate
Annual CPI Increase	0.01	PERT Distribution over 5yr Rates
Annual Market Rate Increase	0.048	PERT Distribution over 5yr Rates
Unstabilized Vacancy Rate	0.049	ACS Hyattsville
Stabilized Vacancy Rate	0.029	SDAT 2% Adjustment
Expense Rate	0.6	Market Index
Effective Tax Rate	0.0063	Hyattsville Personal Property Tax Rate
Base Rate	9	SDAT Base Rate (Inflation Index)

	Year 1 Impact	**Year 2 Impact**	**Year 3 Impact**	**Year 4 Impact**	**Year 5 Impact**
Number of Units	659	673	687	701	716
CPI Rent	1356	1370	1384	1398	1412
Market Rent	1407	1475	1546	1621	1699
Unstabilized Assessment Value	469954	503133	538322	575939	616570
Stabilized Assessment Value	462445	477145	492048	507154	523193
Foregone Hyattsville Revenue (Does not Include State and County Losses)	7509	25988	46274	68785	93377
Annual Budget Impact	7509	18479	20286	22511	24592
Annual Tenant Rent Impact	403308	847980	1335528	1875876	2465904
Annual Landlord Value Added	214465	221283	228194	235200	242639

*** Stabilized Assessment Value**						
*** Unstabilized Assessment Value**						

113

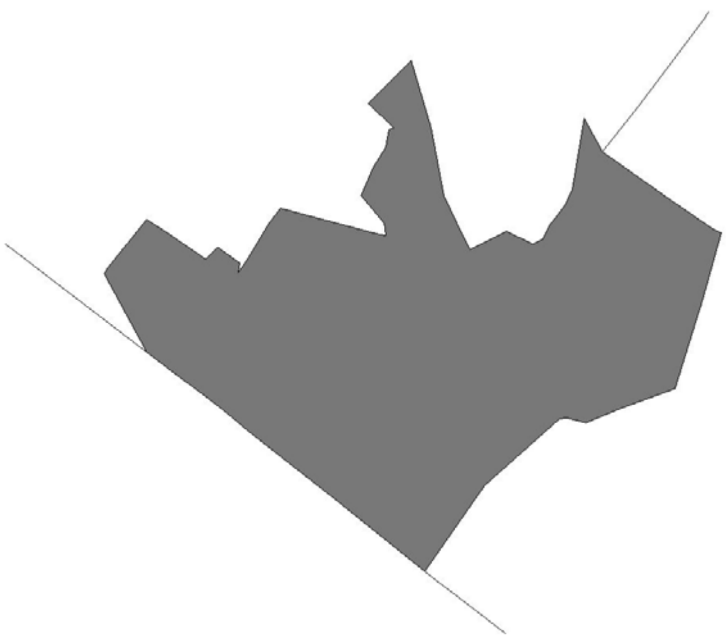
Short Term Rental Revenue Estimate

Estimated Number of Units	177	
Estimated Number of Rooms Per Unit	1.5	
Median Room Rate	40	
Adoption Rate	0.02	
Applicable Tax Rate	0.04	
Vacancy Rate	0.75	Available rooms will be occupied 25% of operational days
Inspections Per Year	3	
Inspection Fee	100	
License Fee	25	
Average Operational Days	210	

	Year 1 Impact	**Year 2 Impact**	**Year 3 Impact**	**Year 4 Impact**	**Year 4 Impact**
Number of Units	181	185	189	193	197
Number of Rooms	272	278	284	290	296
Estimate Tax Income	22848	23352	23856	24360	24864
Estimated Inspection Income	54300	55500	56700	57900	59100
Estimated License Income	4525	4625	4725	4825	4925
Total Revenue	**81673**	**83477**	**85281**	**87085**	**88889**

Takoma Park, MD Rent Stabilization Policy Analysis

January 2005



Written and Developed by:
Jacqueline Rogers, Senior Fellow
Richard Nelson, Senior Fellow
Jonathan Martin, Research Assistant
Todd Nedwick, Research Assistant

University of Maryland, School of Public Policy
Van Munching Hall
College Park, MD 20742

Introduction

Takoma Park is the only jurisdiction in Maryland that imposes rent control on rental properties. Rent control in Takoma Park is governed by Takoma Park's Rent Stabilization Law, which has been in effect since 1980. All landlords owning two or more rental units in Takoma Park are subject to rent stabilization. The Rent Stabilization Law sets annual percentage guidelines for increases in rents. The Rent Stabilization Allowance is the percentage that a rent may be increased on a yearly basis, which is set as 70% of the Consumer Price Index.[1] The rent on an occupied unit may be increased only once a year up to the Rent Stabilization Allowance in effect. The Allowable Rent is the highest rent that can be charged for a vacant unit, which includes any rent stabilization allowances and capital improvement petition increases. A landlord can increase the rent upon vacancy of a unit up to the highest Allowable Rent, only if the previous tenant voluntarily vacated the rental unit or breached the lease.

The City of Takoma Park is located in Montgomery County, Maryland. It has a population of around 17,000 and about 3,800 renter-occupied housing units out of a total of 7187 units.

This study provides preliminary analysis of Takoma Park's rent stabilization policy. It is divided into seven sections, including:

1. **COMPARATIVE ANALYSIS OF RENT LEVELS**
2. **TENANT RENT-INCOME LEVEL SURVEY RESULTS**
3. **TENANT RENT-INCOME LEVEL CENSUS DATA ANALYSIS**
4. **FISCAL IMPLICATIONS OF RENT CONTROL IN TAKOMA PARK FOR THE STATE, COUNTY AND CITY GOVERNMENTS**
5. **COMPARISON OF RENT CONTROL ORDINANCES**
6. **RENT CONTROL LITERATURE REVIEW**
7. **ANALYSIS OF MULTI-FAMILY HOUSING ASSESSED PROPERTY VALUE**

The purpose of this research was to collect data about various aspects of Takoma Park's rent stabilization program in order to help inform the ongoing debate around the effectiveness of the policy. As a result, the intention of this study was not to offer specific recommendations for changes to the policy.

SUMMARY OF FINDINGS

The following are some of the key findings that resulted from this research:

- **Takoma Park's rent stabilization program appears to have suppressed rents below market levels.** The current median monthly rent levels under the Takoma Park rent stabilization policy are $707 for an efficiency, $853 for a

[1] The Rent Stabilization Allowance is 1.8% from July 1, 2003 to June 30, 2004.

one-bedroom apartment, and $1035 for a two-bedroom apartment. In comparison, the Montgomery County median fair market rent levels are $1026 for an efficiency, $1212 for a one-bedroom apartment, and $1401 for a two-bedroom apartment. Furthermore, the allowable rent range for a Takoma Park efficiency is $677-$780, well below the Montgomery County median fair market rent level for an efficiency.

- **Rents in Takoma Park fall below the level permitted under alternative affordable housing programs**. The median level for Takoma Park apartments is less than rent levels under the Montgomery County Moderately Priced Dwelling Unit (MPDU) program and the Section 8 payment standard, regardless of unit size.

- **Many Takoma Park renters experience a lower rent-to-income ratio when compared to renters throughout the state and country.** An examination of Census data on the rent and income levels of Takoma Park renters demonstrates that a larger percentage of Takoma Park households experience a gross rent-to-income ratio less than 30% as compared to Montgomery County, Maryland and US renter households.

- **Collectively, the Takoma Park, Montgomery County, and the State of Maryland governments could be losing $795,000 annually in foregone taxes as a result of the policy.** This is due to the fact that rent control artificially constrains the rental income to property owners, thus reducing the appraised value of the properties.

- **The assessed value of Takoma Park's multi-family housing as a percentage of the city's total assessed value has declined from 11.6 percent in 2000 to 8.5 percent in 2004.**

- **The number of rental units available in Takoma Park has declined by 14 percent since 1990.** Takoma Park has lost approximately 560 rental units between 1990 and 2004.

- **Takoma Park's rent control policy appears more restrictive than most rent control ordinances in other jurisdictions when specific policy features are compared.** A "stringent" rent control ordinance generally severely limits the landlords' ability to raise rents, thereby, strictly limiting profit potential. In turn, by significantly restricting the owners' return on their investments, a substantial disincentive for the production of new housing or reinvestment in existing housing is created.

For more information about this report please contact Todd Nedwick at tnedwick@umd.edu or Jonathan Martin at jdmartin@umd.edu.

1. Comparative Analysis of Rent Levels

Takoma Park's rent stabilization policy appears to suppress rent levels well-below market value. This is an important observation when evaluating the effects of a rent control policy. As explained by Anthony Downs in a ***Reevaluation of Rent Controls***, rent control ordinances vary in their effect on rent levels depending on specific policy characteristics.[2] A moderate or "temperate" rent control ordinance may not have much of an effect on rent levels but will act to protect renters from facing sharp and substantial rent increases.

COMPARISON OF HOUSING VOUCHER RECIPIENT POPULATIONS AMONG MONTGOMERY COUNTY ZIP CODES

The lower rent levels have resulted in a high concentration of housing voucher recipients residing in Takoma Park. Table 1-A below compares the proportion of Montgomery County voucher holders living in Takoma Park with the city's proportion of the total county population. Out of the approximately 5,600 housing voucher holders residing in Montgomery County, 2.9 percent reside in Takoma Park. In comparison, Takoma Park's general population equals approximately 2.0 percent of Montgomery County's general population.

The table also includes data on other county zip codes that contain a high concentration of housing voucher holders. The general geographic area associated with the zip code is in parentheses. Takoma Park's zip code is one of 11 zip codes in the county, out of approximately 40 or so zip codes, where the proportion of voucher holders exceeds the zip code's proportion of the county's general population. The 10 other zip codes are listed in the table.

Table 1-A
Comparison of Housing Voucher Holders as a Percentage of Population

Zip Code	*% of voucher holders residing in the zip code*	*% of county population*	*% of county renter-occupied units*
Takoma Park	2.9%	2.0%	3.7%
20866 (Burtonsville)	2.1	1.3	.9
20874 (Germantown- West)	8.4	5.6	5.6
20876 (Germantown- East)	2.8	2.5	2.1
20877 (Gaithersburg)	6.9	3.4	5.9
20879 (Gaithersburg)	5.4	2.5	1.7
20902 (Wheaton)	6.5	4.9	4.8
20903 (Silver Spring)	5.2	2.6	3.9
20904 (Silver Spring)	13.0	5.6	7.9
20906 (Silver Spring)	14.9	7.0	7.4
20910 (Silver Spring)	6.7	4.1	10.3

SOURCES: Count of voucher holders provided by the HOC of Montgomery County; Population and renter-occupied counts from 2000 Decennial Census

[2] Downs, Anthony. *A Reevaluation of Rent Controls*. The Urban Land Institute: Washington, D.C., 1996.

COMPARISON OF RENT LEVELS AMONG ALTERNATIVE AFFORDABLE HOUSING MODELS

Takoma Park's rent control policy has suppressed rent levels to the point where they are below the level permitted under alternative affordable housing programs. Table 1-B below compares the rent of alternative affordable housing models in the area. Both the allowable Takoma Park rent range and the median rent are compared to the Montgomery County Moderately Priced Dwelling Unit (MPDU) program, Section 8 vouchers, and the University of Maryland Graduate Student Housing. The table highlights a high-end property in Bethesda, a property in Silver Spring, and rents for Garden Apartments under the MPDU program, the allowable rent under Section 8 vouchers, and Graduate Student Housing. University of Maryland's Graduate Student Housing is privately owned and managed on a long term ground lease. Rents are benchmarked to comparable properties in the area, not including the properties listed below, and must be 18% lower than rents at the benchmarked properties. The HOC payment standard represents the rent owners are allowed to assess for an individual with a housing voucher. A renter pays 30% of his or her income towards rent with HOC paying the remaining difference to the owner up to the ceiling. If rent is above the ceiling, the renter pays the difference.

The comparison suggests that with the exception of the maximum allowable rent for one and two bedroom units in Takoma Park, rents in Takoma Park are lower than most of the other options. Median rents most closely align with Graduate Student Housing, which is benchmarked at 18% below market.

Looking at the efficiency units, Takoma Park rents are significantly lower than all the rents except for the lowest rent at the Bennington and for Graduate Student Housing.

Looking at one bedroom units, it is notable that the highest allowable rent in Takoma Park is directly equivalent to the Palisades highest MPDU rents. The median Takoma Park rent ranges from $149 to $414 less than the other rents.

In the case of the two bedroom units, the maximum allowable Takoma Park rent is meaningfully above the maximum MPDU rent at the Palisades, but median rent is once again lower than all other rents except Graduate Student Apartments. The median Takoma Park rent is $366 lower than median fair market rent in Montgomery County, $305 lower than the Section 8 rent, $177 below the lowest rent at the Bennington and $129 below the MPDU maximum rent for garden apartments.

These comparisons demonstrate that that the Takoma Park rental housing stock is for the most part not generating rents comparable to those allowed for other affordable housing programs which puts the entire rental inventory out of sync with the marketplace.

**Table 1-B. Rent Comparison Analysis:
Montgomery County MPDU program, Section 8 Vouchers, University of Maryland Graduate Student Housing and Takoma Park**

	Montgomery County Median Fair Market Rent (plus utilities)[2]	The Palisades of Bethesda (MPDU plus utilities*) [1]	The Bennington – Silver Spring (MPDU plus utilities*)[1]	Max. Monthly Rent for Garden Apts. (MPDU plus utilities*)[1]	Section 8 (110% Payment Standard plus utilities*)[2]	UMD Graduate Housing [3] (incl. utilities *)	Takoma Park Allowable Rent Ranges and Median Rent (in italics) – incl. utilities*#
Efficiency	$1026	$1013-$1063	$778 and $953	$903	$1011	$692	$677-$780 *$707*
One Bedroom	$1212	$1232-$1267	$875 and $1027	$1002	$1142	$807	$310-$1269 *$853*
Two Bedroom	$1401	$1479-$1539	$1212 and $1328	$1164	$1340	$983	$594-$1773 *$1035*

[1] Data from Montgomery County Department of Housing and Community Development
[2] Data from Montgomery County Housing Opportunities Commission
[3] Data from Southern Management Corporation Owner/Manager of Property
* Utilities based upon HOC average utility rates (including electric, gas, and water)
# Data from Takoma Park Department of Housing and Community Development

Table 1-C shows the number of allowable Takoma Park rents that exceed the maximum rent level for three selected MPDU units.

Compared to the MPDU affordable housing model, only a small percentage of allowable Takoma Park rents exceed the maximum allowable MPDU rent. As a result, the Takoma Park rental market is out of synch with the surrounding area.

There is virtually no allowable rent exceeding the high-end Palisades of Bethesda MPDU unit.

Takoma Park has no efficiency apartments that exceed maximum MPDU rent levels.

Only 2% percent of allowable rents for traditional high-rise apartments exceed the allowable rent level for rents in Takoma Park. 11% of one bedroom apartments in Takoma Park have an allowable rent greater than the garden apartment MPDU rent level.

Four percent of two bedroom apartments in Takoma Park have allowable rents greater than maximum MPDU levels. 14% of one bedroom apartments in Takoma Park have an allowable rent greater than the garden apartment MPDU rent level.

Table 1-C. Percentage of Allowable Takoma Park Rents Exceeding Maximum MPDU Rent Levels

	Takoma Park Maximum Allowable Rent (plus utilities)#	MPDU Maximum Allowable Rent (plus utilities)	Percentage of Takoma Park Apartments above Maximum Allowable MPDU Rent
Efficiency	$780		
The Palisades of Bethesda (MPDU plus utilities) [1]		$1063	0%
The Bennington – Silver Spring (MPDU plus utilities)[1]		$953	0%
Maximum Monthly Rent for Garden Apartments (MPDU plus utilities)[1]		$903	0%
One Bedroom	$1269		
The Palisades of Bethesda (MPDU plus utilities) [1]		$1,267	0 % (1 apartment)
The Bennington – Silver Spring (MPDU plus utilities)[1]		$1027	2% (25 apartments)
Maximum Monthly Rent for Garden Apartments (MPDU plus utilities)[1]		$1002	11% (147 apartments)
Two Bedroom	$1773		
The Palisades of Bethesda (MPDU plus utilities) [1]		$1539	0.6% (8 apartments)
The Bennington – Silver Spring (MPDU plus utilities)[1]		$1328	4% (54 apartments)
Maximum Monthly Rent for Garden Apartments (MPDU plus utilities)[1]		$1164	14% (182 apartments)

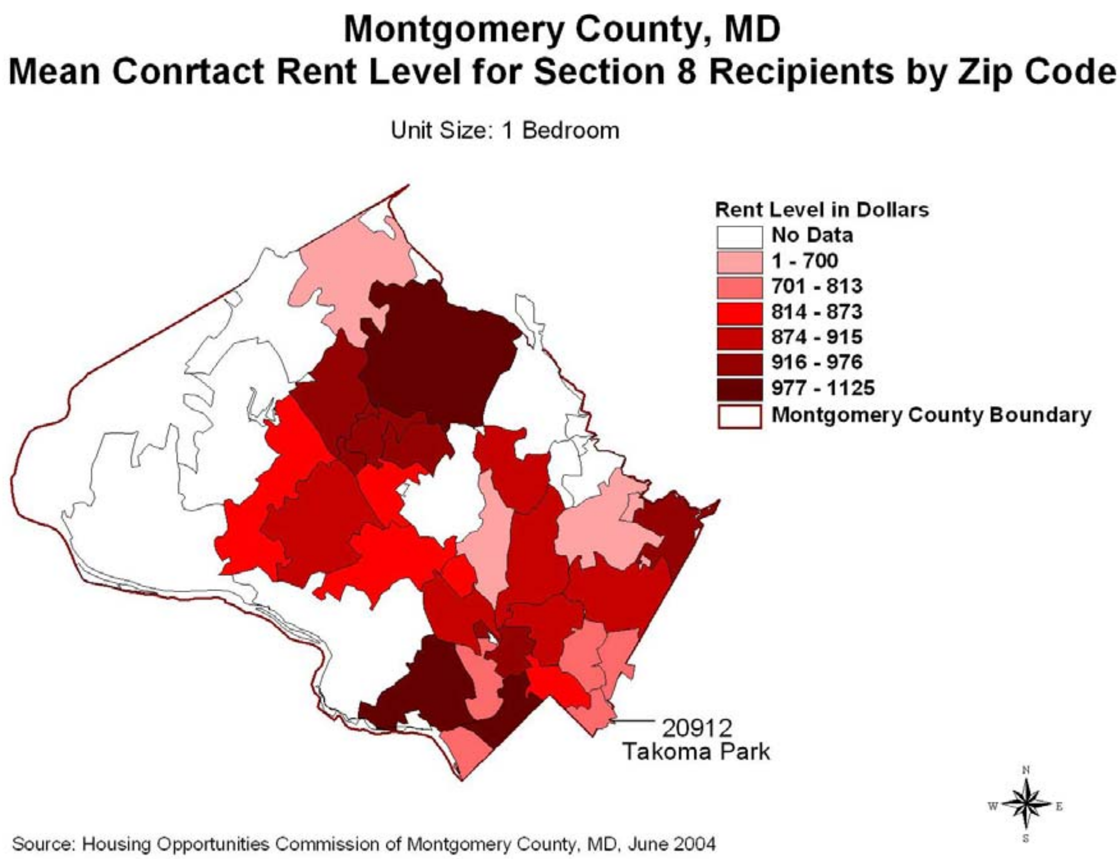
[1] Data from Montgomery County Department of Housing and Community Development
Data from Takoma Park Department of Housing and Community Development
Note: Takoma Park and MPDU utility rates are based upon the Montgomery County Housing Opportunities Commission utility estimates for Section 8 vouchers. Garden apartments have a higher utility rate compared to other rental units.

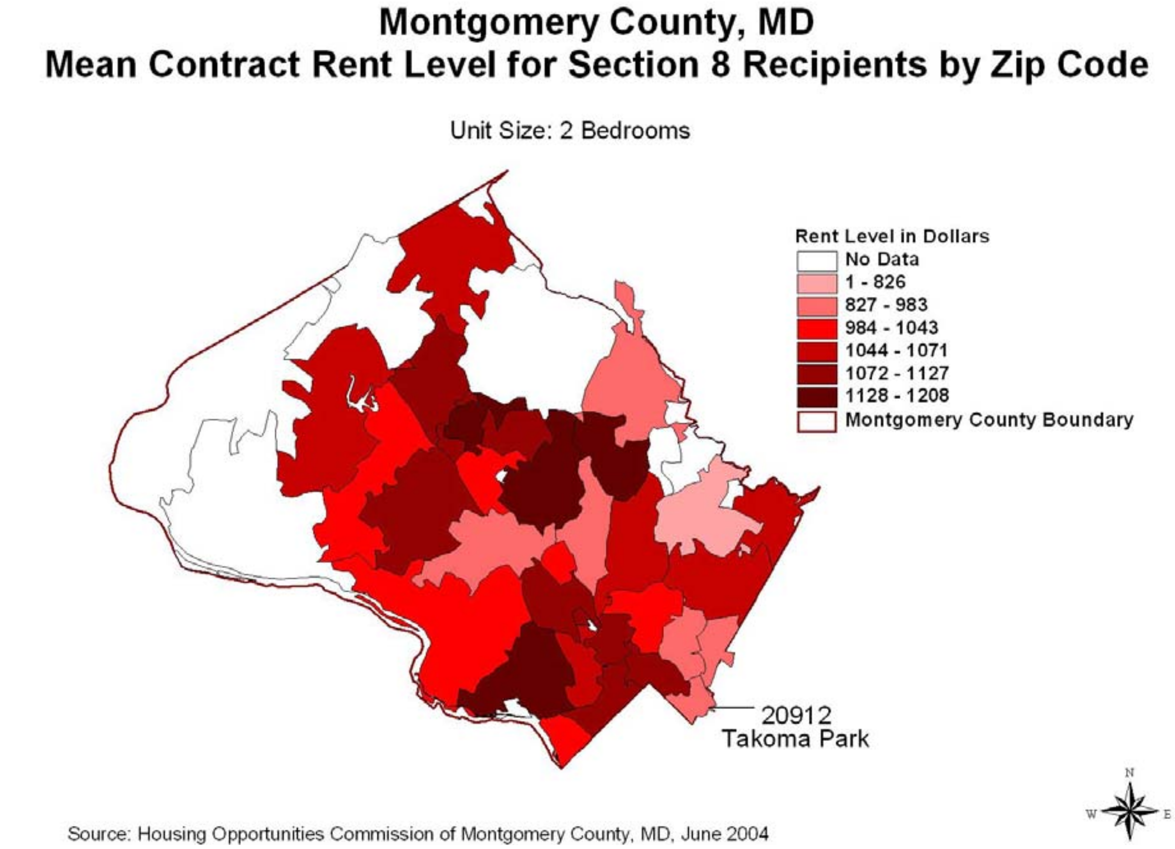
FURTHER RENT LEVEL COMPARISONS

Figures 1-A through 1-C below present data on the mean contract rent level for Section 8 voucher recipients as provided by the Housing Opportunities Commission of Montgomery County. As the maps demonstrate, the greatest difference in rent levels between Takoma Park rental units and rental units in the adjacent zip codes occurs for apartments with three bedrooms.

Figure 1-D on page 10 presents data from the 2000 U.S. Decennial Census on the median contract rent level for the five census tracts that make up Takoma Park and a subset of census tracts that surround Takoma Park. As the map demonstrates, for three of the five census tracts within Takoma Park's incorporated boundary (signified by the bolded black line), the median rent level falls within a range that is below that of the immediately surrounding census tracts in both Montgomery and Prince George's counties. However, it is important to keep in mind that this analysis is based on the median contract rent level for all apartment units within the census tract and does not consider the distribution of rental units by number of bedrooms.

Figures 1-A through 1-C




Montgomery County, MD
Mean Contract Rent Level for Section 8 Recipients by Zip Code
Unit Size: 2 Bedrooms
Rent Level in Dollars
No Data
1 - 826
827 - 983
984 - 1043
1044 - 1071
1072 - 1127
1128 - 1208
Montgomery County Boundary
20912
Takoma Park
N
W
E
Source: Housing Opportunities Commission of Montgomery County, MD, June 2004

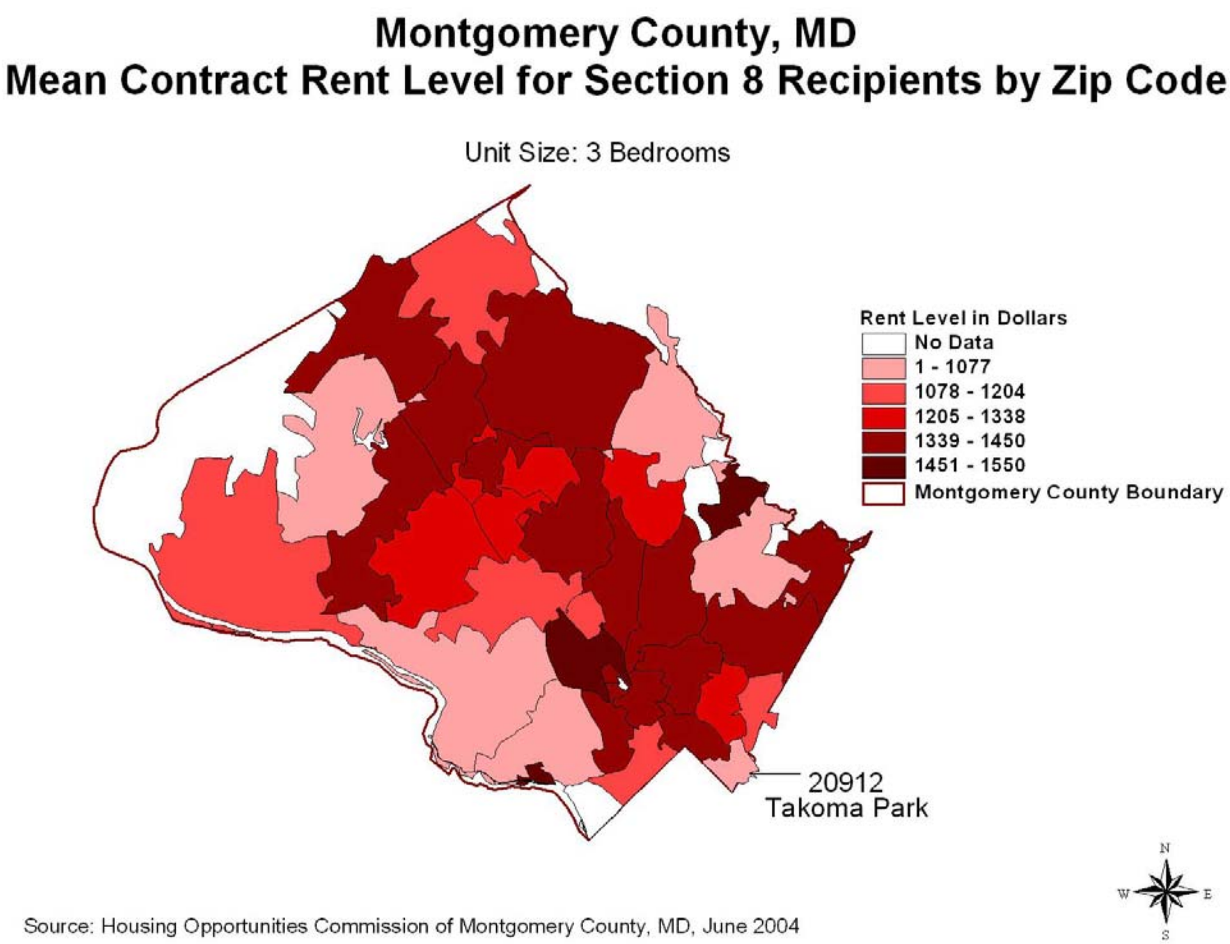
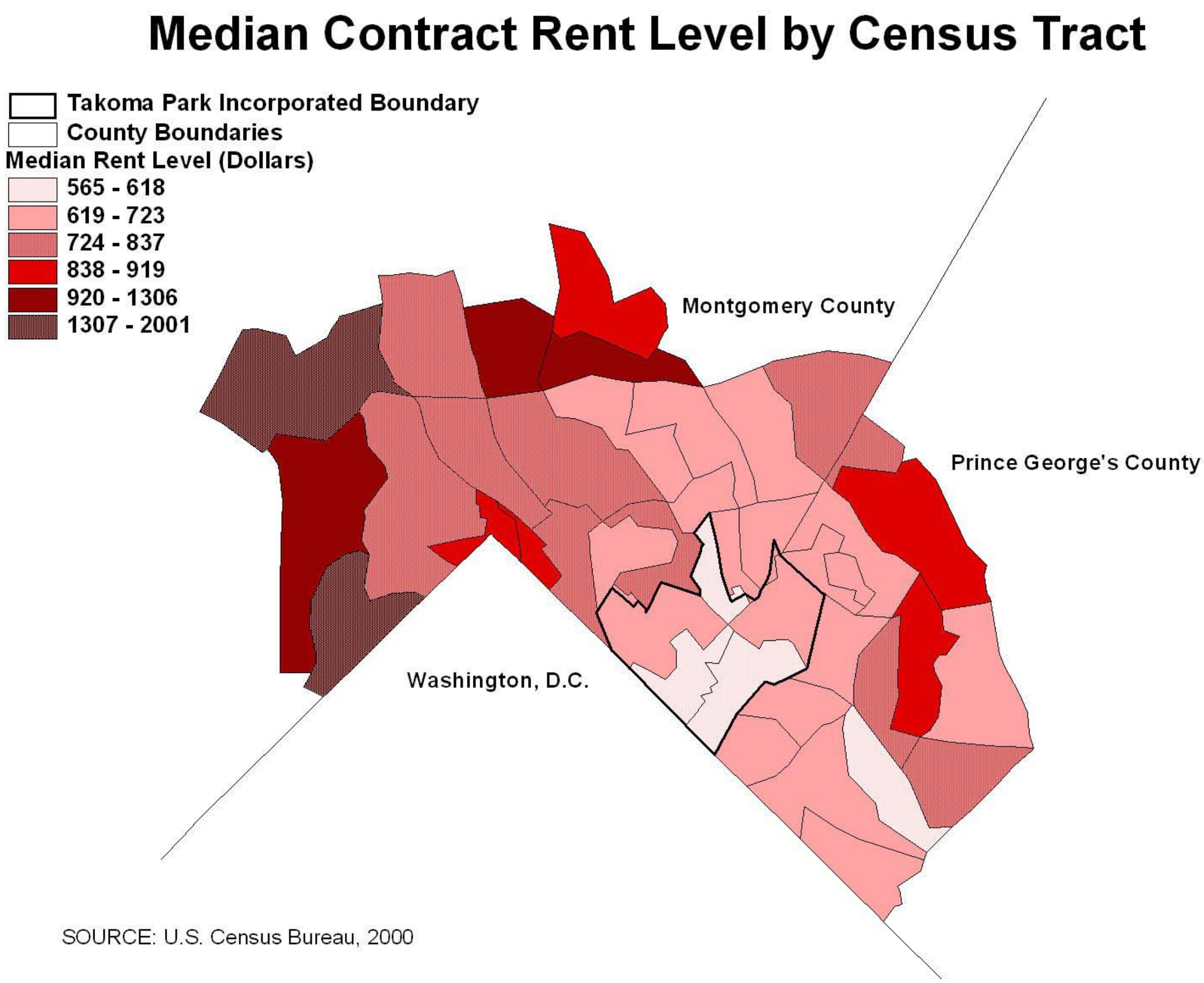

Montgomery County, MD
Mean Contract Rent Level for Section 8 Recipients by Zip Code
Unit Size: 3 Bedrooms
Rent Level in Dollars
No Data
1 - 1077
1078 - 1204
1205 - 1338
1339 - 1450
1451 - 1550
Montgomery County Boundary
20912
Takoma Park
N
W
E
S
Source: Housing Opportunities Commission of Montgomery County, MD, June 2004

Figure 1-D


Median Contract Rent Level by Census Tract
Takoma Park Incorporated Boundary
County Boundaries
Median Rent Level (Dollars)
565 - 618
619 - 723
724 - 837
838 - 919
920 - 1306
1307 - 2001
Montgomery County
Prince George's County
Washington, D.C.
SOURCE: U.S. Census Bureau, 2000

2. Tenant Rent/Income Level Survey Results

A major criticism of rent control policies is that they essentially subsidize the housing costs of individuals who do not generally need housing assistance based on their income. One way to observe this is to examine the ratio of monthly gross rent to household income among renters. A survey of a sample of Takoma Park apartment buildings was conducted to determine the extent to which the rent stabilization policy benefits individuals who are not in need of rent subsidies.

SURVEY RESULTS

To assess whether residents of rent-controlled properties are primarily households who cannot afford market-determined rents, data were collected on residents' income and compared to their rent payments. In all, the income and rent levels of 315 renter households were collected to assess the rent burden experienced by Takoma Park residents.

According to HUD standards, housing costs are considered affordable if they amount to 30 percent or less of the resident's income. This analysis revealed that 60 percent of the renters in the buildings examined pay 30 percent or less of their income on rent. The results of this analysis are displayed in Table 2-A.

This analysis also reveals that there is considerable variation in tenants' rent burdens among the 4 buildings. For example, 40 percent of the residents in Building 3 pay 30 percent or less of their income on rent. It is important to note that this building contains a significant number of residents who receive housing assistance, such as Section 8 vouchers. Conversely, 88 percent of residents in Building 2 are paying 30 percent or less of their income on rent.

Table 2-A. Percentage of Renters with Specific Gross Rent-to-Income Burden for a Sample of Takoma Park Apartment Buildings

	Gross Rent-to-Income Ratio						
	10% or Less	**10.1% to 20.0%**	**20.1% to 30.0%**	**30.1% to 40.0%**	**40.1% to 50.0%**	**More than 50.0%**	***30.0% or Less***
Building 1 (22 Units)	0%	40%	40%	20%	0%	0%	***80%***
Building 2 (120 units)	8%	38%	42%	12%	0%	0%	***88%***
Building 3* (135 Units)	0%	7%	33%	24%	15%	20%	***40%***
Building 4 (189 units)	4%	25%	36%	19%	5%	11%	***65%***
All Units	3%	21%	36%	20%	8%	12%	***60%***

NOTE: Renter percentages may not add up to 100% for each building because of rounding. Although the 4 buildings included contain 466 units total, data were not available for 151 units. These numbers are based on the 67% of the 466 units for which rent and income data were available.
*Building contains a number of tenants who receive Section 8 housing vouchers or other housing assistance.

It is also important to note that approximately one-quarter of the households examined for this analysis pay 20 percent or less of their income to rent. These residents are benefiting from the rent subsidy provided by the rent stabilization policy despite their higher incomes. This is explained further in Table 2-B below. Using Takoma Park median rent levels, it is possible to calculate the minimum income level necessary for a renter who pays 20 percent or less of annual income on rent. For example, based on the monthly median rent level for a Takoma Park efficiency, spending 20 percent or less of annual income on rent payments would require a minimum annual household income of $42,400. This income level is more than $4000 greater than the maximum income level allowed under the Montgomery County MPDU program for a one-person family. Likewise, a household occupying a two-bedroom apartment in Takoma Park would need a minimum annual income of $62,100 if 20 percent or less of income is paid on rent. This income level is $15,100 greater than the maximum income level permitted for a 3-person family to participate in the MPDU program. Using the MPDU program income requirements as a standard, it appears that those Takoma Park renters paying 20 percent or less of their income on rent are able to afford market-level rents.

Table 2-B. Income calculations for households with a rent burden of 20 percent

	Takoma Park median rent level	Annual household income if 20% of income is paid on rent	Max. income allowance under MPDU program (family size)
Efficiency	$707	$42,400	$38,000 (1 person)
One-Bedroom	$853	$51,180	$42,000 (2 persons)
Two-Bedroom	$1035	$62,100	$47,000 (3 persons)

SOURCE: MPDU income requirements from the Montgomery County MPDU application: http://www.montgomerycountymd.gov/Content/DHCA/housing/housing_P/mpdu/pdf/mpduapplication.pdf

3. Rent/Income Census Data Analysis

In order to further understand the rent burden experienced by Takoma Park residents, Census data on the rent and income levels of Takoma Park renters were analyzed and compared to data on Montgomery County, Maryland and US renters. This analysis revealed that a larger percentage of Takoma Park households experience a gross rent-to-income ratio less than 30% as compared to Montgomery County, Maryland and US renter households.

COMPARATIVE ANALYSIS OF RENT LEVEL BURDEN

Table 3-A draws on data from the *2002 American Community Survey* conducted by the U.S. Census Bureau to compare the proportion of renter households that experience specific gross rent-to-income ratios for Takoma Park renters, Montgomery County renters, Maryland renters and US renters. Compared to these jurisdictions, Takoma Park has the lowest proportion of renters with a monthly gross rent that is greater or equal to 35 percent of household income. In addition, 61.6 percent of Takoma Park renters pay a monthly gross rent that is less than 30 percent of their household's income. This compares to 54 percent of Montgomery County renters, 56.2 percent of Maryland renters, and 51.4 percent of all US renter households. This comparison is also presented as a graph in Figure 3-A.

Table 3-A. Gross Rent as a Percentage of Household Income

Gross Rent-to-Income Ratio	Percent of the Renter Population			
	Takoma Park	*Montgomery County*	*Maryland*	*United States*
Less than 15.0 percent	17.7%	12.7%	15.4%	14.7%
15.0 to 19.9 percent	15.8%	16.2%	15.5%	13.4%
20.0 to 24.9 percent	15.5%	14.7%	14.7%	12.6%
25.0 to 29.9 percent	12.6%	10.4%	10.6%	10.7%
30.0 to 34.9 percent	8.8%	12.1%	7.9%	7.9%
35.0 percent and more	24.9%	31.4%	28.9%	33.4%
Not computed	4.7%	2.5%	5.3%	7.3%
Less than 30.0 percent	61.6%	54.0%	56.2%	51.4%

SOURCE: Data are from the *2002 American Community Survey* conducted by the U.S. Census Bureau; The "Not Computed" category consists of units for which no cash rent is paid and units occupied by households that reported no income.

Figure 3-A. Gross Rent as a Percentage of Household Income

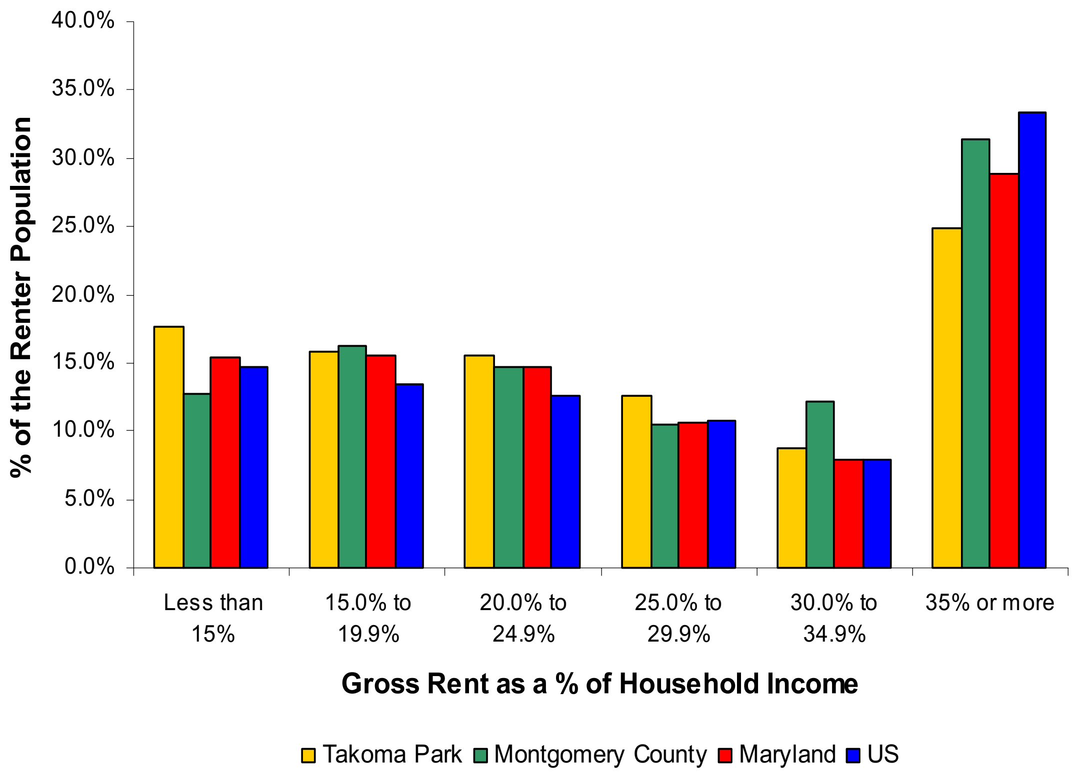
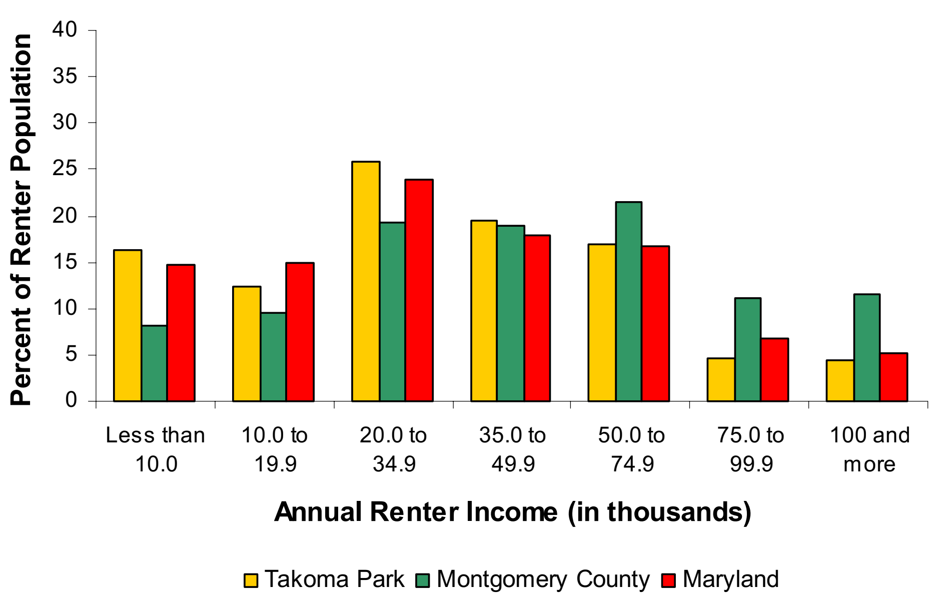


Figure 3-B presents the distribution of household income levels for all renters in Takoma Park, Montgomery County and Maryland, as reported in the 2000 Census (Data are from the Census 2000 Summary File 3- Sample Data- Table H73). The income distribution of Takoma Park renter households is fairly similar to the income distribution of Maryland renters; however, Takoma Park contains more low-income renter households and fewer high-income renter households when compared to Montgomery County.

Figure 3-B. Distribution of Household Income Level among Renters



RENT LEVEL BURDEN CENSUS TRACT COMPARISON

Using census data, a further comparison was made between Takoma Park census tracts and Montgomery County census tracts with similar median renter household incomes in order to understand if the rent burden level experienced by Takoma Park residents is unique. Displayed in Table 3-B are 13 Montgomery County census tracts with a median renter household income of between approximately $27,000 and $38,000. These income levels compare closely to the median household income level of renters residing in Takoma Park's 5 census tracts which can be found in Table 3-C (on page 16).

This analysis reveals that Takoma Park renters are more likely to spend less of their income on rent even in comparison to other Montgomery County renters with similar income levels. In four of the five Takoma Park Census tracts, 62% or more of renters are paying less than 30 percent of their income on rent. In comparison, in only 2 of the 13 comparable tracts are this many renters paying less than 30 percent of their income on rent. Furthermore, in the Takoma Park census tract with the highest median renter household income (Tract 7017.04, Table 3-C), 69% of renters are paying less than 30 percent of their income on rent. This is 12 percentage points higher than the Montgomery County tract with the most similar median renter income level (Tract 7007.10, Table 3-B).

Table 3-B. Rent Burden in Montgomery County Census Tracts with Comparable Renter Median Incomes to Takoma Park Tracts

	Tract 7009.01	*Tract 7009.04*	*Tract 7021.01*	*Tract 7032.02*	*Tract 7020*	*Tract 7023.02*	*Tract 7039.02*	*Tract 7024.02*	*Tract 7025*	*Tract 7009.02*	*Tract 7029*	*Tract 7007.10*	*Tract 7008.15*
Total number of renter households	762	719	851	364	835	724	798	1,345	1,441	323	797	353	370
Median renter household income	26974	28750	30491	30625	34115	34167	34674	34978	35829	35927	36693	37361	38611
Percent of income paid towards rent	**Percentage of Renters with Specific Gross Rent-to-Income Burden**												
Less than 15.0 percent	15	23	11	10	19	19	13	16	18	24	16	16	19
15.0 to 19.9 percent	14	8	9	23	14	20	18	19	14	15	15	24	20
20.0 to 24.9 percent	15	21	23	7	13	14	15	14	12	17	18	14	5
25.0 to 29.9 percent	13	7	14	16	11	11	10	12	17	2	7	2	9
30.0 to 34.9 percent	12	9	8	14	12	8	6	9	9	2	6	19	8
35.0 percent and more	27	30	32	23	29	24	23	28	27	33	33	16	39
Less than 30.0 percent	***57***	***59***	***57***	***57***	***57***	***64***	***56***	***61***	***63***	***58***	***55***	***57***	***54***

Table 3-C. Rent Burden in Takoma Park Census Tracts

	Tract 7017.01	*Tract 7018*	*Tract 7017.03*	*Tract 7017.02*	*Tract 7017.04*
Total number of renter households	909	996	666	860	331
Median renter household income	25733	30510	33854	34294	37292
Percent of income paid towards rent	**Percentage of Renters with Specific Gross Rent-to-Income Burden**				
Less than 15.0 percent	16	21	13	18	20
15.0 to 19.9 percent	16	12	15	20	20
20.0 to 24.9 percent	16	12	20	14	18
25.0 to 29.9 percent	9	16	14	11	10
30.0 to 34.9 percent	9	7	10	11	5
35.0 percent and more	29	26	24	22	18
Less than 30.0 percent	***57***	***62***	***62***	***63***	***69***

RENT LEVEL BURDEN BY HOUSEHOLD INCOME

Tables 3-D through 3-H break down the monthly gross rent-to-income ratios for specific household income levels (Data are also from the Census 2000 Summary File 3- Sample Data-Table H73). The data presented here seems to suggest that Takoma Park's rent stabilization program disproportionately benefits moderate-income households over lower-income households. For example, Tables 3-D and 3-E show that a similar percentage of renters in Takoma Park, Montgomery County and Maryland with household incomes of less than $20,000 have a gross rent-to-income ratio of 30 percent or more. Thus, the rent burden for the poorest households is very similar across all of these jurisdictions. This is in sharp contrast to the rent burden experienced by higher-income households. Approximately 85 percent of Takoma Park renters with a household income between $35,000 and $49,999 have a gross rent-to-income ratio of 24 percent or less. This compares to 43 percent and 66 percent of Montgomery County and Maryland renters respectively with a gross rent-to-income ratio of 24 percent or less.

Tables 3-D through 3-H. Rent Burden for Specific Income Groups

3-D. Household Income: Less than $10,000

	Percent of the Renter Population		
Rent-to-Income Ratio	***Takoma Park***	***Montgomery County***	***Maryland***
Less than 20 percent	2.9%	2.9%	3.9%
20 to 24 percent	4.1%	3.1%	3.3%
25 to 29 percent	2.2%	6.8%	7.3%
30 to 34 percent	1.1%	3.0%	3.8%
35 percent or more	64.1%	63.1%	63.0%

3-E. Household Income: $10,000 to $19,999

	Percent of the Renter Population		
Rent-to-Income Ratio	***Takoma Park***	***Montgomery County***	***Maryland***
Less than 20 percent	4.3%	5.9%	8.6%
20 to 24 percent	2.8%	3.3%	4.8%
25 to 29 percent	1.5%	3.4%	7.7%
30 to 34 percent	6.3%	4.4%	9.1%
35 percent or more	77.7%	79.3%	65.0%

3-F. Household Income: $20,000 to $34,999

	Percent of the Renter Population		
Rent-to-Income Ratio	***Takoma Park***	***Montgomery County***	***Maryland***
Less than 20 percent	6.0%	5.4%	13.7%
20 to 24 percent	17.8%	6.2%	16.6%
25 to 29 percent	30.9%	14.0%	20.3%
30 to 34 percent	25.8%	18.9%	17.2%
35 percent or more	17.6%	53.0%	27.7%

3-G. Household Income: $35,000 to $49,999

	Percent of the Renter Population		
Rent-to-Income Ratio	***Takoma Park***	***Montgomery County***	***Maryland***
Less than 20 percent	43.2%	14.0%	36.6%
20 to 24 percent	41.3%	28.9%	28.9%
25 to 29 percent	10.2%	27.0%	17.5%
30 to 34 percent	2.9%	14.1%	7.2%
35 percent or more	1.4%	14.2%	5.9%

3-H. Household Income: $50,000 to $74,999

	Percent of the Renter Population		
Rent-to-Income Ratio	***Takoma Park***	***Montgomery County***	***Maryland***
Less than 20 percent	84.6%	52.0%	69.0%
20 to 24 percent	6.9%	25.7%	17.1%
25 to 29 percent	1.3%	10.0%	5.5%
30 to 34 percent	3.6%	6.2%	2.5%
35 percent or more	0.0%	4.3%	1.7%

4. Fiscal Implications of Rent Control in Takoma Park for the State, County and City Governments

This analysis examines the fiscal implications of rent control for Takoma Park, Montgomery County, and the State of Maryland. The principal finding is that the County, State and City collectively lose at least $400,000, annually in property tax revenues on the rental properties with more than 20 units, which are under rent control in Takoma Park. The scenario analysis shows that the foregone taxes fall into the range of $401,000 to $686,000. This analysis was based on 1,681 units or 45% of the total rental units. Extrapolating to the entire inventory and adjusting for "exempt" units, the annual tax loss could reach $795,000. This extrapolation should be verified through further study.

METHODOLOGY

The total number of units within the properties with more than 20 units accounts for approximately 58% of all rental properties in the city, therefore, the property tax foregone on these big properties would be a good estimate of the tax foregone on all the rental properties, although it would be a conservative estimate. Because some buildings with more than 20 units are exempt from rent control, the total number of units covered in this study is 1681, accounting for 45% of all rental properties in the city. Exemptions are made for owner-occupied group homes, accessory apartments, and properties that are used for treatment of illnesses. As later analysis reveals, the annual property tax loss on the big properties with more than 20 units is estimated as $411,000. Since these properties account for 45% of all rental units in the city, assuming the tax losses are uniform across units, the annual tax losses for the entire rental stock is estimated as $795,000 (also with the assumption that 13% of units are exempt from rent control). By comparing controlled properties to comparable properties outside the City boundaries, the study seeks to establish the reduction in assessed value associated with rent control and to compute the annual tax foregone as a result.

The amount of the property tax bill is determined by this formula:

*Bill=Assessment*Rate*

Assessments are based on the fair market value of the property and are issued by the state Department of Assessments and Taxation (SDAT). For rental properties, SDAT uses the income approach to determine the assessment. Rent control artificially constrains the rental income to property owners, thus reducing the appraised value of the properties.

The model SDAT uses to determine assessment of rental properties can be simplified by using this formula[3]:

[3] The model SDAT uses to determine assessment of rental properties is as follows:

For each type of unit (efficiency, one-bedroom, two-bedroom, and three-bedroom): Number of units * monthly rent * 12=annual rent

*Value = Σ(number of units * monthly rent) * 12 * (1- vacancy rate) * (1- expenses rate) / (base rate + effective tax rate)*

In this formula, the parameter "number of units" is given; the parameter "effective tax rate" is set as 1.808 for FY 2004; the base rate adopted by SDAT when appraising property values is 9.000; other parameters are not fixed. In consultation with SDAT, industry benchmarks of such a generic vacancy rate of 3% for rent controlled units and 5% for uncontrolled units was stated, and an expense rate of 60% was assumed.

A crucial step in this study is to estimate the rent level of the properties in Takoma Park if there were no rent control. The best estimate would be the rent levels of the properties comparable to those in Takoma Park but under normal market conditions. The Montgomery County Landlord-Tenant Office's database was used to identify comparable properties. According to market survey, the rents are mainly determined by the market area a property is in, the building type, and amenities. For each target property in Takoma Park, a group of comparable properties with the same features in terms of market area, building type, and amenities (only major amenities as criteria: washer/dryer, utilities, and pool) was identified. (Appendix 1 lists all the properties used for the comparables analysis, with each group of target properties followed by their comparable properties.) Then the average rent of each group of comparables was calculated to get an estimate of market-determined rent corresponding to the target property.

By applying estimated market rental incomes to the units in the Takoma Park sample to the appraisal model, the differential in property values attributable to rent control can be calculated. The foregone property tax revenues can be derived by applying tax rates of State, County and Municipal governments to this differential.

In addition, sensitivity analyses were conducted on the results. In the best scenario highest possible rent obtained by comparable properties was used; in the worst scenario lowest rent obtained by comparable properties was used. In the base case, assumptions were made on the key parameters, such as vacancy rate, expenses rate, and base rate. The sensitivity

---

Gross potential income= the sum of annual rent of all types of units

Deduct vacancy and collection loss: vacancy and collection loss = gross potential income * vacancy and collection loss rate

Effective gross income = gross potential income – vacancy and collection loss

Deduct expenses: expenses = effective gross income * expenses rate

Plus other income

Net operating income = effective gross income – expenses + other income

Capitalization rate = base rate + effective tax rate

Property value = net operating income / capitalization rate

In the above model, the item "other income" is usually negligible. So the model can be simplified by using the formula in this study.

analysis is run by using representative values of key parameters, which fall into the reasonable range.

All of the valuation analyses are included in a spreadsheet model. Part 1 of the model exhibits all the target properties and their corresponding comparable properties, with major property characteristics identified; Part 2 is the model SDAT uses to determine assessment of rental properties; Part 3 shows the base case scenario. The values of the properties under rent control are estimated by applying rent-controlled rents and market rents (market rents are obtained from the average rents of comparable properties) to the SDAT appraisal model, respectively. Thus the reduction in property values resulting from rent control is estimated. Multiplying the aggregate decrease in property values by property tax rates arrives at the tax revenues foregone by the State, County and City governments. Part 4 shows the scenario analysis, with the highest and lowest estimated foregone tax revenues calculated. Part 5 is the sensitivity analysis. This part reveals if the estimates in this study are reliable, and what the range of the possible values of the foregone taxes is.

RESULTS

In the base case, the reduction in appraised property values associated with rent control is $22,700,000. The base case of this analysis shows that the County, State, and City lose $171,000, $30,000, and $150,000 annually in property tax revenues, respectively, as a result of rent control in Takoma Park. Takoma Park also has a special area property tax, which is levied on properties classified as Tax Class 74. [4][5] The amount of the special area property tax foregone is $60,000 per year, which is supposed to be shared by the County and the City. If the special area property tax is also included, the total effective tax rate would be 1.808, thus the total amount of tax foregone is approximately $411,021 annually. At the county level, the tax foregone by the county is equal to 0.026% of Montgomery County's projected property tax revenues in FY2004.

Table 4-A. Estimated Foregone Taxes: Base Case Scenario

	Decrease in Assessment	Property Tax Rate (FY 2004)	Property Taxes Foregone
Montgomery County Property Tax	$22,733,442	0.751	$170,728
Maryland State Property Tax	$22,733,442	0.132	$30,008
Takoma Park Property Tax	$22,733,442	0.660	$150,041
Other Taxes Shared by County and Municipality	$22,733,442	0.265	$60,244
Total Tax Foregone	$22,733,442	1.808	$411,021

[4] All sample properties in this study belong to Tax Class 74.
[5] The special area taxes comprise transit tax, fire district tax, advance land acquisition tax, metropolitan tax, regional tax, and recreation tax.

The best estimate of foregone taxes is obtained in the base case. In order to capture the range of all the possible values of the tax loss, a scenario analysis is conducted by applying the lowest and highest rents of comparable properties to the appraisal model, respectively. It shows that the three levels of government collectively may lose property taxes from $401,000 to $686,000.

Table 4-B. Estimated Foregone Taxes: Scenario Analysis

	Decrease in Assessment (lowest)	Tax Rate (FY 2004)	Taxes Foregone (lowest)	Decrease in Assessment (highest)	Tax Rate (FY 2004)	Taxes Foregone (highest)
Montgomery Property Tax	$22,190,691	0.751	$166,652	$37,950,328	0.751	$285,007
Maryland State Property Tax	$22,190,691	0.132	$29,292	$37,950,328	0.132	$50,094
Takoma Park Property Tax	$22,190,691	0.66	$146,459	$37,950,328	0.66	$250,472
Taxes Shared by County and Municipality	$22,190,691	0.265	$58,805	$37,950,328	0.265	$100,568
Total Tax Foregone	$22,190,691	1.808	$401,208	$37,950,328	1.808	$686,142

The sensitivity analysis is conducted to test whether the estimate in the base case is sensitive to the changes in assumptions on the parameters, and to show the possible values of the tax loss under different assumptions.

The result is sensitive to the change in average comparable rent, suggesting that comparable rent is the single most important factor in estimating the foregone taxes. Table 4-C reveals that if the comparable rent is 8% lower than the market rent employed in this study, the total foregone taxes could be as low as $296,000; if the comparable rent is 20% higher than the market rent employed in this study, the total foregone taxes could be as high as $698,000. Since the comparable rent is obtained through reliable method and data, the estimates in this study are supposed to be credible. However, more accurate identification of comparable properties would add more credibility to the estimates.

Table 4-C. Sensitivity Analysis of Average Comparable Rent

	Change in Average Comparable Rent*					
	Base (0%)	**-8%**	**-5%**	**+10%**	**+15%**	**+20%**
Aggregate Decrease in Assessed Value (in 000)	$22,733.4	$16,390.3	$18,768.9	$30,662.4	$34,626.9	$38,591.4
Montgomery County Property Tax	$170,728	$123,091	$140,955	$230,275	$260,048	$289,821
Maryland State Property Tax	$30,008	$21,635	$24,775	$40,474	$45,707	$50,941
Takoma Park Property Tax	$150,041	$108,176	$123,875	$202,372	$228,537	$254,703
Other Taxes Shared by County and Municipality	$60,244	$43,434	$49,738	$81,255	$91,761	$102,267
Total Taxes Foregone	$411,021	$296,336	$339,343	$554,376	$626,054	$697,732

*Note: Change in average comparable rent refers to the percent change from the base case average comparable rent.

The result is not sensitive to vacancy rate or base rate, meaning that the estimate in the base case is reliable. As Table 4-D and Table-E show, the estimated total foregone taxes don't vary much when the vacancy rate or the base rate is deviated from those employed in the base case.

Table 4-D. Sensitivity Analysis of Vacancy and Collection Allowance

	Vacancy and Collection Allowance		
	Base (-3%)	**-4.00%**	**-5.00%**
Aggregate Decrease in Assessed Value	$22,733,442	$22,499,077	$22,264,711
Montgomery County Property Tax	$170,728	$168,968	$167,208
Maryland State Property Tax	$30,008	$29,698.78	$29,389.42
Takoma Park Property Tax	$150,041	$148,493.90	$146,947.09
Other Taxes Shared by County and Municipality	$60,244	$59,623	$59,001
Total Taxes Foregone	$411,021	$406,783	$402,546

Table 4-E. Sensitivity Analysis of Capitalization Base Rate

	Capitalization Base Rate		
	Base (9.0)	**8.0**	**10.0**
Aggregate Decrease in Assessed Value	$22,733,442	$25,051,289	$20,808,184
Montgomery County Property Tax	$170,728	$188,135	$156,269
Maryland State Property Tax	$30,008	$33,068	$27,467
Takoma Park Property Tax	$150,041	$165,339	$137,334
Other Taxes Shared by County and Municipality	$60,244	$66,386	$55,142
Total Taxes Foregone	$411,021	$452,927	$376,212

As Table 4-F shows, the result is moderately sensitive to expenses rate. This means that if the expenses rate adopted in this study is not correct, the result will deviate by a moderate amount from the correct one. Consultation with SDAT suggests that the expense rate of 60% used in the base case is the best estimate for all the properties studied as a whole. Therefore, the results in this study are reasonably reliable.

Table 4-F. Sensitivity Analysis of Operating Expenses Rate

	Operating Expenses Rate					
	Base (60%)	**45%**	**50%**	**55%**	**65%**	**70%**
Aggregate Decrease in Assessed Value (in 000)	$22,733.4	$31,258.5	$28,416.8	$25,575.1	$19,891.8	$17,050.1
Montgomery County Property Tax	$170,728	$234,751	$213,410	$192,069	$149,387	$128,046
Maryland State Property Tax	$30,008	$41,261	$37,510	$33,759	$26,257	$22,506
Takoma Park Property Tax	$150,041	$206,306	$187,551	$168,796	$131,286	$112,531
Other Taxes Shared by County and Municipality	$60,244	$82,835	$75,305	$67,774	$52,713	$45,183
Total Taxes Foregone	$411,021	$565,153	$513,776	$462,398	$359,643	$308,265

Overall, the various sensitivity analyses exhibit that the base case result of the valuation analysis is reasonably reliable and that the range of the possible values of foregone taxes is from $300,000 to $700,000.

ANALYSIS

The fiscal implications for governments can be evaluated in two ways: One is to consider the foregone tax as a share of total property tax revenue by each level of government. As indicated in the "results" part, at the county level, the percentage is 0.026%. Judged by this metric, the fiscal impact of rent control in Takoma Park doesn't seem to be significant to County government, and it would be even less significant to State government.

The other is to compare the foregone taxes with the current level of taxes generated by rental properties in Takoma Park. The result of this comparison can be estimated by a typical property in the city. Using the sample property as an illustration, the estimated difference of its value under rent control and not under rent control is $3,852,618, while its actual assessed value is $9,092,800. That is, the property value decrease is equal to 42.3% of its current assessed value. It also means that the State, County and City governments all together annually lose property tax revenue from the building equivalent to 42.3% of the property tax it currently generates. We could estimate that the tax loss due to rent control is about 42% of the tax revenues those rental properties under rent control currently contribute to governments. By this standard, the foregone tax is by no means a negligible amount. Moreover, the aggregate actual assessed value of the sample properties is $57,217,000, [6]while the estimated non-controlled value of the sample properties totals $79,290,000. The difference between the two values is $22,073,000.

The scenario analysis shows that the tax loss falls into the range of $401,000 and $686,000. The base case result is very close to the lowest possible result, suggesting that the base case estimate is rather conservative.

The sensitivity analysis shows that the level of comparable rent has the most influence on the estimates, which verifies that rent control has a significant effect on the assessed property values and the tax loss.

[6] The data are for 2004, and are provided by SDAT.

5. Comparison of Rent Control Ordinances

As mentioned in Section 1, rent control ordinances vary significantly in specific policy characteristics. Many analyses of rent control's effects classify ordinances as either "temperate" or "stringent". The likely impact of an ordinance on the housing market will depend on the specific features of the policy.[7] A "stringent" rent control ordinance generally severely limits the landlords' ability to raise rents, thereby, strictly limiting profit potential. In turn, by significantly restricting the owners' return on their investments, a substantial disincentive for the production of new housing or reinvestment in existing housing is created.

COMPARISON OF STRINGENT AND TEMPERATE RENT CONTROL ORDINANCES

The following table summarizes some of the major characteristics of rent control ordinances and describes the features of both stringent and temperate ordinances.[8] In this context, Takoma Park's ordinance appears to fall towards the stringent end of the spectrum.

Rent Control Ordinance Characteristics	Stringent Controls:	Temperate Controls:	Takoma Park :
1. What classes of units are exempt from the regulations?	Exempt very few classes of units.	Exempt more classes of units.	Exempts the following classes: • owner-occupied group homes; • Accessory apartments; • Landlords owing only one rental unit; • Properties that are used for the treatment of illnesses
2. Is construction built after a certain date exempted from the regulations?	Do not exempt new construction or there is a history of violating new construction exemptions by later placing units under controls.	Exempt new construction built after a certain date, usually no later than when the law was passed. Also, there is no history of violating this exemption.	New construction is not exempted.
Examples:	**New York City:** NYC has twice violated past new construction exemptions.	**Los Angeles:** Exempts all units built after 1978. Most rent control ordinances exempt new construction.	

[7] Downs, Anthony. *A Reevaluation of Rent Controls*. The Urban Land Institute: Washington, D.C., 1996
[8] As described in Anthony Downs' book (See the preceding footnote).

Rent Control Ordinance Characteristics	Stringent Controls:	Temperate Controls:	Takoma Park :
3. Are owners permitted to raise rent to market levels upon vacancy (known as vacancy decontrol)? Is the rent re-controlled once the unit is reoccupied?	Do not permit vacancy decontrol or place a cap on the amount rent can be raised. Require units to be subject to re-control after a short period of time.	Allow rent increases up to market level. May not require re-control, but most do.	Does not have vacancy decontrol. Allows rent to increase by any annual rent stabilization allowances which were not already charged to the tenant vacating the unit. Requires approval of the city before the landlord can raise the rent on a vacant unit. Units are never decontrolled.
Examples:	**Washington, D.C.:** When a rental unit becomes vacant, a housing provider may increase the rent ceiling by up to 12% of the previously authorized rent ceiling. The unit remains controlled.	**New Jersey:** Eighty percent of New Jersey's 115 rent-controlled municipalities now have some form of vacancy decontrol. More than half have full vacancy decontrol that allows rents to be raised to market levels before coming under rent control again.	
4. How are allowable rent increases determined? How is the rent base rate percentage increase calculated? What body sets the increase?	Keep the base rate percentage below the overall inflation rate by indexing the increase to a fraction of the CPI. Put the responsibility for rate increase decisions in the hands of rent boards that have significant discretion and are often sympathetic toward tenants.	Permit rent increases equal to the increase in the CPI. Give decision-making authority to the city council. Determine allowable rent increases that permit owners to realize a competitive rate of return on their investment.	Allows an annual rent increase equal to 70% of the CPI for the Washington Metropolitan area. Places authority to set the annual allowance with the Takoma Park Department of Housing and Community Development.

Rent Control Ordinance Characteristics	Stringent Controls:	Temperate Controls:	Takoma Park :
Examples:	**Berkeley:** Rent Increases are not tied to the CPI. The percentage increase allowed is determined annually by the Rent Stabilization Board. The Board consists of 9 elected commissioners. The Board often grants a rent increase in absolute dollars as opposed to a percentage of the rent level.	**Washington, D.C**.: Permits rent increases on an annual basis equal to the Consumer Price Index for Urban Wage Earners and Clerical Workers.	
5. How much of income spent on upgrading, rehabilitating or renovating a unit is an owner permitted to recoup?	Require owners to petition the rent board and affected tenant for advanced approval of rent increases associated with these types of improvements. May require these types of costs to be amortized over a very long period of time when calculating the allowable rent increase (i.e. 15 years).	Most likely do not require owners to petition for rent increases after making the improvements or, if petitions are required, they are approved in higher proportions than under stringent ordinances. Require less time to recapture the costs (i.e. 3 to 5 years).	Requires a landlord to file a rent increase petition with the Commission on Landlord-Tenant Affairs in order to raise rent more than the rent stabilization allowance. Allows the petition to be filed before or after the work is done, but no longer than six months after completion. Requires the direct cost of the improvement be $200 or more per unit, or at least $2500 for the entire building. The amortization schedule varies by type of improvement (i.e. Out of 50 types of improvements, 36 are amortized at 10 or more years, including 18 types of improvements amortized at 15 years).

Rent Control Ordinance Characteristics	Stringent Controls:	Temperate Controls:	Takoma Park :
6. To what extent are owners permitted to raise rents when they incur extraordinary operating expenses that impact their rate of return?	Tie requests to the rate of return earned by the landlord during some designated base year. Do not take into consideration debt financing when calculating the rate of return. Turn down most hardship requests.	Establish a target rate of return (i.e. 9-12%) that owners are permitted to maintain. Allow hardship petitions if net income declines two years in a row. Approve most hardship requests. Consider debt financing when computing appropriate profit rate.	Measures increases in operating expenses against a base year (1990). Allows for hardship petitions for the cost of refinancing a loan under certain circumstances. Allows hardship petitions if the landlord demonstrates that the interest rate on a loan has increased by 3 or more percentage points between the base year and the petition year.
Examples:		**Washington, D.C.:** Permits landlords to submit a hardship petition if they find that their rent ceilings do not provide for a 12% rate of return.	
7. How restricted are owners from converting rental properties into condominiums?	May forbid the eviction of tenants to carry out the conversion. Require a large proportion of tenants to approve the conversion. Require owners to pay the moving costs of displaced tenants. May limit the number of units in the city that can be converted each year.	Will allow the eviction of tenants and require fewer tenants to approve the conversion. Do not mandate owners pay relocation fees of displaced tenants. Do not place limits on the number of rental units that can be converted each year.	Takoma Park Code does not contain any specifics regarding restrictions on rental property conversions.
Examples:	**Los Angeles:** A landlord must provide monetary relocation assistance when a tenant is evicted due to condominium conversion or for commercial use of the property.		

6. Rent Control Literature Review

A considerable amount of literature has been written about rent control ordinances since the mid-seventies when a number of cities adopted rent control policies in response to rising inflation. Although much has been written from the perspectives of both supporters and dissenters, the majority of the literature appears critical of most types of rent control policies. The following is a summary of findings from approximately thirty studies of various aspects of rent control.

SUMMARY OF FINDINGS

Downs, Anthony. *A Reevaluation of Rent Controls*. The Urban Land Institute: Washington, D.C., 1996.

The first source evaluated, *A Reevaluation of Residential Rent Controls* by Anthony Downs, presents a summary of the major justifications for and against rent controls. Downs prepared this summary after his own examination of many rent control studies.

Arguments against rent control. The author outlines the following possible adverse effects of rent control regulations:

- Inhibition of new rental construction or withdrawal of existing rental units:
    - Stringent rent control laws weaken the incentive for developers and owners to build more housing by limiting the potential profitability of doing so. Rent control laws may also lead to reductions in the existing housing stock by creating incentives for owners to convert rental properties into condominiums. As a result, rent controls may contribute to the housing shortage that most likely led to the creation of the regulations to begin with.
    - Many rent control regulations attempt to deal with this by exempting new construction. This exemption may prove ineffective at motivating developers because existing rents will still not be permitted to rise to levels that justify the full costs of construction plus allow owners to make an adequate return on their investment.
    - This particular effect has been shown to not be as significant for more moderate or temperate rent control laws. These laws usually permit owners to earn a reasonable return on their investment.
    - Studies show that a rent control ordinance's impact on new construction will be influenced by the amount of vacant land and appropriately zoned land available to the community.

- Owner underinvestment in maintenance and services:
    - Controlled residential rents may not rise as fast as operating expenses. Landlords are faced with the option of earning less on their investment or cutting back on maintenance spending.

  - Many rent control laws deal with this by allowing owners to pass through repair and renovation costs to tenants in the form of rent increases. But rent control administrators have been shown to not allow landlords to pass through enough costs to justify the investments.
  - Consistent underinvestment leads to sufficient enough declines in the quality of housing units that they eventually must be removed from the housing stock, contributing to the housing shortage.
  - Studies suggest that the more stringent the form of rent controls used, the greater the resulting deterioration in the rental housing stock. No clear conclusion about the effect of temperate rent controls on maintenance spending can be derived from existing evidence.

- Reduced tenant mobility:

  - Rent control provides incentives for tenants to remain in their rent-controlled units, regardless of the suitability of the unit. Renters that are in place when rent control takes effect stand to benefit, while prospective renters face obstacles to entering the community.
  - Studies show that stringent controls have a much more a significant effect on tenant mobility than more temperate controls.

- Use of non-price devices to ration scarce units:

  - Rent controls provide an incentive for landlords to become more selective in choosing tenants. Landlords will tend to choose more affluent, stable tenants in order to protect their property. This is seen as being detrimental to minorities and low-income people and contributing to gentrification.

- Allocation of benefits to non-poor households:

  - Non-poor beneficiaries of rent control outnumber poor beneficiaries because non-poor households outnumber poor households in the overall population. It is inevitable that rent control will benefit a significant number of middle- and high-income households.
  - Poorer households are less likely to take advantage of the rent control complaint system because of a lack of information about the system.
  - Studies show that the greatest beneficiaries of rent control, both in numbers and in absolute size of average rental savings per households, are middle- and upper-income households.

- Unjust compulsory transfer of private resources:

  - Rent control ordinances force owners to transfer their resources to tenants. The government is effectively protecting one group of private citizens by compelling another group of private citizens to forgo resources. The extent of this depends on the size of the rent discount, or the difference between the rent in the controlled market and what the rent would be in an uncontrolled market.

- The redistribution of resources is often inefficient and inequitable. Tenants who do not move receive large benefits at the expense of those who do. The size of the benefit received by the tenant is often less than the amount of resources forgone by the owner.
- Studies show that the size of the rent discount varies significantly by the type and duration of the rent control ordinance in effect.
- If owners are unable to realize a sufficient return on their investment, property owners will experience reduced property values.

- Distortions of property taxes and tax burdens:

    - As the market value of controlled properties declines, a change will occur in the way property tax burdens are allocated within the community.
    - Controlled properties may be assessed at lower values than if they were not controlled. This results in a reduction of the community's property tax base.
    - Studies have confirmed that rent controls reduce the assessed values of rental properties, but no empirical evidence exists to suggest that controls increase the share of property taxes borne by other types of property owners.

- Creation of burdensome administrative costs:

    - Total public sector costs of administering rent control vary depending on the stringency of the ordinance. In 1988, the temperate Los Angeles ordinance required a staff of 19 persons to administer rent control for 478,000 units at a cost of $5.5 million or $11.51 per unit. Also in 1988, a more stringent Santa Monica ordinance required a 40 person staff to administer rent control for 30,000 units at a cost of $4.6 million or $152 per unit. The LA law required tenants and owners to split a $14 fee per unit. Santa Monica charged $144 per unit.

Justifications cited for adopting rent control. Adoption of rent control has been commonly justified for the following reasons:

- Combating poverty and the shortage of low-rent housing:

    - Rent control advocates argue that without controls rents could rise exorbitantly during a housing shortage which will adversely affect those households with low- or fixed incomes.
    - Nationwide, renter incomes in real dollars have been declining while real median gross rents have been rising since the mid-1970s.
    - Rent control should be used as a means to combat poverty by reducing the burden of rent on low-income households to help them cope with their economic problems.

- Preventing the displacement of low-income households during gentrification and increases in land values:

- Rent control is the only way to ensure that low-income families can remain in their communities when gentrification causes rental prices to rise exorbitantly. Rent control advocates stress the disruption to social networks when households are forced to leave their communities.
- In communities that have desirable amenities, a jump in the demand for housing and the influx of higher income families will cause housing prices to soar. Without rent control, low income households would be displaced, disrupting their social networks and commuting patterns.
- Neighborhoods with high land values necessitate high rents in order to cover high development costs.

- Preventing an increase in rents in areas where new housing supply is blocked by zoning ordinances:

    - Zoning laws that restrict the entry of new rental units into a community create a monopolistic advantage for the existing apartment owners. These owners are able to raise rents above the level that would induce the creation of additional units.
    - Rent control advocates argue that zoning laws can create the two conditions that truly justify rent controls: strong demand and blocked entry of supply. These two conditions served as justifications for the enactment of rent control policies during a time of war.

Delta Associates, "Apartment Data and Analysis of Rent Control for Montgomery County, MD", prepared for the Apartment and Office Building Association, September 2001.

Findings.

- An examination of building permit and assessment data suggests that rent control in Takoma Park has resulted in a reduction in the production of apartments, a reduction in the value of apartments, and a decline in the quality of maintenance of apartments.
- When Montgomery County had rent control between 1973 and 1981, the production of apartments was depressed more so than in other jurisdictions.
- The average annual percent change in assessed value of Takoma Park apartments between 1988 and 2001 was 1.5%. This is compared to 4.0% for Montgomery County during the same period.
- Prior to the enactment of rent control in Takoma Park, the percentage of total building permits issued for single-family and multi-family structures was 46.9% and 53.1% respectively. When rent control was in effect, 68.5% of the total number of building permits issued were for single-family units, while 31.5% were for multi-family structures.

Arnott, Richard, "Time for Revisionism on Rent Control?" *Journal of Economic Perspectives*, Winter 1995, Vol. 9, 99-120.

Findings.

The author distinguishes between the more restrictive "first-generation" rent controls that were enacted prior to the 1970s and the "soft, second-generation" rent regulations that were enacted post-1970s. While housing economists have been adamant in their opposition to first-generation controls, the author suggests that opposition to less restrictive, "well-designed rent control programs" is more muted among today's housing economists. Some features of second-generation rent regulation programs include: automatic percentage rent increases; cost pass-through provisions which permit landlords to apply for rent increases greater than the automatic rent increase; and rate-of-return provisions that permit discretionary rent increases to ensure a "fair" rate of return. Because of the flexibility inherent in second-generation rent regulations, the author contends that it is inappropriate to generalize about their effects and that they should be evaluated independently of the experience of first-generation controls. For example, he argues that it is misleading to generalize the effects of rent control on other jurisdictions by relying on the New York City experience.

The author critiques a number of empirical studies that have been done to measure the effects of second-generation rent regulations in various jurisdictions. He offers the following conclusions:

- One way to measure the effects of rent control on quality-adjusted rent, quality-adjusted rental housing value, the volume of construction, maintenance, and tenant mobility is to estimate the pre-control behavior of the market and forecast it forward assuming no controls were implemented. The difference between the actual performance of the market and the forecasted performance would determine the effects of the controls. However, the problem with this approach is the difficulty controlling for other influences on the market. These influences could include: the state of the local macroeconomy; government housing and tax policy; and the dynamics of the local real estate cycle.
- Another problem with existing studies is that housing data are inadequate, such as the failure to collect data on maintenance by landlords.
- The comparison of regulated and unregulated rental sectors that exist in the same jurisdiction helps to control for some of the aforementioned market influences. However, the unregulated sector should not be treated as an uncontrolled market because there is a link between the two sectors. For example, if quality-adjusted rent is higher in the unregulated sector it could be due to the difference in the age between the regulated and unregulated housing stock. It is necessary to consider a building's age when comparing rents.

He further concludes that whether second-generation controls are harmful depends on the package of the regulations adopted. Based on his analysis of the existing literature, he believes many of the claimed effects of controls are imperceptible.

Gilderbloom, John I. and John P. Markham, "Moderate Rent Control: Sixty Cities Over 20 Years", *Journal of Urban Affairs*, Vol. 18: Issue 4, 1996, 409-431.

Findings.

- Monthly rents are $72 a month lower in controlled cities, than noncontrolled cities.
- The percentage increase in rents between 1970 and 1990 was lower in rent controlled cities.
- Median incomes are lower in rent controlled cities.
- The percentages of blacks, overcrowded units, and units built before 1940 are higher in rent-controlled cities.
- A slightly higher percentage of rent controlled units are without plumbing and have fewer rooms.
- Moderate rent control has no impact on new construction.
- Rent control tends to reduce the median number of rooms.
- While mild forms of rent control can succeed in limiting extreme rent increases, they are not effective in ensuring affordability.

Heskin, Allan, J. Eugene Grisby III and Ned Levine, "Who Benefits from Rent Control: Effects on Tenants in Santa Monica, CA", *APA Journal*, Spring 1990, 140-152.

Findings.

This paper tests the theory that rent control leads landlords to engage in noneconomic rationing of units. This theory suggests that rent controls provide an incentive for landlords to become more selective in choosing tenants. Landlords will tend to choose more affluent, stable tenants in order to protect their property. This is seen as being detrimental to minorities and low-income people and contributing to gentrification. This study focuses on the question of which groups among Santa Monica's tenant population have benefited from rent control. The following conclusions were made by the authors:

- The actual rent levels in 1987 were "substantially" lower than what would have been expected if rent levels had increased at the same rate as residential rates throughout the Los Angeles County. While the savings in actual dollars is greater for those who pay higher rents, the savings as a proportion of rent level was very similar across all rent levels.

- There was a definite decrease in the rent burden of those households that pay 40% or more of their income on rent. In 1979-80, the average shelter cost was 34% of annual income. In 1987, the average was approximately 30%.
- The rental household income distribution in 1986 was very similar to the income distribution in 1979. The authors concluded that gentrification appeared to have been attenuated.
- The white renter population increased while the black and Latino populations decreased. The authors suggest that one explanation for this could be an increase in racial discrimination in selecting tenants since the implementation of rent control. However, Census data showed that the black population in Santa Monica was declining since 1970, nine years before rent control took effect. At the same time, the Latino population increased for LA County during the same time that it decreased in Santa Monica.
- The proportion of the population who are elderly increased significantly. This increase is seen as a direct consequence of rent control law. The authors concluded that the law was effective in keeping housing affordable for the elderly.

Office of NY Public Advocate Mark Green, "Rent Destabilization Study: An Analysis of the Fairness to Landlords of Rent Increases Granted by the Rent Guidelines Board for Stabilized Apartments", May 1997.

Findings.

- The rent increases and corresponding income to landlords has kept pace with inflation while data from the Housing and Vacancy surveys reveal that tenant income has dropped.
- The Rent Guidelines Board has regularly granted rent increases that are as high as needed to maintain a reasonable profit.
- The approach to rent stabilization in NYC has successfully created a fairer tenant-landlord relationship in NYC's noncompetitive housing market than would exist without regulation.

Olsen, Edgar. "The Impact of Vacancy Decontrol in NYC", Paper that appears on the NYC Rent Guidelines Board's website.

Findings.

- The distributional effects of vacancy decontrol are likely to be different from the distributional effects of the immediate deregulation of rents. Households with the largest rent discount stand to lose the most under immediate deregulation; however, current occupants of rent regulated units would not necessarily incur costs from vacancy decontrol.

- Vacancy decontrol would lead to higher levels of public services without increased tax rates because it would increase the market values of properties containing newly decontrolled units increasing their assessed values.
- Vacancy decontrol would result in small increases in rent for the majority of rent regulated apartments vacated over the two years after its implementation, except in Manhattan. Apartments with the largest rent discounts are much less likely to be vacated.
- New York City would remain diverse with or without vacancy decontrol. Vacancy decontrol would gradually lead to some changes in who lives where, but these changes would not be massive. In part, this is because it would have little effect on the locational decisions of households living in owner occupied or publicly subsidized housing. In part, it is because the characteristics of households currently living in rent regulated units are surprisingly similar to the households in apartments renting at market rates.

Pollakowski, Henry O.. *Rent Control and Housing Investment: Evidence from Deregulation in Cambridge, Mass*. Center for Civic Innovation at the Manhattan Institute: New York, May 2003.

Findings.

- Investment increased by 20% over what would have been the case if rent control had been maintained.
- Investment increases occurred across a wide variety of settings- both affluent and modest income neighborhoods, varying structure type, and varying concentration of formerly rent-controlled buildings.
- During the first four years after deregulation, substantial upgrading of the buildings occurred with average annual expenditures increasing threefold.
- No neighborhood income distinction or structure type makes a substantial difference in terms of post-deregulation investment.
- 16 to 24 percent of the post-deregulation investment in formerly rent-controlled buildings would not have occurred without deregulation.
- Implications: "It is impossible to predict the precise magnitude of housing investment increase that NY would experience in the aftermath of complete deregulation. However, the Cambridge experience suggests that if NY's policymakers wish to achieve significant improvements in housing quality they should seriously consider deregulation."

Pollakowski, Henry O.. *Rent Regulation and Housing Maintenance in NYC*. Center for Civic Innovation at the Manhattan Institute: New York, May 1999.

Findings.

- While NY rent stabilization policy encourages preventative efforts to ensure the maintenance of quality housing, these regulations are time-consuming and costly to implement.

- Unregulated rental housing is considerably better maintained that is stabilized housing, however, other dimensions of the rental stock need to be considered, such as age and location of dwellings. Also, the rent discounts for specific dwellings vary across dwellings and over time.

Pollakowski, Henry O.. *Who Really Benefits from NYC's Rent Regulation System?*. Center for Civic Innovation at the Manhattan Institute: New York, March 2003.

Findings.

- The majority of New Yorkers living in subsidized rental housing are not paying rents that are below market price once quality, size, and location are considered.
- Regulated units could not command the same rent as unregulated units in an unregulated market because they are more likely to be older, less well-maintained and have fewer amenities or located in less desirable locations.
- Expanding the supply of housing by deregulation would take pressure off of the unregulated market and would lower rents. Deregulation would not result in an increase in rent equal to the subsidy that exists under regulation.
- Stabilization has virtually no effect on rents throughout most of the city, especially in neighborhoods dominated by low- and moderate-income households. Median rent subsidies (determined by taking into consideration dwelling characteristics) generated by rent stabilization are significantly less than the raw difference between regulated and unregulated median rents.
- Rent regulation makes unregulated rent higher because it channels unmet demand to the unregulated sector.
- Since deregulation would result in a considerable downward pressure on rent in the unregulated market, the greater the extent of deregulation, the lower the new equilibrium rent.

Rydell, C. Peter, C. Lance Barnett, Carol E. Hillstead, Michael P. Murphy, Kevin Neels, and Robert H. Sims. *The Impact of Rent Control on the Los Angeles Housing Market*. Santa Monica: The RAND Corporation, August 1981, N-1747-LA.

Findings.

Based on theoretical analysis, the study identifies five characteristics of rent control laws that play a role in determining the law's effects on the housing stock:

- How long will the law be in effect?
- What is the coverage of the law- which dwellings are subject to it, which are exempt?
- What rent increases are permitted for continuing tenants?
- How much can landlords raise rents when their dwellings turn over?
- Under what circumstances does the dwelling become permanently decontrolled?

Los Angeles' temperate law was shown to have the following effects:

- The effect of rent control city tax receipts is minor. The average annual losses under the law are less than .7% of the city's property tax revenues. The authors concluded that the property tax losses had no substantial effect on the city's ability to maintain and enlarge the infrastructure.
- Total costs to owners are significant and substantially larger than total benefits to tenants.
- Rent control would cause an estimated 2.2% reduction in housing stock due to deterioration in ten years, compared to what would occur without the controls.
- Rent control is an inefficient means of aiding low-income households compared to public assistance programs. Under rent control, residents gained 40 cents per dollar of total owner losses. In comparison, the authors estimated that tenants would have gained 34 cents in net benefits per dollar of public housing program costs; housing allowances produced 82 cents in benefits per dollar in program costs; and cash assistance programs produced 89 cents in benefits per dollar of program costs.

Turner, Margery A.. *Housing Market Impacts of Rent Control*: *The Washington, D.C. Experience*. The Urban Institute: Washington, D.C., 1990.

Findings.

- D.C. rent control has kept rents lower than they would have been in its absence. The monthly rent for the average unit would range from $50 to $200 higher without rent control.
- Benefits are not spread equitably or efficiently. Affluent renters obtain direct benefits if they stay in a unit long enough. Poor renters pay rents just as high as those in the open market if they have to move.
- Rent control has not eliminated profitability. Investment in D.C. rental housing compares favorably with other alternative investment opportunities. But without controls, gross rent revenues would have been 33% higher.
- The proportion of units that are physically deficient declined from 26% to 20% under the rent control ordinance. The rate of deficiencies was higher among exempt units.
- The size of the rental stock declined precipitously. This decline was comparable to housing stock declines that occurred in many cities without rent control. The supply in rental housing began to increase towards the end of the period studied. The housing inventory was studied between May 1985 and April 1987.

Achtenberg, Emily Paradise. "The Social Utility of Rent Control" in *Housing Urban America*. Aldine Publishing Company: Chicago, 1973.

Published in 1973, the author of this essay discusses a number of questions about the social utility of rent controls that were being enacted throughout the country at the time. In particular, she considers the following questions: how effectively does it accomplish its primary purpose- reducing housing costs to levels more appropriate considering tenants' ability to pay; how equitably and efficiently are the costs and benefits distributed; and, what is the impact of rent control on other housing policy goals?

Findings.

- The effectiveness of rent control at keeping rents low is limited by the existence of pressures on rental costs, including inflationary pressures on the goods involved in housing production, higher tax rates, and increases in interest rates over time. As a result, a reasonable rent control system that permits landlords to continue to earn a "reasonable" profit cannot go very far toward alleviating a housing crisis. Long-range solutions should instead ideally include a vast expansion of supply or an increase in the purchasing power of tenants.
- Rent control results in inequities within groups of landlords and tenants. Among landlords, inequities arise between those in the controlled and uncontrolled sectors. Owners of uncontrolled housing benefit disproportionately more than owners of controlled housing when there is a shift in demand since they have more freedom to raise rents. Rent control creates inequities among tenants by providing benefits to low-income tenants that reside in controlled housing, while equally "deserving" tenants outside of the controlled housing are denied protection. In addition, "deserving" tenants will be denied entry into controlled housing while "undeserving" tenants inevitably receive benefits by residing in controlled housing.
- A more appropriate redistributive system would tie rent protection to characteristics of housing occupants as opposed to characteristics of housing units. The problem under this system is, absent government subsidies, landlords would most likely be denied a fair rate of return.

Eckert, Joseph K.. "The Effects of Rent Controls on Assessment Practices and Income Adjustment Mechanisms for Rental Housing in Brookline, MA".

This study examined the effects of rent control on Brookline's property tax base over a 12-year period and was conducted by a Brookline assessor.

Findings.

- Intraclass and interclass tax differentials existed in Brookline's tax base prior to the imposition of rent control. Rent control had the effect of eliminating these differentials, resulting in increased tax abatement activity.
- There was an average decline of thirty percent in the taxes paid by rent control properties. The author attributed four-fifths of this decline to the elimination of intraclass differentials and one-fifth to the impact of rent controls.

- The tax-rate increase applied to the entire tax base after the imposition of rent control can be attributed to different sources, including: the elimination of the above-average assessment errors through abatement activity that existed in the rental property tax base prior to the imposition of rent control; the elimination of the original interclass assessment ratio differences; and the continuation of intraclass abatements after the differentials are eliminated. The author does not consider all of these sources to be undesirable effects of rent control since a portion of the rate increase resulted from landlords being unfairly assessed prior to rent control.
- The conversion of rental units to condominiums as a result of rent control may increase the total tax base of the town. The valuation of the single-family class increases at an amount greater than the valuation lost to the rent controlled sector.

Lincoln Institute of Land Policy. Summary of the proceedings, "Rent Control: Its Effect on Housing Availability and Assessed Values", a conference conducted in 1976.

This conference included a half-dozen professionals of various disciplines, including Cambridge city council members, tax assessors and economists. The conference aimed to address the following economic questions: is there an economic argument for rent control arising from a failure of an unregulated market to function effectively; is there a redistributive argument for rent control, or would redistribution be better served through cash transfer programs; what is the cost-benefit trade-off of rent control; and, what is the impact of rent control on property values?

Findings.

- The conclusion was made that economists and politicians look at the issue in a very different light. While economists fault rent control for disrupting the free market, politicians see rent control as serving a function that the free market ignores: protecting the ability of a particular class to remain in a given neighborhood. A city council member from Cambridge, MA described rent control as fully justified for protecting racial minorities, the poor and the elderly from pressure to move out of their neighborhood. This argument was countered on the grounds that rent control may hurt racial minorities because in-migrants to a rent controlled area are disadvantaged by the fact that there is an incentive for residents to remain in their rent-controlled unit. In addition, it was argued that rent control hurts the working class by reducing their mobility and locking them into jobs accessible from their rent-controlled housing.
- One measurement of the effect of rent control on property value is the trend in the gross rent multipliers. When rent control began in Cambridge, properties went for 6-7 times income. But the multipliers began to decline and reached an average of 3.2 six years after rent control was enacted.
- A Cambridge city council member explained that the lack of empirical studies successfully isolating the effect of rent control on assessed values precluded him from opposing rent control. For example, he contended that the loss of

tax revenues on the account of abatements suffered by Cambridge had more to do with high local spending which discouraged business expansion and resulted in a higher tax rate.

- The conclusion was made that much of the disagreement between politicians and economists over rent control depends on different rates of time discount: economists are primarily concerned about the adverse long-term consequences, while politicians are focused on what is happening right now or in the short-term. In addition, the long run distortions to the market warned by economists are not heeded because those who benefit from controls are not convinced that the long-term benefits to everyone that would arise from the abolition of rent control are worth more than the short-term gains to themselves. A preferable alternative would need to be offered to those receiving benefits in order for them to be persuaded to forgo the benefits associated with rent control.

St. John, Michael. "The Distributional Impact of Restrictive Rent Control Programs in Berkeley and Santa Monica, CA".

This study uses Census data to examine the demographic impacts of the restrictive rent control programs in Berkley and Santa Monica. The author tests the notion that rent control is a "progressive" policy option by demonstrating that it does not benefit those classes of people that were the intended target of the policy: families with children, the elderly, the disabled and lower-income households. The author concludes that it is necessary to reconsider the notion that rent control is a policy essential to the preservation of a community's ethnic, economic and cultural diversity. It appears instead that rent control programs in these cities may have created conditions that inhibited housing opportunities for economically marginal or needy households.

Findings.

- In Berkley and Santa Monica, the number of households receiving public assistance, with below-poverty incomes, blue-collar workers, and less educated people decreased after the first decade rent control programs were in existence. The number of households with upper incomes, having professional and managerial employment, having better educations, and not receiving public assistance increased in these cities over the same time period.
- The demographic changes that occurred in Santa Monica and Berkley are not consistent with the changes that occurred in similar-sized cities in the same vicinity.
- Berkley and Santa Monica both lost rental housing over the decade, while no other comparison cities lost rental units; in fact, most comparison cities gained substantial numbers of rental units.
- The percentage of low- and very low-income households decreased in Berkley and Santa Monica but rose in most comparison cities, while the number of high-income households increased in the two cities. The median income in Berkley and Santa Monica rose by more than the increase in the median income in any of the comparison cities.

- Minority populations increased in the two cities just as they increased in the comparison cities.
- The elderly population increased by 1% in Berkley and decreased by 2% in Santa Monica, but increased in the comparison cities by between 3% and 60%.
- The number of female-headed households declined by 24% in Berkley and 27% in Santa Monica but increased for the surrounding metropolitan statistical areas.
- Only in Berkley and Santa Monica were there major decreases in the number of persons with high school and less than high school educations.

St. John Associates. "The Effects of Rent Control on Local Government Revenue".

This study was conducted in 1988 and measured the effect of Berkley's restrictive rent control program on local revenue collection. The study focused on rent control's impact on business license fees, property taxes, and transfer taxes. The authors also attempted to gauge the administrative costs associated with running the program.

Findings.

- Rent control programs affect tax collection to varying degrees depending on the restrictiveness of the program. Restrictive programs, most notably characterized by no vacancy decontrol provision, have major negative effects on local revenue collection.
- Restrictive rent control programs lead to the conversion of rental units to owner-occupied hosing which compounds the adverse effect of rent control on revenue collection because the lost units are not subject to business license fees.
- Rent control in Berkley diminished tax revenues by approximately $4,000,000 per year as of 1988.
- Rent control programs without vacancy decontrol reduce the value of the income stream by 17 to 34 percent, whereas a program with vacancy decontrol is estimated to reduce the value by 2 percent.
- The study demonstrates that free market rents in the San Francisco metropolitan area increased, on average, with the inflation rate for all items.
- Rent control programs that allow rent increases equal to the inflation rate have no significant effect on property value or property tax revenues.
- California permits an automatic two percent increase in assessed value. If rent control restricts increases in property value below 2 percent, the property owners will request an assessment reduction, effectively further lowering revenues.
- Revenue loss from decreased transfer taxes is proportional to the loss in property value caused by rent control since transfer taxes are generally a proportion of sale price.
- Whether or not administrative costs directly reduce funds which would otherwise be available for other government functions depends on the program structure. Programs that are paid for through the general fund directly reduce revenue, whereas programs that charge property owners a per-unit fee to fund

the program may not directly reduce government funds; however, these fees could represent property-based income that could potentially be available for other purposes.

- The author estimates a per unit subsidy that could have been afforded with the amount of tax revenue foregone as a result of rent control.

St. John, Michael. "The Impact of Rent Controls on Property Value".

The study conducted in the late-1980s tested the effects of a variety of rent control programs on the market value of residential income property. Three cities (Berkeley, Hayward and Oakland) with rent-control programs that range from most to least restrictive were studied against non-rent-controlled cities; all cities are located in the same county.

Findings.

- Berkley was considered to have the most restrictive program because it did not allow rents to increase at the inflation rate and did not permit vacancy decontrol. The results suggest that after 10 years of regulations, the value of residential property in Berkley was 50% less than the value that would have been expected absent rent control.
- In the less restrictive cities, property values were found not to have been significantly affected by rent control.
- Berkley had the highest price per unit and price per square foot at the beginning of the study period, but had the lowest prices by the end of the study period.
- The decline in property value in Berkley was unique to multiple-unit properties and did not carry over to single family units.
- In every other city studied, real values of single-family homes and multiple-unit properties rose over this time period.
- The use of a control set- single-family units in Berkley- allowed the author to conclude that the decline in property values of multi-unit properties is a result of rent control.
- In the cities with less restrictive rent control programs, the value of apartments rose and fell along with the values of single-family homes and other rent control exempt housing, allowing the author to conclude that moderate rent control has no discernable effect on property value.
- Whether measured by price per unit or price per square foot, real values of Berkley apartments were lower in 1988 than they were in 1970, whereas real values of apartments in the surrounding cities were double their 1970 value in 1988.
- The average decline in value per unit was estimated to be at $32,690 in Berkley. This was determined by assuming that Berkley's property value would have increased at the same rate as the property in the non-controlled cities. The aggregate value lost citywide was estimated to be over $600 million.

Sternlieb, George, and John W. Hughes. "Rent Control's Impact on the Community Tax Base" in *America's Housing: Prospects and Problems*. Center for Urban Policy Research: Rutgers University, 1980.

This essay published in 1980 details a study of the effect of rent control on the tax base of Fort Lee, New Jersey. Fort Lee enacted a rent control ordinance in 1972 that prohibited annual rent increases in excess of the CPI or 2.5%, whichever is less.

Findings.

- Rent control is not a two-party transaction between tenants and landlords, but a three-party transaction with all other taxpayers in the community forced to bear the costs of the rent control subsidy.
- The authors estimated that from 1970 to 1976 the proportion of income consumed by expenses for multi-dwelling properties rose from 41% to 56.6%.
- For the building that served as the model for measuring changes in property value, the gross rent multiplier (capitalized value divided by total income) declined from 5.67 in 1971 to 4.21 in 1976.
- If a community does not want new apartment construction, rent control could be endorsed to achieve this goal and may be considered preferable to exclusionary zoning.
- Apartment tax appeals rose from 6.5% of total valuation in 1973 to 25% of total valuation in 1977. The potential tax impact of these appeals rose from $655,843 in 1973 to $4,709,939 in 1977. When these appeals are taken into consideration, the proportion of total assessed value made up by apartments declined from 50% to 42.8%. Thus, the balance of real property in the community must compensate for this gap.

Studio Spring 2000 (UMD). "Affordable Housing in Takoma Park".

The Spring 2000 Community Planning Studio of the University of Maryland's Urban Studies Planning Program examined a range of issues related to the availability of quality affordable housing in Takoma Park.

Findings.

- Most landlords in Takoma Park are unsatisfied with the Rent Stabilization program and do not believe they are making a reasonable profit.
- Seventy percent of landlords surveyed said they do not file petitions for rent increases when making capital improvements.
- Eighty-two percent of landlords responded that the city council was not responsive and is too pro-tenant.
- Sample properties in Takoma Park are better maintained than sampled properties in adjacent areas when evaluated from the exterior.
- The majority of landlords do not charge the highest allowable rent under the rent stabilization policy and the majority of landlords charge 70% or more of

the highest allowable rent level. This could suggest that the rent control policy is not depressing rents below market level.

Weitzman, Phillip. "Rent Controls and the Community Tax Base: A Critique of the Empirical Literature".

Weitzman believes that empirical studies of rent control's affect on the tax base which rely upon tax assessments or assessment appeals as indicators of the effect of rent control are flawed and inconclusive.

Findings.

- There may not be a one-to-one correspondence between the implementation of rent controls and the market value of apartment buildings. Other factors that can lead to decreased capital values should be considered, including: higher interest rates; higher rates of taxation; decreased economic prospects for the region; and decreased prospects for the neighborhood in which given properties are located.
- The most widely publicized study of rent control's effect on the community tax base ("Rent Control's Effect on the Community Tax Base", by Sternlieb and Hughes) suffers from a number of flaws. First, the study relied on unaudited data submitted by apartment owners. Weitzman believes these data are unreliable since apartment owners likely submitted such data for the purposes of obtaining monetary benefits. Weitzman believes that only independently audited financial statements can truly reflect changes in a landlords' net income situation. Second, the study assumed that landlord tax appeals were the direct result of declining market values and did not investigate actual changes in apartment building values. Weitzman criticizes Sternlieb and Hughes for not considering potential flaws in the assessment process which would lead to discrepancies between assessment results and actual market value. Third, Sternlieb and Hughes failed to examine the effects controls may have had on values of other taxable real properties in the community.
- Weitzman believes one reason why the assessment process may fail to accurately reflect market value is the finding that landlord groups often encourage property owners to avoid filing hardship petitions and file abatement petitions instead. This is because many rent control boards require significant documentation, property inspections and public hearings when considering a petition. The abatement process is generally cheaper, less time consuming and requires less scrutiny.
- Weitzman criticizes another study for assuming that, absent rent controls, taxes for apartments would have amounted for the same percentage of total taxes seven years after rent control was adopted. The study in question compared the rate of growth in assessments for apartment buildings in rent controlled and noncontrolled cities in New Jersey. The study's author found that the growth rate for assessments of apartment buildings was far superior in noncontrolled than controlled cities. Weitzman contends that there is no basis to assume that any loss in the percentage of taxes paid by apartment owners is prima facie a result of rent control.

- The author concludes that the assessment process does not accurately track changes in the market value of residential rental properties for a number of reasons: assessment reductions may be a result of procedures, formulas or assessor sympathies that do not relate to trends in market value; assessment trends could reflect inequities that predated rent control; landlords could bypass hardship adjustments in favor of assessment appeals; there is a general unavailability of audited income expense data to researchers; and there is a need to take into consideration the effects of general reassessments over long periods of time.

7. Analysis of Multi-Family Housing Assessed Property Value

As discussed in Section 4, rent control policies are believed to suppress the assessed property value of multi-family housing units. The value of multi-family housing is assessed according to income-generating potential. By artificially limiting income-earning potential through restricting rent increases, rent control can have the effect of suppressing assessed property value. In addition, rent control can limit property owners' ability to invest in their housing which can have the effect of further inhibiting growth in assessed value.

TRENDS IN THE ASSESSED VALUE OF TAKOMA PARK APARTMENTS

Table 7-A shows the trend in Takoma Park's total assessed value by property classification for the 2000-2004 levy years. The assessed value of Takoma Park apartments has increased from approximately $88 million in 2000 to $96 million in 2004; however, apartments' percentage of total assessed value has declined from 11.6 percent in 2000 to 8.5 percent in 2004.

Table 7-A. Takoma Park Total Assessed Value (A.V.) and Percent of Total Assessed Value by Property Classification for Levy Years 2000-2004 (in millions)

	Levy Years									
Class of Property	'00 Total A.V.[9]	'00 % of Total	'01 Total A.V.	'01 % of Total	'02 Total A.V.	'02 % of Total	'03 Total A.V.	'03 % of Total	'04 Total A.V.	'04 % of Total
Residential	580.97	76.0%	641.75	77.5%	700.92	78.5%	760.72	79.5%	917.36	81.1%
Residential/Condominiums	7.38	0.9%	9.10	1.1%	10.82	1.2%	12.54	1.3%	19.10	1.7%
Commercial	80.61	10.5%	81.69	9.9%	83.71	9.4%	84.99	8.9%	92.64	8.2%
Industrial	.41	0.05%	.28	.03%	--	--	--	--	--	--
Apartments	88.80	11.6%	89.89	10.8%	91.57	10.3%	91.42	9.6%	96.33	8.5%
Other	6.10	0.8%	5.80	0.7%	5.94	0.7%	6.98	0.7%	6.36	0.6%
Total	***764.27***	***100%***	***828.52***	***100%***	***892.95***	***100%***	***956.65***	***100%***	***1131.79***	***100%***

[9] Beginning in 2001, data are presented at the 100 percent level. Data prior to 2001 are restated to reflect 100 percent value.

Table 7-B compares the trends in total assessed value by property classification for Takoma Park and Montgomery County. Panel 1 demonstrates that between 2000 and 2004 the total assessed value of residential properties in Takoma Park increased by 57.9 percent while the total assessed value of apartments increased by only 8.5 percent. In comparison, between 1999 and 2003 the total assessed value of apartment properties countywide increased by 11.8 percent.

Panel 2 of Table 7-B compares the change in each property classification's share of total assessed value. Between 2000 and 2004, the share of Takoma Park's total assessed value made up by apartment properties declined by 26.7 percent. This compares to a decline of 6 percent in apartment properties' share of the county's total assessed value.

Table 7-B. Percent Change in Total Assessed Value and in Percent of Total Assessed Value by Property Classification

Class of Property	Takoma Park between 2000 and 2004	Montgomery County between 1999 and 2003
	1. Total Assessed Value	
Residential	57.9%	16.3%
Commercial	14.9%	31.1%
Apartments	8.5%	11.8%
Total Base	***48.1%***	***18.1%***
	2. Percent of Total Assessed Value	
Residential	6.7%	-1.4%
Commercial	-21.9%	11.7%
Apartments	-26.7%	-6%

SOURCES: Takoma Park Assessment data provided by the Montgomery County Dept. of Finance; Montgomery County data are from the 2003 Montgomery County CAFR

TRENDS IN THE NUMBER OF RENTAL UNITS

The number of Takoma Park rental units has declined by 14 percent since 1990 from 3924 renter-occupied units in 1990 to approximately 3366 units in 2004 (Table 7-C). It is important to consider if this trend is directly attributable to the rent control policy. By limiting the profit potential of rental housing, Takoma Park's rent control policy may be creating an incentive for property owners to convert rental stock into single-family homes or condominiums. As a result, the policy could be contributing to a decline in the number of available affordable housing units.

Table 7-C. Total Number of Renter-Occupied Units

	Count of rental units
1990	3924
2000	3765
2003	3339
2004	3366

SOURCES: 1990 and 2000 data from the U.S. Decennial Censuses; 2003 and 2004 data provided by Takoma Park City staff.

Appendix 1: List of the Comparable Properties for the Fiscal Implication Analysis (Section 4)

NAME	STREET
MONTGOMERY ARMS APARTMENTS (GARDEN)(UNDER RENOVATION)	8712 COLESVILLE RD
ST. CHARLES APARTMENTS	8710 CAMERON ST
CORONA	714 SLIGO AVE
PARKSIDE TERRACE APTS.	506 EASLEY ST #T3
GOODACRES APARTMENTS	8619 PINEY BRANCH RD
PINE RIDGE APARTMENTS	8617 PINEY BRANCH RD
SLIGO CREEK APARTMENTS	8804 MANCHESTER RD
TANGLEWOOD APARTMENTS	8902 MANCHESTER RD
MONTERREY APARTMENTS	7925 CHICAGO AVE
STRATFORD TERRACE (UNDER RENOVATION)	9061 MANCHESTER ROAD
THAYER TERRACE APARTMENTS	525 THAYER AVE
PARK WAYNE APARTMENTS	2 MANCHESTER PLACE
CARROLL APARTMENTS, THE	8733-8739 CARROLL AVE
FOXHALL	8715 PINEY BRANCH RD
QUEBEC TERRACE, 1010	1010 QUEBEC TERRACE
PLYMOUTH STREET, 8804-8806	8804 PLYMOUTH ST
OAK RIDGE APARTMENTS	1028 QUEBEC TERRACE
NORTHWEST PARK	475 SOUTHAMPTON DR

FLOWER BRANCH	8628 PINEY BRANCH RD
BRADFORD ROAD, 8808-8810	8808 BRADFORD RD
SLIGO HILLS APARTMENTS	9000 MANCHESTER RD
SILVER SPRING AVENUE, 610-12-14	610 SILVER SPRING AVE
UNIVERSITY MANOR APARTMENTS	820 UNIVERSITY BLVD, EAST
NOLTE AVENUE APARTMENTS	8200 NOLTE AVE
ROUND HILL APARTMENTS	8584 FREYMAN DR
COLE SPRING PLAZA	1001 SPRING ST
GEORGIAN TOWERS	8750 GEORGIA AVE
TWIN TOWERS	1110 FIDLER LA
BLAIR EAST APARTMENTS	1220 EAST WEST HIGHWAY
BLAIR HOUSE APARTMENTS	8201 16TH ST
BLAIR PLAZA APARTMENTS	1401 BLAIR MILL RD
SILVER SPRING TOWERS	816 EASLEY ST
CLARIDGE HOUSE	2445 LYTTONSVILLE RD
PARKSIDE EAST	710 ROEDER RD
SUMMIT HILLS APARTMENTS (HIGHRISE)	1701 EAST WEST HIGHWAY
COLESVILLE TOWERS	8811 COLESVILLE RD
CHATEAU, THE	9727 MOUNT PISGAH RD
SPRINGWOOD	1220 BLAIR MILL RD
SUBURBAN TOWERS	8600 16TH ST
COLE SPRING PLAZA	1001 SPRING ST
GEORGIAN TOWERS	8750 GEORGIA AVE

MONTGOMERY ARMS APARTMENTS (MR)(UNDER RENOVATION)	8712 COLESVILLE RD
SILVER SPRING HOUSE	555 THAYER AVE
SLIGO HOUSE APARTMENTS	603 SLIGO AVE
MONTGOMERY TOWERS	415 SILVER SPRING AVE
KEN MIL	9119 MANCHESTER RD
BARBIZON APARTMENTS	735 SLIGO AVENUE
DALTON APARTMENTS	733 SLIGO AVE
HILLBROOK TOWERS	515 THAYER AVE

Sage Policy Group, Inc.

There Remains a Rational Basis for Rent Stabilization in College Park, MD

Submitted by:

Sage Policy Group

Submitted to:

The City of College Park

March 2012

There Remains a Rational Basis for Rent Stabilization in College Park, MD

Executive Summary

- Introduction

The City of College Park hired Sage Policy Group, Inc. (Sage) to conduct an assessment of whether rent stabilization still commands a rational basis in a City of College Park context. The report shares significant similarities with the original study conducted in 2005 and a subsequent update in 2009. Both of those studies determined that a rational basis exists with respect to the City's rent stabilization program.

Much has transpired since the 2009 report. In particular, several high-rise apartment buildings catering to students among others have emerged along Route 1. There has also been an intervening housing crisis, one associated with significant numbers of foreclosures and foregone homeownership. The question is whether or not these and other events have served to undermine the presence of a rational basis during the intervening three years. This report finds that a rational basis still exists, but that there may be a time over the next several years during which arguments in favor of rent stabilization become increasingly weak.

As with the original report, Sage determined that the community continues to maintain an interest in stable owner occupancy. Owner occupancy is not only associated with greater civic engagement, but this study also finds an ongoing correlation between rental status and the number of code violations on a per unit basis. Specifically, owner occupied units are associated with roughly one-fourth the level of violations on a per unit basis compared to renter occupied units that are subject to the existing rent stabilization ordinance (please see Exhibit E1 below).

Exhibit E1: Violations per housing Unit

	Housing Units		Total Violations		**Violations/Unit**	
College Park, MD	Owner Occupied	Renter Occupied	Owner Occupied	Renter Occupied	Owner Occupied	Renter Occupied
2011	3,276	1,124	788	1005	0.24	0.89
Source: City of College Park						

Homeownership in the City of College Park has declined in recent years. In 2004, the proportion of owner-occupied units was 57 percent. The latest Census Bureau data indicate that the proportion has sunk to 46 percent (2010; please see below).

Exhibit E2: Housing Unit Breakdown in College Park, Prince George's County and Maryland, 2000, 2004, 2008, and 2010 Estimates

Area	Share of Owner-Occupied Housing Units				Renter Share of Occupied Housing			
	2000	**2004**	**2006-2008**	**2010**	**2000**	**2004**	**2006-2008**	**2010**
College Park, MD	57.2%	57.4%	55.0%	**45.7%**	42.8%	42.6%	45.0%	**54.3%**
Prince George's County	61.8%	63.1%	65.2%	62.8%	38.2%	36.9%	34.8%	37.2%
Maryland	67.7%	68.8%	69.4%	67.5%	32.3%	31.2%	30.6%	32.5%
Source: U.S. Census Bureau, Decision Data								

Some of this decline in owner-occupancy was anticipated. The City purposefully adopted strategies to accommodate multi-story student housing and this would have the natural tendency of increasing the share of rental households. Undoubtedly, some of this decline in owner occupancy is associated with the most recent economic downturn and its disproportionate impact on the owner-occupied segment of the local economy. However, the predicted loss in owner-occupancy should not be interpreted as indicating diminished commitment to securing and stabilizing owner-occupied neighborhoods among College Park policymakers. The City maintains policies specifically designed to encourage homeownership.

In fact, it should be noted that one of the original motivations for rent stabilization was to reduce incentives to convert owner-occupied dwellings into rentals, including in older neighborhoods adjacent to the University. That motivation remains relevant, particularly considering that since rent stabilization was authorized, the City of College Park has transitioned from a community associated with a majority of owner-occupied units to a city with a minority of them.

Moreover, because of the emergence of the high-rises, there is not the level of rental housing scarcity proximate to the University that existed in 2005. That said, rent associated with the high-rises tends to be more expensive than rent associated with units in converted rental housing (Exhibit E3). Rent stabilization has the effect of stabilizing rent increases in the portion of the rental stock presently most affordable while working to soften the pace of rental conversions.

Exhibit E3: Student Oriented Apartment Properties Off-Campus, Associated Per Bedroom Monthly Rents

	Units	Beds	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Enclave at 8700	94	369			$1,000	$1,000	$925
Mazza GrandMarc	230	626			$1,037	$949	$805
Towers at University Town Center	244	910			$979	$1,020	$794
University View I & II	507	1,562	$1,313		$993		$880
Varsity	259	902		$1,452	$1,202	$1,002	$970
Source: Anderson Strickler, LLC, "University of Maryland, College Park 2011 Student Housing Market Analysis," November 22nd, 2011, Table 5.							

There is also an uncomfortably high level of vacancy in certain rental high-rises. Until this vacancy is addressed, it may make sense for the City of College Park to continue attempting suppression of rental conversions through rent stabilization to induce a higher fraction of renters to move into the new high-rises. Not only does this encourage owner occupancy, it also helps stabilize the market for professionally-managed units that are less likely to be associated with substantial numbers of code violations and add to the City's tax base.

There may, however, come a time when the development of this generation of rental high-rises comes to a close. Once a steady state of rental activity in those high-rises has been achieved, and if the supply of high-rises is sufficient to bring rental rates down, the City may no longer have as much demand for a rent stabilization program. Though rational basis may still persist, thereby protecting the City from legal challenge, the public policy rationale would be weaker by that point.

There Remains a Rational Basis for Rent Stabilization in College Park, MD

Introduction

During the spring of 2005, Sage Policy Group, Inc. (Sage) authored a report indicating that there existed a rational basis for a then-contemplated rent stabilization program/ordinance in the City of College Park, MD. The study team arrived at its conclusion based upon a combination of data analysis and literature review regarding the history of rent stabilization in the U.S. In its 2005 report, the study team wrote that the program is likely to be conducive to the achievement of the following desired policy outcomes:

- stable rents that promote housing affordability;
- enhanced homeownership; and
- fewer violations of the City Code.

Certain key aspects of economic life have changed since 2005. The steep economic downturn and mild recovery has arguably rendered affordability even more of an issue. Homeownership has been declining in much of the nation since the housing downturn became apparent after 2005 – this also characterizes the College Park marketplace. Moreover, a number of large-scale apartment buildings have been constructed in College Park. Nearly 3,500 new student beds have entered the market both on- and off-campus since 2009 and more than 5,000 have been added since 2006 (Exhibit 1). A large portion of this growth has been concentrated in new, high-end, individual-lease properties near the University, often along Route 1.

Exhibit 1: Newly constructed rental units in College Park, 2009-2011

Year		Number of Beds	Number of Units
2009	South Campus Commons #7 (on campus)	368	N/A
2010	Mazza GrandMarc	626	230
2010	University View 2	517	154
2011	The Varsity	901	258
2011	The Enclave	369	94
2011	Oakland Hall (on campus)	709	N/A
Total on-campus		*1077*	*N/A*
Total off-campus		*2413*	*736*
Total 2009-2011		**3,490**	**736**

This report updates data for key categories of interest, including rent levels, homeownership rates and code violations. As with prior Sage studies on this subject, the report does not address the issue of whether or not the City should retain or reform its rent stabilization ordinance. The study team is merely focused upon the question of whether a rational basis for such a policy still exists.

Key Analytical Findings

- Homeownership is still falling in College Park, MD

One of the primary objectives of the original rent stabilization ordinance was to reinforce homeownership by diminishing the incentive for homeowners to convert their properties into rental units. Available data indicate that there remains a public policy rationale for attempting to constrain the pace of rental conversion based on ongoing declines in homeownership and the pace of rental conversions.

Homeownership declined between 2006-2008 and 2010 during a period associated with the Great Recession and its aftermath. Homeownership declined at both the county and state level, but the pace of homeownership decline was more rapid in College Park. Between 2006-2008 and 2010, homeownership in the city declined by nearly 10 percentage points, from 55 percent to 46 percent. The corresponding rates of decline in Prince George's County and Maryland were 2.5 percent and 2.0 percent, respectively (Exhibit 2).

Exhibit 2: Housing Unit Breakdown in College Park, Prince George's County and Maryland, 2000, 2004, 2008, and 2010 Estimates

Area	Share of Owner-Occupied Housing Units				Renter Share of Occupied Housing			
	2000	**2004**	**2006-2008**	**2010**	**2000**	**2004**	**2006-2008**	**2010**
College Park, MD	57.2%	57.4%	55.0%	**45.7%**	42.8%	42.6%	45.0%	**54.3%**
Prince George's County	61.8%	63.1%	65.2%	62.8%	38.2%	36.9%	34.8%	37.2%
Maryland	67.7%	68.8%	69.4%	67.5%	32.3%	31.2%	30.6%	32.5%
Source: U.S. Census Bureau, Decision Data								

Two separate sources of data allowed Sage to estimate the pace of rental conversion in recent years, specifically for the period 2005-2011. The first data series pertains to number of residential occupancy permits issued by the City of College Park. In 2005, the number of permitted single-family/townhomes used for rental purposes equaled 607. By 2011 this figure had risen to 822, indicating that the number of owner-occupied properties converted to rental increased by 215units (2005 vs. 2011). A second data source confirms the validity of this estimate. According to City of College Park refuse fee revenue data, there were 215 more converted units in 2011 subject to refuse charges relative to the 2005 level. In other words, both sources of data indicate that the number of converted units has increased over time. Exhibit 3 reflects the expansion in converted units.

One can conjecture that the growing emphasis on renting as opposed to homeownership as well as the desire to pursue the lower rents often associated with converted owner-occupied housing have motivated an ongoing increase in the pace of rental conversion over time. Households struggling to meet mortgage obligations also played a role by creating a larger market for conversions. This set of circumstances is also likely a reflection of College Park's vast rental demand, which is largely attributable to the presence and ongoing growth of the University.

Exhibit3: Conversions of Owner-Occupied Housing to Rental Units Based Upon Occupancy Permit Data

Year	Total Residential Rental Occupancy Permits Issued, Single-Family/Townhouses
2005	607
2011	822
Total Conversions2005-2011	215
Source: City of College Park, MD. Public Services Department	

The notion that the City of College Park desires broad homeownership from a public policy perspective is underscored by certain measures it has adopted to encourage homeownership and reverse conversion trends. For instance, through its New Homeownership Grant program, the City of College Park offers up to $5,000 in grant assistance on a first-come, first-serve basis to promote conversion of single-family rental properties to owner-occupied housing and to encourage police officers and city employees to make their homes in College Park.

- Rents are still rising in College Park according to available data

Exhibit 4 indicates that since 2005, rents have been on the rise. This represents another source of rational basis for rent stabilization. It should be noted that the period lasting from 2005-2011 included a number of very weak years for the economy. Despite that, rents rose. Exhibit 5 provides statistical detail regarding University View I & II rent levels over time.

Exhibit 4: Median Monthly Rental Rates for 2BR and 3BR, 2005 and 2011

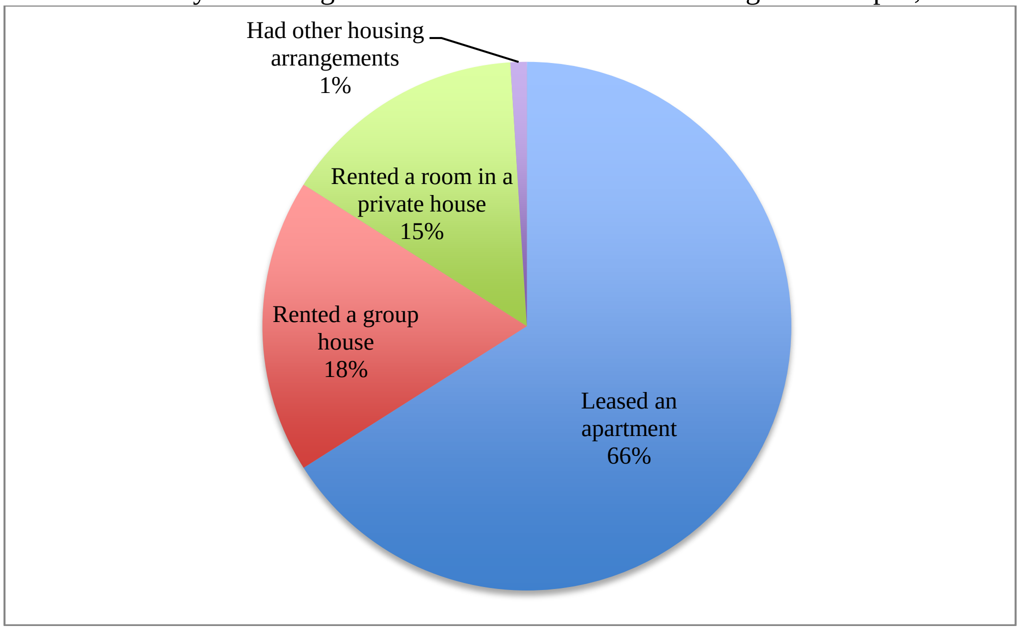
2005	2BR	3BR
Student Survey-Single Students	$983	-
Student Survey-Married/Family	$1,093	$1,406
2011		
Survey-Single Undergraduates (adjusted to per unit)	$1,300	$1,584
Survey-Married/Family Undergraduates	$1,125	$1,500
Survey-Single Grad Students (adjusted to per unit)	$1,300	$1,509
Survey-Married/Family Grad Students	$1,300	$1,700
Sources: 1. Anderson Strickler, LLC, "Student Housing Market and Feasibility Study, University of Maryland, College Park," July 6, 2005, Table 13 2. Anderson Strickler, LLC, "University of Maryland, College Park 2011 Student Housing Market Analysis," November 22nd, 2011, Table 6		

Exhibit 5: Rents at University View I & II over Time, 2005/6 v. 2011

	Unit Type/2005-06 Rents			2011 Rents	
	2BR/2BA	4BR/2BA	4BR/4BA	2 Bedroom	4 Bedroom
University View I & II	$770-$845	$705-$750	$725-$775	$993	$880
Sources: 1. Anderson Strickler, LLC, "Student Housing Market and Feasibility Study, University of Maryland, College Park," July 6, 2005, Table 13; 2. Anderson Strickler, LLC, "University of Maryland, College Park 2011 Student Housing Market Analysis," November 22nd, 2011, Table 6					

Rents at the newly constructed high-rises are generally higher than the rents in converted owner-occupied dwellings. Survey data indicate that these high rents often represent a barrier to inducing University students to live in professionally-managed high-rise settings. In fact, even with the provision of rental units in several new high-rise buildings, the proportion of students living off-campus who resides in non-apartment settings remains significant. Exhibit 6 indicates that that proportion is roughly one-third.

Exhibit 6: Survey of Undergraduate & Graduate Students Living Off-Campus, 2011



Source: Anderson Strickler, LLC , "University of Maryland, College Park 2011 Student Housing Market Analysis," November 22nd, 2011, p. 3.

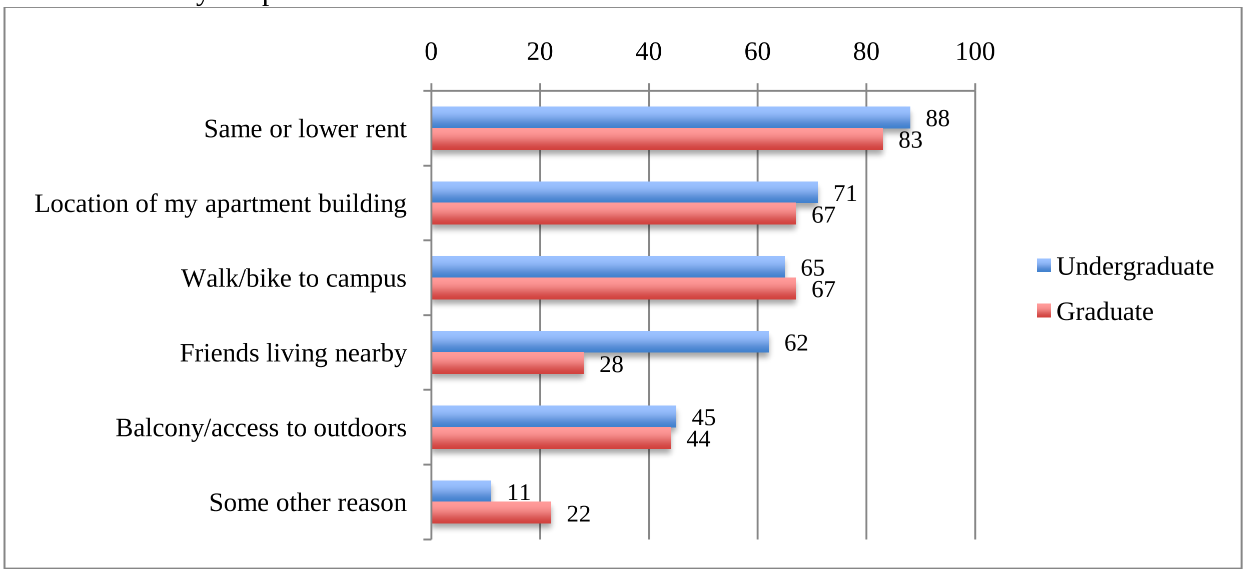
Exhibit 7 provides statistical detail regarding rents at several high-rise buildings. Note that the rents at these rises tend to be above $900/bedroom. That renders them more expensive than the typical rented room in a single-family setting.

Exhibit 7: Student Oriented Apartment Properties Off-Campus, Associated Monthly Per Bedroom Rents

Property	Units	Beds	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Enclave at 8700	94	369			$1,000	$1,000	$925
Mazza GrandMarc	230	626			$1,037	$949	$805
Towers at University Town Center	244	910			$979	$1,020	$794
University View I & II	507	1,562	$1,313		$993		$880
Varsity	259	902		$1,452	$1,202	$1,002	$970
Source: Anderson Strickler, LLC , "University of Maryland, College Park 2011 Student Housing Market Analysis," November 22nd, 2011, Table 5							

The rents being charged are presumably in part a function of the cost of construction. These high rents are likely contributing to vacancy. By Anderson Strickler's estimation, the "five individual-lease properties close to campus with almost 4,400 beds have over 630 vacancies, the equivalent of a 14 percent vacancy rate. Exhibit 8 reflects the fact that many students are on the hunt for lower rents.

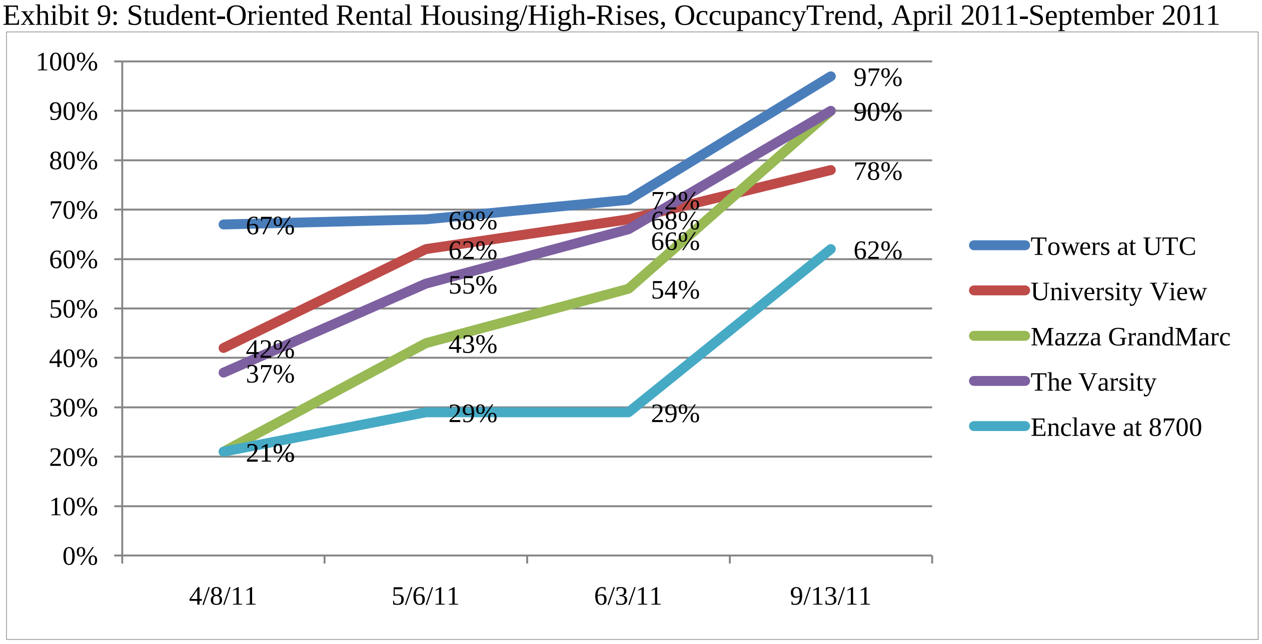
Exhibit 8: Factors That Would Motivate Student College Park House Renters to Move to Apartments, Percent of Survey Respondents



Source: Anderson Strickler, LLC, "University of Maryland, College Park 2011 Student Housing Market Analysis," November 22nd, 2011, P. 48-50.

Exhibit 9 below reflects occupancy trends for these five properties. Notice that for one of them (Enclave at 8700), occupancy fell short of two-thirds through September 2011. One of the arguments for rent stabilization is that additional rental conversions will serve to drain the supply of available renters, making the pursuit of sufficient occupancy at the high-rises more challenging.

Exhibit 9: Student-Oriented Rental Housing/High-Rises, OccupancyTrend, April 2011-September 2011



Source: Anderson Strickler, LLC, "University of Maryland, College Park 2011 Student Housing Market Analysis," November 22nd, 2011.

An additional consideration is that there is a significant pipeline of new potential construction in College Park that the City may want to support to create even greater rental choice and additional tax base. This pipeline is represented in Exhibit 10 below.

Exhibit 10: Pipeline of New Construction, College Park

Project	Number of Beds	Number of Units	Parking Spaces	Retail/Other (SF)
Maryland Book Exchange	1,010	341	321	14,300
University View Village (Phases III and IV)	992			
Phase III		104	470	10,530
Phase IV		168	N/A	8,430
Enclave at 8700 (Phase II)	296	83	N/A	
The Domain at College Park*	N/A	258	N/A	11,400
Mosaic at Turtle Creek**	N/A	300	335	N/A
Total	**2,298**	**1,254**	**1,126**	**44,660**
Source: Anderson Strickler, LLC , "University of Maryland, College Park 2011 Student Housing Market Analysis," November 22nd, 2011, P. 41-42.				

- City code violations are still higher among rental units

Exhibit11presents first notice code violations for 2011 for residential rental (all rental units) and owner-occupied categories by type of violation. In 2011 there were more first notice code violations at residential rental units than at owner-occupied units. This is a pattern Sage has been observing over time. This represents another source of rational basis since presumably the City would prefer to deal with fewer violations and broader homeownership would be associated with that outcome.

Exhibit 11: College Park, MD First Notice Code Violations by Type and Housing Breakdown, Exterior Property Maintenance Only, 2011

Code Violation	**Residential Rental[1]**	**Owner-Occupied**
Grass and Trash	301	297
Inoperable Vehicles	44	82
Vehicle Parked in Grass	94	36
Graffiti	0	0
Toters	215	88
Trash Out Early	0	1
Illegal Signs	2	2
Litter	200	80
Dumpster	6	23
Miscellaneous	27	13
Zoning Violations	31	18
Total Listed Violations	**920**	**640**
Total All Violations	**1,005**	**788**
Source: City of College Park, MD		

[1] In Sage's original report, the term "residential rental" was used to describe rental conversions. For present purposes, residential rental refers to all renter-occupied housing in College Park.

Using 2011 data supplied by the City of College Park, Sage was able to establish the number of violations per unit for the group of units subject to rent stabilization. This ratio can be compared with the corresponding ratio of violations to units in the owner-occupied category. According to these data, the number of violations per unit for those units subject to rent stabilization is 0.89. This is nearly four times higher than the corresponding yield for owner-occupied units, which is 0.24. Exhibit 12 provides relevant statistical detail.

Presumably, the City of College Park would prefer to minimize the number of violations both to improve quality of life and to reduce associated administrative costs. This serves as another source of rational basis for rent stabilization. To the extent that rent stabilization induces slower rental conversion and encourages a higher fraction of the rental market to live in professionally-managed settings, violation counts are likely to be reduced.

Exhibit 12: Violations per housing Unit

	Housing Units		Total Listed Violations		Violations/Unit		Total All Violations		Violations/Unit	
College Park, MD	Owner Occupied	Renter Occupied	Owner	Renter	Owner	**Renter**	Owner Occupied	Renter Occupied	Owner	**Renter**
2011	3,276	1,124	640	920	0.20	0.82	788	1,005	0.24	0.89
Source: City of College Park, MD										

Conclusion

- There remains a rational basis for rent stabilization in College Park

Based on declining homeownership, the ongoing need for rental affordability, the correlation between rental status and number of violations per unit and the lingering vacancies at newly-constructed high rises, there remains a rational basis for rent stabilization in a City of College Park context. Key analytical findings include the following:

- Homeownership has declined more quickly in College Park than in the county or the state;
- The population of converted, previously owner-occupied units has expanded since 2005;and
- Owner-occupied units are associated with lower levels of violations per unit.

Conversion from owner-occupancy to rental has continued in recent years despite the rent stabilization ordinance, at least in part due to distress within the owner-occupied segment of the community's housing market and the resulting increase in the population of homes available for conversion.

There may, however, come a time when the development of this generation of rental high-rises comes to a close. Once a steady state of rental activity in those high-rises has been achieved, and if the supply of high-rises is sufficient to bring rental rates down, the City may no longer have as much demand for a rent stabilization program. Though rational basis may still persist, thereby protecting the City legally, the public policy rationale would be weaker by that point.

Appendix

- Housing Unit Absolute Totals – Census Bureau

Exhibit A1 reflects the number of owner-occupied and renter-occupied housing units in College Park based upon U.S. Census Bureau data for three separate periods. These figures relate to the percentage figures presented in the body of the report (see Exhibit E2 and Exhibit 2).

Exhibit A1: Housing Unit Breakdown in College Park, Prince George's County and Maryland, 2000, 2008, and 2010 Estimates

Area	Owner-Occupied Housing Units			Renter-Occupied Housing Units		
	2000	**2006-2008**	**2010**	**2000**	**2006-2008**	**2010**
College Park, MD	3,448	3,277	3,087	2,582	2,684	3,670
Prince George's County	177,177	194,551	190,993	109,433	103,888	113,049
Maryland	1,341,751	1,449,301	1,455,775	639,108	637,527	700,636
Source: U.S. Census Bureau, 2000 Census, ACS 3-year Estimates, 2010 Census						

- Census Data Discussion

A discussion with City staff during a work session exposed a desire to understand the difference between various Census estimates. The 2006-2008 data represent 3-year estimates originating from the American Community Survey or ACS. The 2006-2008 estimates represent "period" estimates collected over a 36-month time period while the decennial census statistics represent specific "point-in-time" estimates.

<u>Implication for analysis</u>

Comparing period estimates with "point-in-time" estimates produces a few issues, none of which fundamentally undermine the quality of analysis. Broad population characteristics will frequently remain consistent in an area throughout a given calendar year. To the extent that this assertion is true, period estimates may not look very different from "point-in-time" survey estimates (like the decennial census point-in-time estimates). Accordingly, the two types of estimates are more likely to diverge during periods of rapid population/demographic change. In the instance of College Park, there was dynamic change in the economic environment in recent years due to the emergence of several rental high-rises.

Exhibit A2 provides three-year estimates for housing units. The body of this report uses 2010 decennial Census data to drive the analysis rather than the 2008-2010 period estimates. Given the rapid change in economic conditions between 2008 and 2010, it seems reasonable to use the 2010 figure as a basis for analysis and comparison with prior periods. Had the 2008 to 2010 period been more stable from economic, demographic and development perspectives, the study team would likely have relied more heavily upon the three-year period estimate for 2008 to 2010. The point is that the 2008 and 2009 estimates that are embodied in this three-year period do not fully reflect the dynamic change that has occurred in College Park and therefore relying upon a simple 2010 point-in-time estimate seems preferable.

Exhibit A2: ACS 3-year Housing Unit Estimates, College Park, Prince George's County & Maryland

	Share of Owner-Occupied Housing Units		Share of Renter-Occupied Housing Units	
Percentages	2005-2007	2008-2010	2005-2007	2008-2010
College Park, MD	57.4%	52.1%	42.6%	47.9%
Prince George's County	64.8%	63.1%	35.2%	36.9%
Maryland	69.4%	68.2%	30.6%	31.8%
	Share of Owner-Occupied Housing Units		Share of Renter-Occupied Housing Units	
Absolute Numbers	2005-2007	2008-2010	2005-2007	2008-2010
College Park, MD	3,204	3,371	2,380	3,094
Prince George's County	193,318	190,060	104,953	111,086
Maryland	1,445,426	1,447,968	637,147	674,801
Source: U.S. Census Bureau, ACS 3-year estimates				

Exhibit A3 illustrates the implications of using 2010 decennial Census data for analytical purposes rather than the 2008-2010 period estimate. Note that the 2010 point-in-time estimate is associated with substantially lower owner-occupancy in percentage terms than the three-year estimate.[2] This is a reflection of the impact of 2008 and 2009 in the 3-year data; years that do not as fully reflect the construction of rental high-rises in College Park. Therefore, using the 2010 point-in-time estimate arguable represents a better way to understand the city's current circumstances along the dimension of owner-occupancy. It is difficult, however, to know from these data what portion of shrinking owner-occupancy was due to the emergence of the high-rises as opposed to the housing market downturn that impacted this period of economic history.[3]

Exhibit A3: Comparison between 3-Year ACS and Decennial Census Point-in-Time Estimates

	Share of Owner-Occupied Housing Units		Difference between multi-year estimate and point-in-time estimate
Area	2008-2010	2010	
College Park, MD	52.10%	45.70%	-6.40%
Prince George's County	63.10%	62.80%	-0.30%
Maryland	68.20%	67.50%	-0.70%
	Share of Owner-Occupied Housing Units		Difference between multi-year estimate and point-in-time estimate
	2008-2010	2010	
College Park, MD	3,371	3,087	-284.00
Prince George's County	190,060	190,993	933.00
Maryland	1,447,968	1,455,775	7807.00
Source: U.S. Census Bureau, ACS 3-year estimates			

[2] It should be noted that there are different residency definitions between the decennial Census and the American Community Survey. The decennial Census uses a "usual residence" rule to enumerate people at the place where they live or say most of the time as of April 1st of the subject year. The ACS, by contrast, uses a "current residence" rule to interview people who are currently living or staying in the sample housing unit as long as their stay at that address will ultimately exceed two months. The difference in residency definitions should not fundamentally alter key analytical findings.

[3] One should be cautious when comparing data from 2000-2005 surveys with data from 2006 and later surveys. "Unlike earlier surveys, the 2006 ACS survey includes samples of the population living in group quarters (e.g., college dorms and nursing homes), so the data may not be comparable, especially for young adults and the elderly, who are more likely than other age groups to be living in group quarters facilities." (Source: U.S. Department of Commerce, Economics and Statistics Administration, U.S. CENSUS BUREAU, "A Compass for Understanding and Using American Community Survey Data, *What General Data Users Need to Know,"* October 2008.)

City of Chicago

O2016-341

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	1/13/2016
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Amendment of Municipal Code Titles 3, 4 and 17 concerning regulation of hotel accommodations, short term residential rental intermediaries and shared housing units
Committee(s) Assignment:	Joint Committee: License & Consumer Protection; Housing & Real Estate

O2016-341

Chicago, March 16, 2016

To the President and Members of the City Council:

Your Committee on License and Consumer Protection, having under consideration an ordinance introduced by Mayor Emanuel and the Commissioner of Business Affairs and Consumer Protection (which was referred on January 13, 2016), to amend Titles 3, 4 and 17 of the Municipal Code of Chicago concerning hotel accommodations, short term residential rental intermediaries, shared housing units, lodging types, begs leave to recommend that Your Honorable Body ***Re-refer*** the ordinance which is transmitted herewith to a Joint Committee on License and Consumer Protection and Housing and Real Estate.

This recommendation was concurred in by a viva voce vote of the members of the committee on March 8, 2016.

Respectfully submitted,

EMMA MITTS
CHAIRMAN, COMMITTEE ON
LICENSE AND CONSUMER
PROTECTION

LIC.

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

January 13, 2016

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Business Affairs and Consumer Protection, I transmit herewith an ordinance authorizing a shared housing registry.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 3-24 of the Municipal Code of Chicago is hereby amended by adding a new section 3-4-035, by deleting the language stricken through and by inserting the language underscored, as follows:

3-24-020 Definitions – Construction.

A. For the purpose of this chapter, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed in this section:

(Omitted text is unaffected by this ordinance)

4. "Hotel accommodations" means~~, except as otherwise provided in this paragraph,~~ a room or rooms in any building or structure kept, used or maintained as or advertised or held out to the public to be an inn, motel, hotel, apartment hotel, lodging house, bed-and-breakfast establishment, vacation rental~~,~~ as defined in Section 4-6-300, <u>shared housing unit as defined in Section 4-9-010</u>, dormitory or similar place, where sleeping, rooming, office, conference or exhibition accommodations are furnished for lease or rent, whether with or without meals. ~~The term "hotel accommodations" shall not include (i) an accommodation which a person occupies, or has the right to occupy, as his domicile and permanent residence; (ii) any temporary accommodation provided in any building or structure owned or operated, directly or indirectly, by or on behalf of a not-for-profit medical institution, hospital, or allied educational institution; or (iii) an accommodation in a bed-and-breakfast establishment that is licensed under Section 4-6-290.~~

(Omitted text is unaffected by this ordinance)

3-24-030 Tax imposed.

<u>A.</u> There is hereby imposed and shall immediately accrue and be collected a tax, as herein provided, upon the rental or leasing of any hotel accommodations in the City of Chicago, at the rate of four and one-half percent of the gross rental or leasing charge.

<u>B. In addition to the tax imposed under subsection A of this section, there is hereby imposed and shall immediately accrue and be collected a surcharge, as herein provided, upon the rental or leasing of any hotel accommodations at any vacation rental, shared housing unit or bed-and-breakfast establishment in the City of Chicago, at the rate of two percent of the gross rental or leasing charge. The purpose of this surcharge is to help fund initiatives intended to increase access to affordable housing and alleviate homelessness in Chicago. The surcharge is a part of the tax imposed by this Chapter, and all references to the tax shall be deemed to include the surcharge.</u>

(Omitted text is unaffected by this ordinance)

<u>**3-24-035 Exemptions.**</u>

<u>The tax imposed by this Chapter shall not apply to:</u>

182

A. an accommodation which the lessee or tenant (as the term "lessee or tenant" is used in Sections 3-24-040 and 3-24-050) occupies, or has the right to occupy, as his domicile and permanent residence;

B. any temporary accommodation provided in any building or structure owned or operated, directly or indirectly, by or on behalf of a not-for-profit medical institution, hospital, or allied educational institution; or

C. an accommodation in a bed-and-breakfast establishment that, as of January 1, 2016, was licensed under Section 4-6-290.

(Omitted text is unaffected by this ordinance)

SECTION 2. Section 4-5-010 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-5-010 Establishment of license fees.

(Omitted text is unaffected by this ordinance)

(1) Limited business (4-4)	$250.00
(2) Regulated Business License (4-6) ~~– Other Than Hotels. . . . .~~	~~$250.00~~
Hotels (4-6).	$250.00 plus $2.20 per room
Short Term Residential Rental Intermediary (4-6).	$10,000.00, if the intermediary has 1,000 or more short term residential rentals listed on its platform; or $5,000.00, if the intermediary has 999 or fewer short term residential rentals listed on its platform
All Other Regulated Businesses (4-6).	$250.00
(3) [*Reserved*]. ~~Regulated Business License (4-6) Hotels. . . .~~	~~$250.00~~

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 4-6-010 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-010 Regulated business license.

(Omitted text is unaffected by this ordinance)

(c) Business activities requiring a regulated business license under this chapter shall include the following: (1) health club; (2) clothing alteration; (3) laundry service; (4) residential real estate developer; (5) tattooing, body piercing or tanning facility; (6) day labor agency; (7) adult family care center; (8) assisted living establishment; (9) long-term care facility; (10) adult family care home; (11) automatic amusement operator; (12) private scavenger; (13) secondhand dealer in children's clothing and children's products only; (14) junk peddler; (15) debt collectors; (16) hospital; (17) hotel; (18) board-up company; (19) dry cleaner; (20) hazardous materials; (21) single-room occupancy buildings; (22) booting of motor vehicles; (23) immigration assistance; (24) expediter company: (25) expediter/natural person; (26) home occupation; (27) home repair; (28) bed-and-breakfast establishment; ~~and~~ (29) vacation rentals; and (30) short term residential rental intermediary.

SECTION 4. Section 4-6-180 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-180 Hotel.

(a) *Definitions.* As used in this section:

"Hotel" means any building or structure kept, used, maintained as, advertised or held out to the public to be an inn, hotel, motel, family hotel, apartment hotel, lodging house, dormitory or other place, where sleeping or rooming accommodations are furnished for hire or rent, and in which seven or more sleeping rooms are used or maintained for the accommodation of guests, lodgers or roomers. The term "hotel" shall not include "single-room occupancy buildings," ~~or~~ "bed-and-breakfast establishments," "vacation rentals;" or "shared housing units" licensed or registered, or required to be licensed or registered, by the city ~~as defined in Section 13-4-010~~.

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 4-6-290 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-6-290 Bed-and-breakfast establishment.

(a) *Definitions.* As used in this section:

(Omitted text is unaffected by this ordinance)

"Bed-and-breakfast establishment" or "establishment" means an owner-occupied single-family residential building, an owner-occupied, multiple-family dwelling building, or an owner-occupied condominium, townhouse or cooperative, in which 11 or fewer sleeping rooms are available for rent or for hire for transient occupancy by registered guests. The term "bed-and-breakfast establishment" does not include single-room occupancy buildings as that term is defined in Section 13-4-010; shared housing units registered pursuant to Chapter 4-9 of this Code; or vacation rentals licensed pursuant to Section 4-6-300. If the bed-and-breakfast establishment is a single-family residential building located on a lot that includes a principal house and an accessory building that was being used for residential purposes as of January 16, 2003, the accessory building shall be considered to be part of the establishment. The term "guests" does not include members of the owner's family within the meaning of the Chicago Zoning Ordinance; nor does it include persons who have signed a lease to use and occupy residential property unless the leased residential property is held out by its owner, or by any person acting on the owner's behalf, to be a bed-and-breakfast establishment.

(Omitted text is unaffected by this ordinance)

SECTION 6. Section 4-6-300 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-6-300 Vacation rentals.

(a) *Definitions.* As used in this section:

(Omitted text is unaffected by this ordinance)

"Dwelling unit" has the meaning ascribed to that term in section 17-17-0248.

"Guest" means any person who rents a vacation rental for transient occupancy by such person. The term "guest" does not include members of the owner's household, as that term is defined in section 17-17-0270.

"Homeowners association" means the association of all the unit owners, acting pursuant to bylaws through its duly elected board of managers. For purposes of this definition "unit owner" means the person or persons whose estates or interest, individually or collectively, aggregate fee simple absolute ownership of a unit, or in the case of a leasehold condominium, the lessee or lessees of a unit whose leasehold of the unit expires simultaneously with the lease.

(Omitted text is unaffected by this ordinance)

"Transient occupancy" has the same meaning ascribed to that term in section 4-6-290 ~~means any occupancy on a daily or nightly basis, or any part thereof, for a period of 30 or fewer consecutive days~~.

"Vacation rental" means a dwelling unit that is not an owner-occupied dwelling unit and contains 6 or fewer sleeping rooms that are available for rent or for hire for transient occupancy by guests. ~~The term "guests" does not include members of the owner's household, as that term is defined in section 17-17-0270.~~ The term "vacation rental" shall not include: (i) single-room occupancy buildings or bed-and-breakfast establishments, as those terms are defined in Section 13-4-010; (ii) hotels, as that term is defined in Section 4-6-180; (iii) a dwelling unit for which a tenant has a month-to-month rental agreement and the rental payments are paid on a monthly basis; (iv) a shared housing unit registered pursuant to Chapter 4-9 of this Code; or (~~iv~~v) corporate housing. For purposes of this definition:

(Omitted text is unaffected by this ordinance)

(g) *Prohibited acts.* It shall be unlawful for any licensee engaged in the business of vacation rental to~~;~~:

(Omitted text is unaffected by this ordinance)

(6) serve or otherwise provide alcohol to any guest~~.~~;

(7) rent less than the whole vacation rental to guests during a single transaction;

(8) rent the vacation rental in multiple transactions for the same or overlapping time periods.

(Omitted text is unaffected by this ordinance)

SECTION 7. Chapter 4-6 of the Municipal Code of Chicago is hereby amended by inserting a new Article XXXI and Section 4-6-400, as follows:

ARTICLE XXXI. SHORT TERM RESIDENTIAL RENTAL INTERMEDIARY.

4-6-400 Short term residential rental intermediary.

(a) *Definitions.* As used in this section, the following definitions shall apply:

"Bed-and-breakfast establishment" has the meaning ascribed to that term in Section 4-6-290.

"Cooperative building" has the meaning ascribed to that term in Section 4-6-300.

"Dwelling unit" has the meaning ascribed to that term in Section 17-17-0248.

"Guest" has the meaning ascribed to that term in Sections 4-6-290, 4-6-300 or 4-9-010, whichever is applicable.

"Homeowners association" has the meaning ascribed to that term in Section 4-6-300.

"Local contact person" means any person authorized as an agent of the short term residential rental intermediary who: (1) is designated for service of process; (2) is authorized by the short term residential rental intermediary to take remedial action and to respond to any violation of this Code; and (3) maintains a residence or office located in the city.

"Platform" means an internet-enabled application, mobile application, or any other digital platform used by a short term residential rental intermediary to connect guests with a short term residential rental provider.

"Short term residential rental" means a dwelling unit located within the city that is rented as, or held out as being used as, a shared housing unit, vacation rental or bed-and-breakfast establishment.

"Short term residential rental intermediary" means any person, who for compensation or a fee, uses a platform to connect guests with a short term residential rental provider for the purpose of renting a short term residential rental.

"Short term residential rental provider" or "provider" means any person who offers for rent a short term residential rental unit.

"Shared housing host" has the meaning ascribed to that term in Section 4-9-010.

"Shared housing unit" has the meaning ascribed to that term in Section 4-9-010.

"Transient occupancy" has the meaning ascribed to that term in Section 4-6-290.

"Vacation rental" has the meaning ascribed to that term in Section 4-6-300.

(b) *License – Required.* No person shall engage in the business of short term residential rental intermediary without first having obtained a license under this section.

(c) *Application – Additional information required.* In addition to the requirements set forth in Section 4-4-050, an application for, and, if requested, renewal of, a regulated business license to engage in the business of short term residential rental intermediary shall be accompanied by the following information:

(1) the name, address and contact information of a local contact person;

(2) an affidavit from the local contact person identified in the license application attesting that such local contact person: (i) is designated for service of process; (ii) is authorized by the applicant or licensee to take remedial action and to respond to any violation of this Code; and (iii) maintains a residence or office located in the city;

(3) proof of all insurance required by this section;

(4) a written plan, subject to the approval of the commissioner, describing the applicant's procedures, processes and policies that will ensure that the applicant and any short term residential rental provider that utilizes the platform are, or will remain, in compliance with this section; and

(5) any other information that the commissioner may reasonably require in connection with issuance or renewal of the license.

(d) *Legal duties.* Each licensee shall have the following duties:

(1) obtain commercial general liability insurance, with limits of not less than $1,000,000 per occurrence, for bodily injury, personal injury and property damage arising in any way from the issuance of the short term residential rental intermediary license or activities conducted pursuant to that license. Each policy of insurance shall: (i) be issued by an insurer authorized to insure in the State of Illinois; (ii) name the City of Chicago as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the issuance of the license; (iii) be maintained in full force and effect for the duration of the license period; and (iv) include a provision requiring 30 days' advance notice to the commissioner prior to cancellation or lapse of the policy;

(2) provide commercial general liability insurance, with limits of not less than $1,000,000 per occurrence for bodily injury, personal injury and property damage arising in any way from activities conducted pursuant to a registration or issuance of license for a short term residential rental. Such insurance shall cover any bodily injury, personal injury or property damage sustained by any guest arising in any way from activities related to the rental of the short term residential rental. Each policy of insurance provided shall have policy limits as set forth in this subsection that apply separately for each short term residential rental, and if the policy has an aggregate limit, the aggregate limit shall apply separately to each short term

residential rental. Each policy of insurance shall: (i) be issued by an insurer authorized to insure in the State of Illinois; (ii) be maintained in full force and effect for as long as the short term residential rental is registered or licensed, whichever is applicable; and (iii) include a provision requiring 30 days' advance notice to the commissioner and the short term rental provider prior to cancellation or lapse of the policy;

(3) include on its platform the name of, and contact information for, the licensee's local contact person;

(4) comply with all applicable federal, state and local laws and regulations regarding collection and payment of taxes, including hotel accommodation taxes; and

(5) do not list, or permit any person to list, any short term residential rental on its platform, unless the licensee has:

(A) ascertained whether a short term residential rental provider is licensed under Section 4-6-290 or Section 4-6-300, or registered under Section 4-9-020, whichever is applicable. All listings for short term residential rentals shall include the short term residential rental provider's city license or registration number, as applicable. The licensee and short term residential rental provider shall be jointly and severally liable for any rental of a short term residential rental listed on the licensee's platform which is not properly licensed or registered with the City;

(B) advised the provider that the provider must comply with all existing applicable rental agreements, or homeowners association or cooperative building rules or restrictions, regarding the rental for transient occupancy of the short term residential rental;

(C) advised the short term residential rental provider that every listing shall include the following information:

(i) the short term residential rental provider's cancellation and check-in and check-out policies;

(ii) a statement on: (1) on whether the short term residential rental is wheelchair or ADA accessible; (2) whether the short term residential rental has any parking availability or restrictions; and (3) the availability of, or restrictions on, the use of any recreational facilities or other amenities applicable to guests;

(iii) a description of the short term residential rental, including the number of sleeping rooms and bathrooms, and whether the entire dwelling unit, or only a portion thereof, is available for rent; and

(iv) the short term residential rental provider's city license or registration number.

(e) *Monitoring complaints.* The licensee shall monitor complaints from guests or local residents regarding nuisance activity in, or sanitary, health or life safety conditions of, a short term residential rental. Such complaints shall be made available to the commissioner upon request.

The licensee shall immediately notify and cooperate with the police department if the licensee knows or suspects that any criminal activity or public nuisance is taking place in the short term residential rental.

(f) *Records and Reports.* The licensee shall keep accurate books and records and maintain such books and records for a period of three years.

Each licensee shall provide reports and data to the City as provided by the commissioner in rules.

(g) *Registration information.* All registration information for a shared housing unit registration under chapter 4-9 of this code made on a licensee's platform shall be forwarded to the commissioner as prescribed in rules. Prior to forwarding such information to the commissioner, the licensee shall ensure that all registration information required to be submitted by a shared housing host is complete.

(h) *Prohibited Acts.* It shall be unlawful for any person engaged in the business of short term residential rental intermediary to list on its platform any shared housing unit:

(1) when the data on its platform indicate that the number of nights that the shared housing unit has been rented by guests exceeds 90 nights in a calendar year;

(2) that: (i) rents, or offers to rent, any shared housing unit, or any portion thereof, by the hour or for any period of fewer than ten consecutive hours; (ii) rents, or offers to rent, any shared housing unit, or any portion thereof, more than once within any consecutive ten hour period measured from the commencement of one rental to the commencement of the next; (iii) advertises an hourly rate or any other rate for any shared housing unit, or any portion thereof, based on a rental period of fewer than ten consecutive hours; or (iv) rents, or offers for rent, a shared housing unit for multiple bookings or rentals for the same or overlapping time periods.

(i) *Ineligibility for listing.* A short term residential rental shall be ineligible for listing on a licensee's platform under the following conditions:

(1) (A) when, in the determination of the commissioner, the rental of the short term residential rental creates a nuisance because, within any consecutive 12-month period, at least three separate incidents involving illegal acts, as that term is defined in Section 4-4-313(h), occurred: (i) in the short term residential rental; (ii) in or on the premises in which the short term residential rental is located; (iii) in the short term residential rental's parking facility, or (iv) on adjacent property. For purposes of determining whether three or more illegal acts occurred during a 12-month period, illegal acts occurring shall be limited to acts of the guests, or of

invitees of the guests, or to acts otherwise involving circumstances having a nexus to the operation of the short term residential rental while rented to a guest;

(B) a short term residential rental is listed on, or located in a building that is listed on, the city's Building Code Scofflaw List or Problem Landlord List pursuant to Section 2-92-416;

(C) a shared housing unit has been rented in excess of 90 nights in a calendar year; or

(D) a short term residential rental was found to be in violation of any applicable licensing or registration chapter of this Code, and the condition that gave rise to the violation has not been corrected.

(2) The commissioner shall prepare and maintain a list of all short term residential rentals that are ineligible to be listed on a short term residential rental intermediary's platform. The list shall be made available by the commissioner to all licensed short term residential rental intermediaries in a form and manner prescribed by the commissioner.

(3) Upon determining that a short term residential rental is ineligible under this subsection to be listed, the commissioner shall notify the short term residential rental provider, in writing, of such fact and of the basis for the determination of ineligibility. Such notice shall include a statement informing the short term residential rental provider that such provider may, within 10 days of the date on which the notice was sent, request, in a form and manner prescribed by the commissioner in rules, a hearing before the commissioner to contest the determination of ineligibility for listing. The notice shall also advise the short term residential rental provider that the provider is entitled to present to the commissioner any document, including affidavits, related to the commissioner's determination. If requested, a hearing before the commissioner shall be held within 10 business days of receipt of such request. Within 60 days of the hearing the commissioner shall either affirm or reverse such determination based upon the evidence presented. The commissioner's decision shall be final and may be appealed in the manner provided by law. If a short term rental provider fails to request a hearing within the prescribed time, the short term residential rental shall be deemed to be ineligible to be listed on the platform.

(4) It shall be a violation of this subsection for any licensee to list, or permit to be listed, on its platform any short term residential rental that has been determined to be ineligible to be listed on such platform pursuant to this subsection.

(j) *Departmental duties.* The commissioner shall maintain a list, by address, of all short term residential rentals currently licensed or registered under the applicable provisions of this Code.

(k) *Rules.* The commissioner is authorized to promulgate rules necessary to implement this section.

(l) *Penalty.* In addition to any other penalty provided by law, any person who violates this section or any rule promulgated thereunder shall be subject to a fine of not less than $1,500.00 nor more than $3,000.00 for each offense, or incarceration for a period not to exceed six months, or both. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION 8. Title 4 of the Municipal Code of Chicago is hereby amended by adding a new chapter 4-9, sections 4-9-010 through and including 4-9-090, as follows:

Chapter 4-9 SHARED HOUSING UNITS.

4-9-010 Shared housing host.

For purposes of this chapter, the following definitions shall apply:

"Board of directors" has the meaning ascribed to the term in Section 4-6-300.

"Homeowners association" has the meaning ascribed to that term in Section 4-6-300.

"Guest" means a person who rents a shared housing unit for transient occupancy. The term "guest" does not include members of the owner's or tenant's household, as that term is defined in Section 17-17-0270.

"Local contact person" means a person authorized as an agent of the shared housing host who: (1) is designated for service of process; (2) is authorized by the short term residential rental host to take remedial action and to respond to any violation of this Code; and (3) maintains a residence or office located in the city.

"Permanent Occupancy" has the meaning ascribed to that term in Section 4-6-290.

"Rental Agreement" has the meaning ascribed to that term in Section 5-4-030.

"Shared housing unit" means a dwelling unit containing 6 or fewer sleeping rooms and that is, or any portion therein is, rented for 90 nights or less within a calendar year for transient occupancy by guests. The term "shared housing unit" shall not include: (1) single-room occupancy buildings; (2) hotels, as that term is defined in Section 4-6-180; (3) corporate housing; or (4) bed-and-breakfast establishments or vacation rentals licensed or required to be licensed by the city. For purposes of this definition, (i) "corporate housing" means a dwelling unit owned or leased by a business entity that is available for rent for transient occupancy solely by the business entity's officers, employees, family members of the officers or employees, consultants, vendors or contractors; and (ii) "family members" means an officer's or employee's (i) mother, father, spouse, brother or sister (including blood, step or half), son or daughter (including blood, step or half), father-in- law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparents or grandchildren; (ii) court-appointed legal guardian or person for whom the employee or officer is a court- appointed legal guardian; or (iii) domestic partner or the domestic partner's mother, father, brother or sister (including blood, step, or half), or son or daughter (including blood, step or half).

"Shared housing host" means an owner or tenant of a shared housing unit who rents such unit to guests.

"Tenant" means a person who has a rental agreement for a dwelling unit in which the rental payments are paid on a monthly basis for permanent occupancy of the dwelling unit.

"Transient Occupancy" has the meaning ascribed to that term in Section 4-6-290.

4-9-020 Shared housing unit registration-required.

(a) No dwelling unit shall be rented as a shared housing unit until the owner or tenant of the dwelling unit registers such unit with the department, in a form and manner prescribed by the commissioner. The registration shall include such pertinent information reasonably required by the commissioner, as provided in rules.

(b) In addition to the information required by subsection (a), the registration shall include an attestation by the shared housing host that:

(1) the shared housing host has a local contact person who: (i) is designated for service of process; (ii) is authorized by the shared housing host to take remedial action and to respond to any violation of this Code; and (iii) maintains a residence or office located in the city;

(2) if the shared housing unit is subject to restrictions imposed by a homeowners association or board of directors, the homeowners association or board of directors has approved the dwelling unit for use as a shared housing unit;

(3) if the shared housing unit is subject to a rental agreement, the owner has approved the dwelling unit for use as a shared housing unit; and

(4) the shared housing unit will not be rented for more than 90 nights in any calendar year, unless the host obtains a vacation rental or bed and breakfast license, whichever is applicable.

(c) The registration application shall include a zoning review, as provided by the commissioner in rules, to ensure that the location of the shared housing unit is in compliance with the Zoning Code.

(d) The commissioner shall assign a unique registration number to each registered shared housing unit.

(e) After the initial registration, the shared housing unit's registration shall be renewed annually thereafter in a manner prescribed by the commissioner in rules. The registration for a shared housing unit transferred to a new shared housing host shall be reviewed in a manner prescribed by the commissioner in rules.

(f) When in the determination of the commissioner, a shared housing unit fails to meet eligibility requirements for registration or renewal of registration, the commissioner shall notify the shared housing host, in writing, of such fact and of the basis for such indication of ineligibility. Such notice shall include a statement informing the shared housing host that the shared housing host may, within 10 days of the date on which the notice was sent, request, in a form and manner prescribed by the commissioner in rules, a hearing before the commissioner to review the determination of ineligibility for registration under Chapter 4-9 of this Code. The notice shall also advise that such shared housing host is entitled to present to the commissioner any document, including affidavits, related to the shared housing unit's eligibility. If requested, a hearing before the commissioner shall be held within 10 business days of receipt of such request. Within 60 days of the hearing the commissioner shall make a determination of the shared housing unit's eligibility based upon the evidence presented. The commissioner's decision shall be final and may be appealed in the manner provided by law. If a shared housing host fails to request a hearing within the prescribed time, the shared housing unit shall be deemed ineligible for registration.

4-9-030 Registration – Eligibility.

Any shared housing unit that is listed on, or is located in a building that is listed on, the city's Building Code Scofflaw List or Problem Landlord List pursuant to Section 2-92-416 shall not be eligible to be registered with the department.

4-9-040 Limitation on the number of nights a shared housing unit can be rented.

(a) No shared housing unit shall be rented to guests for a total of more than 90 nights within a calendar year. The 90-night restriction shall apply to the shared housing unit, regardless of whether the shared housing unit is transferred to a new shared housing host during the calendar year.

(b) For purposes of determining the number of nights that a shared housing unit has been rented in a calendar year, the following requirements shall apply:

(1) every night a guest stays overnight shall be counted as one night; and

(2) if a guest checks-in and checks-out on the same day, such day shall be counted as one night.

4-9-050 Operating requirements.

(a) Each shared housing host shall:

(1) provide guests with soap, clean individual bath cloths and towels, and clean linen. All linens, bath cloths and towels shall be kept in good repair and changed between guests;

(2) clean and sanitize the shared housing unit and all dishes, utensils, pots, pans and other cooking utensils between guests, and dispose of all food, beverages and alcohol left by the previous guests;

(3) immediately notify and cooperate with the police department if a shared housing host knows or suspects that any criminal activity or public nuisance is taking place in the shared housing unit. If the local contact person is a person other than the licensee, the local contact person shall also immediately notify and cooperate with the police department if the local contact person knows or suspects that any criminal activity or public nuisance is taking place in the shared housing unit;

(4) ensure that the shared housing unit's registration number is conspicuously displayed in every advertisement of any type in connection with the rental of the shared housing unit. Failure to comply with this requirement shall create a rebuttable presumption that the shared housing unit is being operated without the proper registration;

(5) ensure that the shared housing unit is in compliance with applicable laws regarding the installation and maintenance of functioning smoke and carbon monoxide detectors; and

(6) post in a conspicuous place near the entrance of the shared housing unit: (i) the name and telephone number of the local contact person; and (ii) an evacuation diagram

identifying all means of egress from the shared housing unit and the building in which it is located.

(b) All bookings for the rental of a shared housing unit by a guest shall be made using a platform provided by a short term residential rental intermediary licensed under section 4-6-400.

4-9-060 Unlawful acts.

It shall be unlawful for any shared housing host to:

(a) permit any criminal activity or public nuisance to take place within the shared housing unit;

(b) exceed the maximum occupancy limit of no more than one person per 125 feet of floor area of the shared housing unit. The occupancy limitation set forth in this subsection is the absolute maximum limitation. The actual allowed capacity shall be based on the applicable provisions of the building code;

(c) misrepresent any material fact regarding the shared housing on any listing;

(d) serve or otherwise provide alcohol to any guest, or invitees of a guest, under the age of 21 years; or

(e) (1) rent any shared housing unit, or any portion thereof, by the hour or for any period of fewer than ten consecutive hours; or

(2) rent any shared housing unit, or any portion thereof, more than once within any consecutive ten hour period measured from the commencement of one rental to the commencement of the next; or

(3) advertise an hourly rate or any other rate for any shared housing unit, or any portion thereof, based on a rental period of fewer than ten consecutive hours; or

(4) allow multiple bookings or rentals of any shared housing unit for the same or overlapping time periods.

4-9-070 Rules.

The commissioner is authorized to promulgate rules necessary to implement this chapter.

4-9-080 Registration- suspension or revocation.

(a) In addition to any other fine or penalty provided, a registration under this chapter may be suspended or revoked by the commissioner for a violation of this chapter. No registration shall be revoked or suspended except in accordance with subsection (c); provided, however, that if the commissioner has good cause to believe that continued rental of a shared housing unit causes an imminent threat to public health, safety or welfare, the commissioner may, upon issuance of a written order stating the reason for such conclusion and without notice or hearing, suspend or revoke the shared housing unit's registration and prohibit the shared housing host from renting the shared housing unit to guests for a period of time not to exceed ten calendar days; provided, however, that the shared housing host shall be afforded an opportunity to be heard during such period. If the shared housing host fails to request a hearing with the prescribed time, the shared housing unit's registration shall be deemed revoked.

(b) In addition to any other applicable reason, a shared housing unit registration may be revoked or suspended in accordance with this section when:

(1) in the determination of the commissioner, the rental of the shared housing unit creates a nuisance because, within any consecutive 12-month period, at least three separate incidents involving illegal acts, as that term is defined in Section 4-4-313(h), occurred: (i) in the shared housing unit; (ii) in or on the premises in which the shared housing unit is located; (iii) in the shared housing unit's parking facility, or (iv) on adjacent property. For purposes of determining whether three or more illegal acts occurred during a 12-month period, illegal acts occurring shall be limited to acts of the guests, or of invitees of the guests, or to acts otherwise involving circumstances having a nexus to the operation of the shared housing unit while rented to a guest;

(2) a shared housing unit is listed on, or located in a building that is listed on, the city's Building Code Scofflaw List or Problem Landlord List pursuant to Section 2-92-416;

(3) a shared housing unit has been rented in excess of 90 nights in a calendar year; or

(4) the commissioner determines that the continued rental of a shared housing unit poses a threat to the public health, safety or welfare.

(c) Upon determining that a shared housing unit's registration is subject to suspension or revocation under this section, the commissioner shall notify the shared housing host, in writing, of such fact and of the basis for the suspension or revocation of the registration. Such notice shall include a statement informing the shared housing host that the shared housing host may, within 10 days of the date on which the notice was sent, request, in a form and manner prescribed by the commissioner in rules, a hearing before the commissioner to contest the suspension or revocation. The notice shall also advise the shared housing host that the shared housing host is entitled to present to the commissioner any document, including affidavits, related to the commissioner's determination for suspension or revocation. If requested, a hearing before the commissioner shall be held within 10 business days of receipt of such request. Within 60 days of the hearing the commissioner shall either affirm or reverse such determination based upon the evidence presented. The commissioner's decision shall be final and may be appealed in the manner provided by law. If a shared housing host fails to request a hearing within the prescribed time, the shared housing unit registration shall be deemed suspended or revoked.

4-9-090 Violations-Penalties.

In addition to any other penalty provided by law, any person who violates any provision of this chapter or any rule promulgated thereunder shall be subject to a fine of not less than $1,500.00 nor more than $3,000.00 for each offense, or incarceration for a period not to exceed six months, or both. Each day that a violation continues shall constitute a separate and distinct offense.

SECTION 9. Section 17-2-0207 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

17-2-0207 Use Table and Standards.

USE GROUP		Zoning Districts								Use Standard	Parking Standard
Use Category		RS	RS	RS	RT	RT	RM	RM	RM		
	Specific Use Type	1	2	3	3.5	4	4.5	5-5.5	6-6.5		
P= permitted by-right S = special use approval req'd PD = planned development approval req'd - = Not allowed											

(Omitted text is unaffected by this ordinance)

P. Lodging											
1.	Bed and Breakfast	-	-	-	-	P	P	P	P	§ 17-9-0103	§ 17-10-0207-S
2.	Vacation Rental	-	-	-	-	-	S	S	S		
3.	Shared Housing Unit	P	P	P	P	P	P	P	P		

SECTION 10. Section 17-3-0207 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

17-3-0207 Use Table and Standards.

USE GROUP		Zoning Districts						Use Standard	Parking Standard
Use Category		B1	B2	B3	C1	C2	C3		
	Specific Use Type								
P= permitted by-right S = special use approval required PD = planned development approval required - = Not allowed									

(Omitted text is unaffected by this ordinance)

II. Lodging									
1.	Bed and Breakfast	P	P	P	P	P	-	§ 17-9-0103	§ 17-10-0207-S
2.	Hotel/Motel	-	-	S	S	S	S		§ 17-10-0207-S
3.	Vacation Rental	P	P	P	P	P	-		
4.	Shared Housing Unit	P	P	P	P	P	-		

SECTION 11. Section 17-4-0207 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

17-4-0207 Use Table and Standards.

USE GROUP		Zoning Districts				Use Standard	Parking Standard
Use Category		DC	DX	DR	DS		
	Specific Use Type						

P= permitted by-right S = special use approval required PD = planned development approval required - = Not allowed

(Omitted text is unaffected by this ordinance)

II. Lodging							
1.	Bed and Breakfast	P	P	P	P	§ 17-9-0103	§ 17-10-0208
2.	Hotel/Motel	P	P	-	P		§ 17-10-0208
3.	Vacation Rental	S	S	S	S		
4.	Shared Housing Unit	P	P	P	-		

SECTION 12. Section 17-17-0104-S of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

17-17-0104-S Lodging. Provision of lodging services on a temporary basis with incidental food, drink, and other sales and services intended for the convenience of guests. The following are lodging use types:

(Omitted text is unaffected by this ordinance)

4. "Shared housing unit" means a dwelling unit located within the city that contains 6 or fewer sleeping rooms and is, or any portion therein is, rented for 90 nights or less within a calendar year for transient occupancy by guests. The 90-night restriction applies to the shared housing unit, regardless of whether the shared housing unit is transferred to a new shared housing host. The calculation of the number of allowable nights shall be as set forth section 4-9-040. The term "shared housing unit" shall not include: (1) single-room occupancy buildings; (2) hotels, as that term is defined in Section 4-6-180; (3) corporate housing; or (4) bed-and-breakfast establishments or vacation rentals licensed or required to be licensed by the city. For purposes of this definition:

(i) "Corporate housing" means a dwelling unit owned or leased by a business entity that is available for rent for transient occupancy solely by the business entity's officers, employees, family members of the officers or employees, consultants, vendors or contractors;

(ii) "Family members" means an officer's or employee's (i) mother, father, spouse, brother or sister (including blood, step or half), son or daughter (including blood, step or half), father-in- law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandparents or grandchildren; (ii) court-appointed legal guardian or a person for whom the employee or officer is a court- appointed legal guardian; or (iii) domestic partner or the domestic partner's mother, father, brother or sister (including blood, step, or half), or son or daughter (including blood, step or half);

(iii) "Guest," "shared housing host," and "transient occupancy" have the meaning ascribed to those words in section 4-9-010.

SECTION 13. Section 3-24-030 of Section 1 of this ordinance shall take effect on July 1, 2016, the remainder of this ordinance shall be in full force and effect 120 days after its passage and publication.

College Affordability for Low-Income Adults:
Improving Returns on Investment for Families and Society

Barbara Gault, Ph.D.
Lindsey Reichlin, M.A.
Stephanie Román

Institute for
Women's Policy Research

About This Report

This report was prepared by the Institute for Women's Policy Research (IWPR) as a part of a series of papers on defining college affordability sponsored by the Lumina Foundation. The report examines how efforts to understand and improve college affordability can be informed by the experiences and circumstances of low-income adults, students of color, and students with dependent children. The paper is a part of IWPR's larger body of work on improving college access and success among low-income communities.

The authors wish to acknowledge Dr. Heidi Hartmann, IWPR President, for her helpful direction, Tiffany Boiman, IWPR Senior Policy and Outreach Associate for her input and feedback on the ideas presented in the paper, and Jeff Hayes, IWPR Study Director, for his help and expertise in preparing the wage data used in the report. IWPR thanks Meghan Froehner, IWPR Consultant, and Research Interns Anastasia Foerschner and Sylvia Krohn, for their valuable research assistance. IWPR also extends its appreciation to the Lumina Foundation for its support for this research, and to Zakiya Smith, Strategy Director, and David Croom, Policy Associate, in particular, for their help and guidance throughout the writing process.

About the Institute for Women's Policy Research

IWPR conducts rigorous research and disseminates its findings to address the needs of women, promote public dialogue, and strengthen families, communities, and societies. IWPR works with policymakers, scholars, and public interest groups to design, execute, and disseminate research that illuminates economic and social policy issues affecting women and their families, and to build a network of individuals and organizations that conduct and use women-oriented policy research. The Institute's work is supported by foundation grants, government grants and contracts, donations from individuals, and contributions from organizations and corporations. IWPR is a 501(c)(3) tax-exempt organization that also works in affiliation with the women's studies and public policy and public administration programs at The George Washington University.

Disclaimer

This paper is one in a series of reports funded by Lumina Foundation. The series is designed to generate innovative ideas for improving the ways in which postsecondary education is paid for in this country — by students, states, institutions and the federal government — in order to make higher education more affordable and more equitable. The views expressed in

Board of Directors

IWPR #C412, February 2014

this paper — and all papers in this series — are those of its author(s) and do not necessarily reflect the views of Lumina Foundation.

Institute for Women's Policy Research
1200 18th Street NW, Suite 301 Washington, DC
20036 Tel: 202/785.5100 Fax: 202/833.4362
www.iwpr.org

College Affordability for Low-Income Adults:
Improving Returns on Investment for Families and Society

Barbara Gault, Ph.D.
Lindsey Reichlin, M.A.
Stephanie Román

Institute for Women's Policy Research

Table of Contents

List of Figures

Introduction: Broadening the Definition of Affordability

When discussing and defining college affordability, whether for purposes of policy formation, communication with students, or weighing the value of individual, private, and public investments, a number of specific considerations apply to low-income students. Low-income students are more likely to be financially independent, to be first generation students, to be students of color, and to be parents. They have greater time constraints, less access to information about enrollment, careers, and financial aid, more unmet need, more health challenges, a higher likelihood of serious material scarcity such as food insecurity and difficulty paying bills, and poorer labor market outcomes following degree attainment. Our conception of affordability must expand beyond a singular focus on cost, to reflect the variety of circumstances that may affect low-income students' decisions to enter college, and their ability to persist and succeed. Affordable college education provides equal access to quality careers, time to care for oneself and one's family, and sufficient resources for material, social, and physical well-being. A broad definition of affordability can help potential students envision an economic path to college and promote a broader array of policy and program interventions to improve educational opportunity.

Our conception of affordability must expand beyond a singular focus on cost, to reflect the variety of circumstances that affect low-income students' decisions to enter college and their ability to persist and succeed.

For individuals and families, college is "affordable" when:

- Students and their families are able to meet living expenses with a reasonable standard of living both during and after school enrollment. A reasonable standard of living would provide:
  - a level of income at a basic standard of self-sufficiency;
  - adequate time for school work, self care, sleep, and care for family members; and
  - the opportunity to function without unhealthy levels of stress.

- Students can anticipate substantial economic and social gain after graduation compared with a future without college. Affordability will be improved if the economic outcomes are comparable across lines of gender, race, and ethnicity.

From a societal perspective, college is "affordable" if:

- Cost is not a significant barrier to individuals' ability to attain postsecondary credentials;

- Public expenditures pay off over the long-term without creating excessive short-term fiscal strain. Likely long-term benefits from college include an array of macroeconomic benefits that arise from a more highly educated population, such as:
  - a greater likelihood that children of graduates will themselves attend college;
  - reductions in economic inequality, intergenerational poverty, social welfare spending, and health care expenditures; and
  - improved health, well-being, and civic engagement.

- Institutions of higher learning provide good value and efficiency.

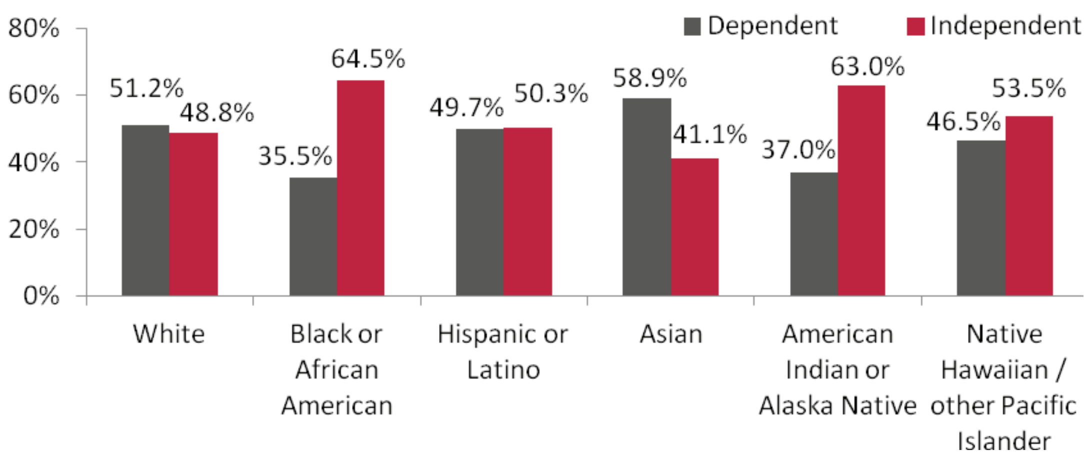
This report discusses how the time and financial demands associated with financial independence, parenthood, and work affect a student's ability to invest in college, and how segregation in college majors diminishes returns on investment for low-income students. It makes recommendations for systemic efforts to improve racial/ethnic and gender equity in college outcomes, to help students see college as an investment worth making, to better attune the financial aid system to low-income students' needs, and to expand supports that acknowledge the multiple responsibilities that low-income students often carry as employees and caregivers.

Financial Need Among Low-Income Students

The share of students experiencing significant financial need while in school has grown in recent years. Analysis by the Institute for Women's Policy Research (IWPR)[1] finds that in just five years between 2008 and 2012, the proportion of college students who had low-incomes rose dramatically, from 40 percent of undergraduate students with incomes under 200 percent of the Federal Poverty Level (FPL), in 2008, to 51 percent in 2012. The proportion of students under 100 percent of the FPL also increased from 20 percent to 30 percent of students during that time. In 2012, 17 percent of college students had incomes below 50 percent of the FPL. The growing share of students in poverty suggests that access to public benefits and supports must be improved to help low-income students afford college and make ends meet.

Low-income students are more likely to be financially independent than their higher-income peers. Two-thirds of low-income students (with incomes between zero and 200 percent of the poverty level), and 41.8 percent of students with incomes between 200 and 500 percent of poverty are financially independent.[2] The likelihood of financial independence also varies by race and ethnicity. Nearly two-thirds of Black and American Indian/Alaska Native students are financially independent, compared with about half of white students, and 41 percent of Asian students (Figure 1).

Figure 1: Dependency Status of Undergraduate Students by Race/Ethnicity, 2011-12



Source: IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

---

[1] IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2007-08 and 2011-2012 National Postsecondary Student Aid Study (NPSAS:08 and NPSAS:12).

[2] IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

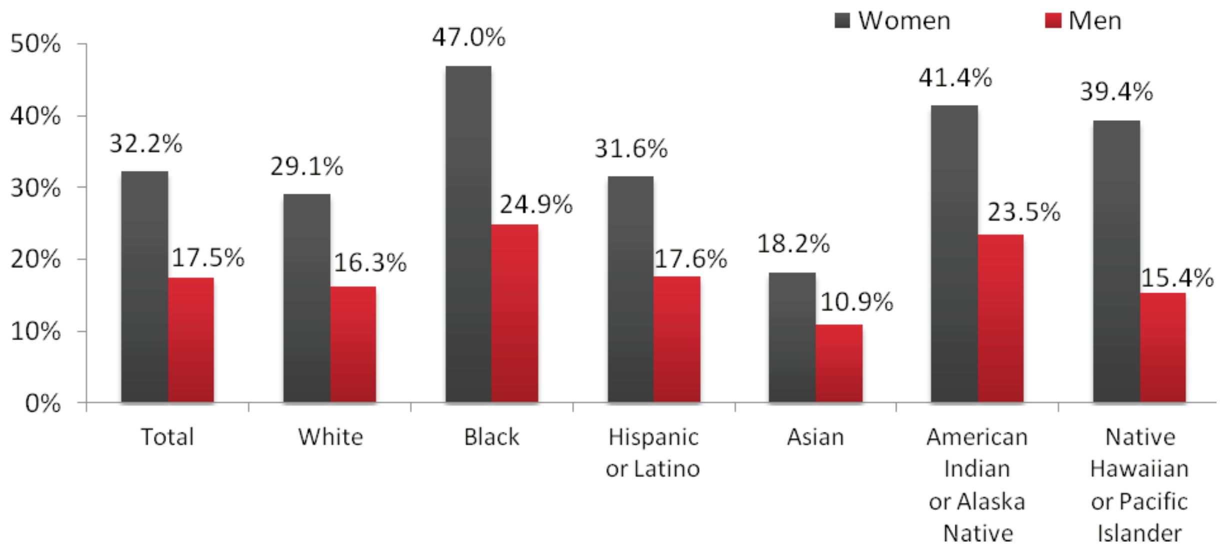
As of 2012, 4.8 million independent college students had their own dependent children, comprising nearly 26 percent of the total college population.[3] Students with children are more likely than other students to have low-incomes and to be first-generation students (Miller, Gault, and Thorman 2011), and a striking 87.8 percent of *single*[4] students with children have incomes at or below 200 percent of poverty.[5] Women are disproportionately likely to be balancing college and parenthood, many without the support of a spouse or partner: women make up 71 percent of all student parents, and are the vast majority (79.4 percent) of single parents. Single mothers are 42.5 percent of the total student parent population, and 60 percent of student mothers are single mothers.[6]

Women of color in postsecondary education are more likely than other college students to have dependent children: 47 percent of African American women students, 39.4 percent of Native American students, and 31.6 percent of Latina college students are mothers (Figure 2). Student parents of color have lower incomes than white student parents: nearly 71 percent of black student parents and 68 percent of Hispanic student parents live at or below 200 percent of the poverty level, compared with 49 percent of white student parents.[7]

Women of color in postsecondary education are more likely than other college students to have dependent children: 47 percent of African American women students, 39.4 percent of Native American students, and 31.6 percent of Latina college students are

[3] IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).
[4] Single is defined as all students who are single, married, divorced or separated.
[5] IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).
[6] Ibid.
[7] Ibid.

Figure 2: Proportion of Undergraduate Students with Children by Race/Ethnicity and Gender

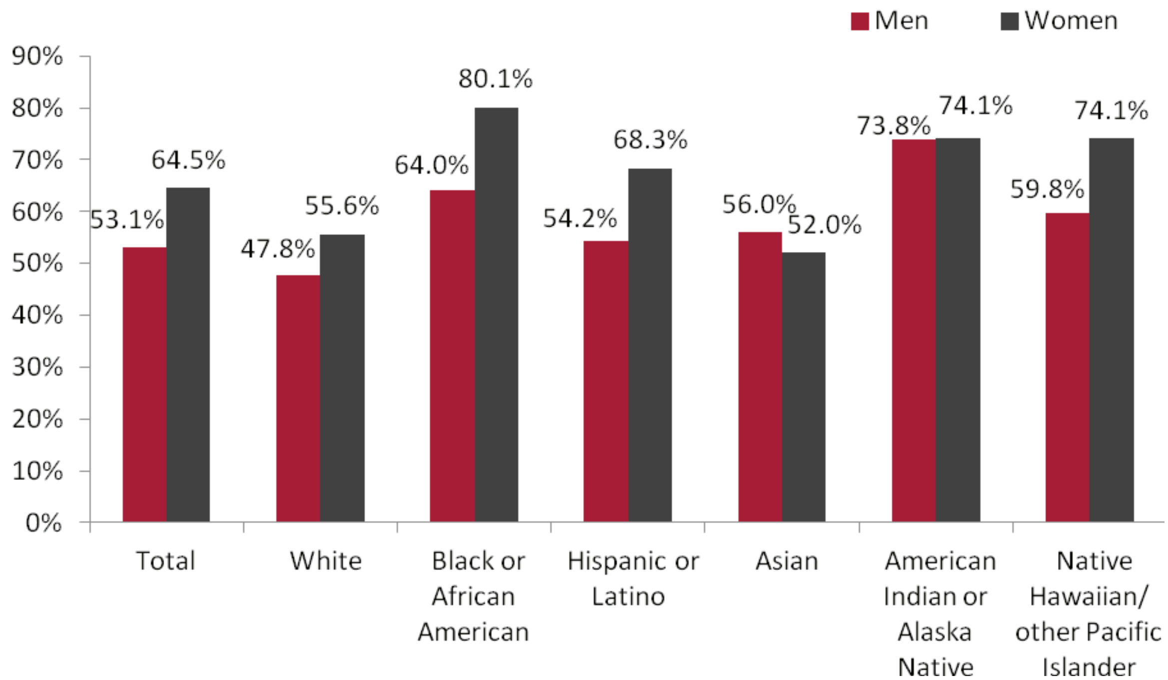


Source: IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

Independent students, low-income students, students of color, women, and student parents are disproportionately likely to have no money to contribute to college expenses (i.e. to have an Expected Family Contribution (EFC) of $0; Figure 3), and to have high levels of unmet need (Huelsman and Engle 2013; Miller 2012).[8] An IWPR analysis finds that 67.3 percent of low-income students have an EFC of $0.[9] Students with children are nearly twice as likely as those without children to have an EFC of $0 (29.6 percent of students with no children, and 61.2 percent of students with children have EFCs of $0).[10] Among student parents, women are far more likely than men to have expected contributions of $0 (Figure 3), and students of color, with or without children, are far more likely than white students to be in this position.[11]

[8] Unmet need is equal to the student budget (tuition and non-tuition academic expenses) minus the EFC and all aid, which includes need-based and non-need based financial aid at the federal, state and institutional level and private grants but not private loans.
[9] IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).
[10] Ibid.
[11] Ibid.

Figure 3: Undergraduate Students with Children with an EFC of $0 by Race/Ethnicity and Gender



Source: IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

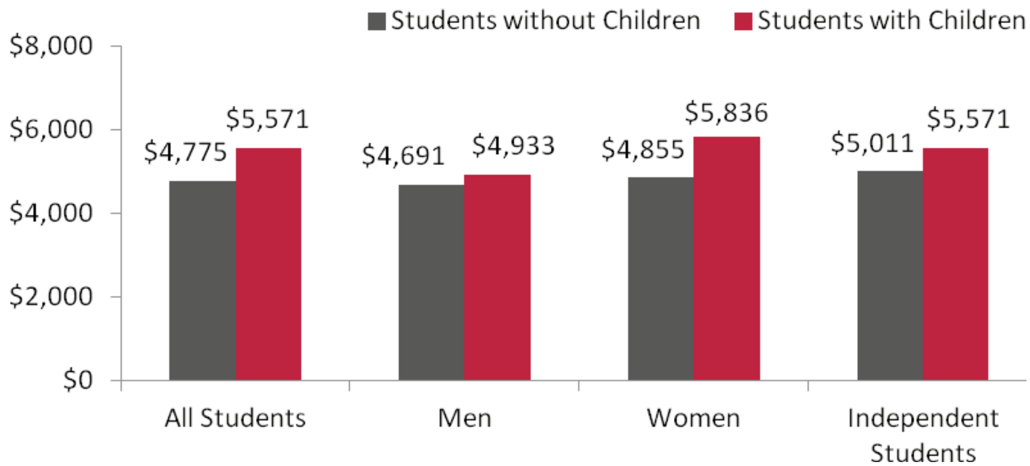
A very small proportion of low-income students with dependent children receive TANF benefits: in 2011-12, among students with children under 50 percent of the FPL, only 7.4 percent received TANF benefits.Huelsman and Engle (2013) point out that the EFC formula, in its calculation of students' Income Protection Allowance, defines a minimum standard of living as 100-150 percent of the federal poverty level, which significantly underestimates what students actually need to make ends meet. Wider Opportunities for Women, using their Basic Economic Security Tables (BEST) Index, calculates detailed estimates of the income required to meet basic needs for more than 400 family types (Wider Opportunities for Women 2010). After accounting for the cost of housing, child care, food, transportation, health care, and taxes, according to geographic location, the BEST Index estimates what a family would need before public or private assistance to maintain a basic standard of living. The BEST Index calculator estimates that, as a national average, a single parent family with two young children would need an estimated $61,044 to make ends meet (Wider Opportunities for Women 2014). In contrast, the Census Bureau's official poverty threshold for a family of the same size is only $18,769 (U.S. Census Bureau 2013).

The maximum Pell grant amount ($5,645 for 2013-14; Federal Student Aid 2013) is low enough to leave many students with significant unmet need. After all sources of student financial aid are taken into account, low-income students have much higher unmet need than their higher-income peers: the average unmet need experienced by low-income students, $6,480, is approximately $1,500 more than the average unmet of all students ($4,985) and approximately

"Going to school and working is the hardest thing I've ever done. I barely get by, and I've been homeless from my lack of ability to make enough money."*

$4,500 more than that of their high-income counterparts (at $1,958).[12] Students with children also experience more unmet need than those without children, and student mothers have more unmet need than student fathers (Figure 4). Student mothers had an average of $5,836 in unmet need in 2011-2012, compared with $4,933 in unmet need among student fathers (Figure 4).

Figure 4: Unmet Need Among Undergraduate Students by Gender, Parent Status, and Dependency Status



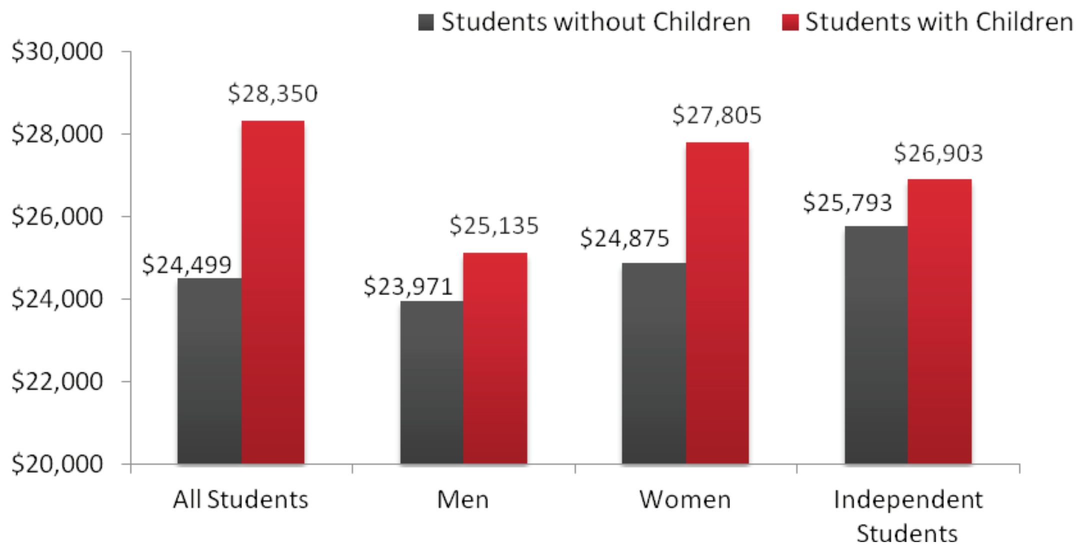
Source: IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

The unmet need experienced by low-income students contributes to high levels of student debt upon graduation. While moderate levels of debt might certainly be a worthwhile investment given expected returns to education, students may hesitate to take on debt if they worry about their own prospects for completion. Among those who graduate college with student debt, women, both with and without children, have higher levels of debt than men without children, and student parents graduate from school with higher levels of debt than students without children (Figure 7). Among students with debt, student parents have an average of $28,350 in undergraduate debt one year after graduation compared with $24,499 of debt among those without children (Figure 5).

* Quotations included in this report come from IWPR's 2013-2014 survey of women community college students in Mississippi (IWPR and Women's Fund of Mississippi, 2014).

[12] IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

Figure 5: Average Undergraduate Debt* One Year after Graduation by Gender and Parent Status



*Average debt is for students with some undergraduate debt. Sample does not include students with no undergraduate debt.
Source: IWPR calculations, 2008 Baccalaureate and Beyond Survey data. U.S. Department of Education, National Center of Education Statistics.

Access to Public Assistance Among College Students

Public benefits such as cash assistance and nutrition assistance are important, yet often underutilized, resources that could help make college affordable for many low-income students. Improving access to public benefit programs could help low-income and non-traditional college students meet their financial needs while progressing towards a degree.

Temporary Assistance for Needy Families, or TANF, can provide cash assistance to qualifying low-income parents and their families, yet few eligible students receive it. Eligibility requirements for TANF vary significantly by state, with income eligibility requirements ranging from as low as 17 percent of the Federal Poverty Level (FPL) in Alabama in 2011, to 98 percent of FPL in Hawaii, with an average maximum income at 50 percent of the FPL across the states (Kassabian, Whitesell and Huber 2012). A very small proportion of low-income students with dependent children receive TANF benefits: in 2011-12, among students with children under 50

A very small proportion of low-income students with dependent children receive TANF benefits: in 2011-12, among students with children under 50 percent of the FPL, only 7.4 percent received TANF benefits.

percent of the FPL, only 7.4 percent received TANF benefits.[13] Access to TANF can be difficult, due to onerous application and eligibility determination processes, lack of transportation, and inconvenient appointment times (Waters Boots 2010), and because student parents in many states need to work, to meet TANF work requirements, and few states encourage college attendance as an approved work activity (Center for Postsecondary and Economic Success 2013).

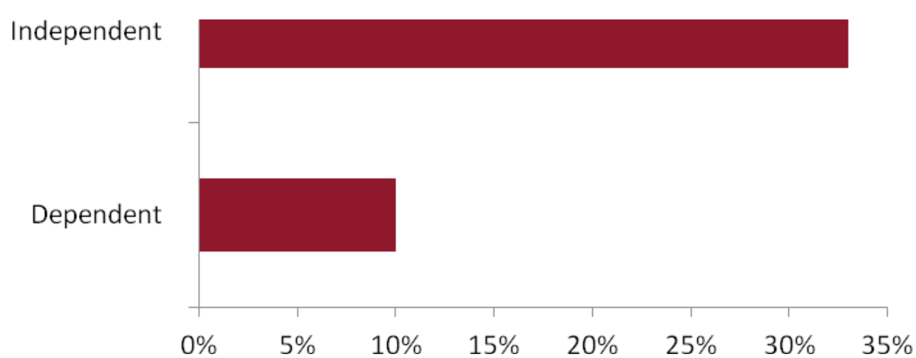
Receipt of Supplemental Nutrition Assistance Program (SNAP), Women, Infants and Children (WIC), and Free and Reduced Price Lunch benefits is more common among low-income students than is TANF receipt. An IWPR analysis showed that approximately one in four students (25.1 percent) below the income maximum for SNAP (130 percent of FPL) receive the benefits, and among student parents at 130 percent of FPL or below, 40.2 percent receive SNAP. Income maximums for Free and Reduced Price Lunch and WIC both fall at 185 percent of FPL.[14] Among student parents at this income level, 17 percent receive Free or Reduced Price Lunch for their children, and 7.2 percent receive WIC, and among those with children under five, 21.7 percent receive WIC benefits.[15] There are no work requirements for WIC or Free and Reduced Price Lunch and the income maximum for each are higher than for TANF qualification (Kassabian, Whitesell and Huber 2012). SNAP has less stringent work requirements than TANF, and students do not have to meet the work requirement for SNAP if they already receive TANF, have children under six years of age, or participate in a work-study program (USDA 2013).

[13] IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).
[14] Ibid.
[15] Ibid.

Time and College Affordability Among Low-Income Students

Time must factor into a consideration of college affordability, because if students do not receive sufficient financial aid, they must work, and because both work and family obligations can create time pressure that affects student success. Independent students, a group largely made up of low-income students, students of color and student parents, must often work to bridge the gap between financial aid and the costs of school and daily living expenses. Independent students are roughly three times more likely than dependent students to work full-time in addition to taking classes: 33 percent of independent students worked 40 hours or more a week, compared with only 10 percent of dependent students (Figure 6).

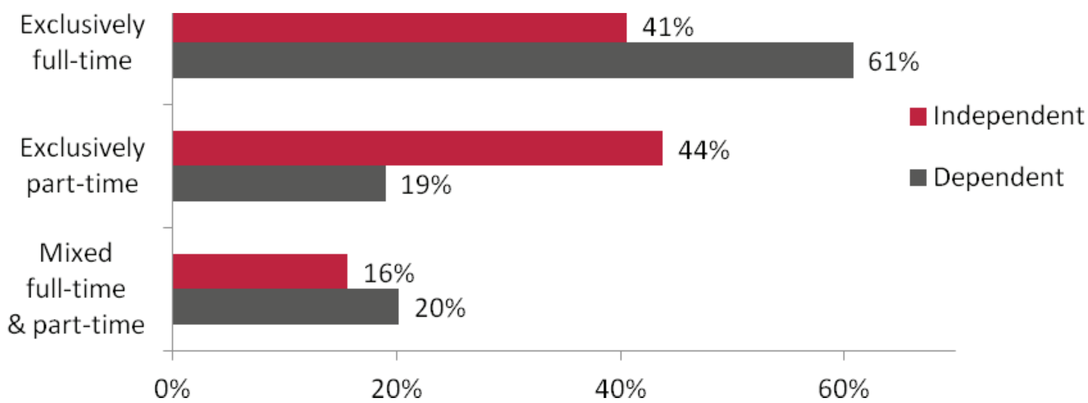
Figure 6: Proportion of Undergraduate Students Who Work 40 or More Hours per Week by Dependency Status, 2011-12



Source: IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

High rates of work among independent students are associated with lower intensity college enrollment. Independent students are twice as likely as dependent students to be enrolled in school part-time (44 percent of independent students attend school part-time, compared with only 19 percent of dependent students (Figure 7).

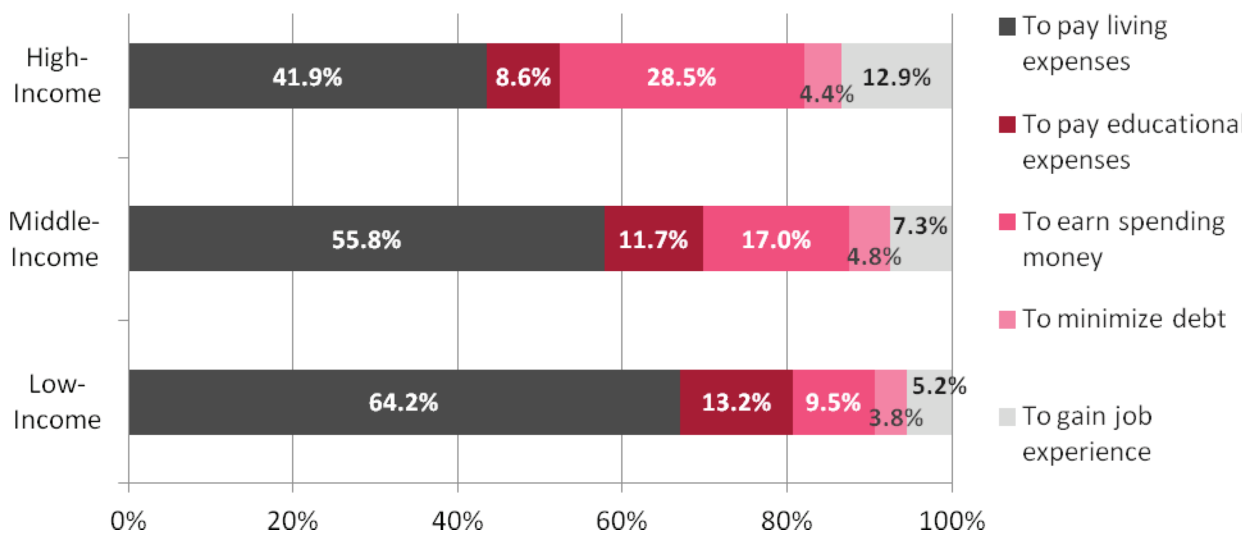
Figure 7: Attendance Intensity Among Undergraduate Students by Dependency Status



Source: IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

While it is not uncommon for college students, across income levels, to work for pay, low-income students are more likely to work out of necessity. According to the 2009 Beginning Postsecondary Longitudinal Study, a large majority of low-income students (64.2 percent) who worked did so to pay for living expenses (Figure 8).

Figure 8: Reason for Work among Undergraduate Students* by Income Level,** 2009



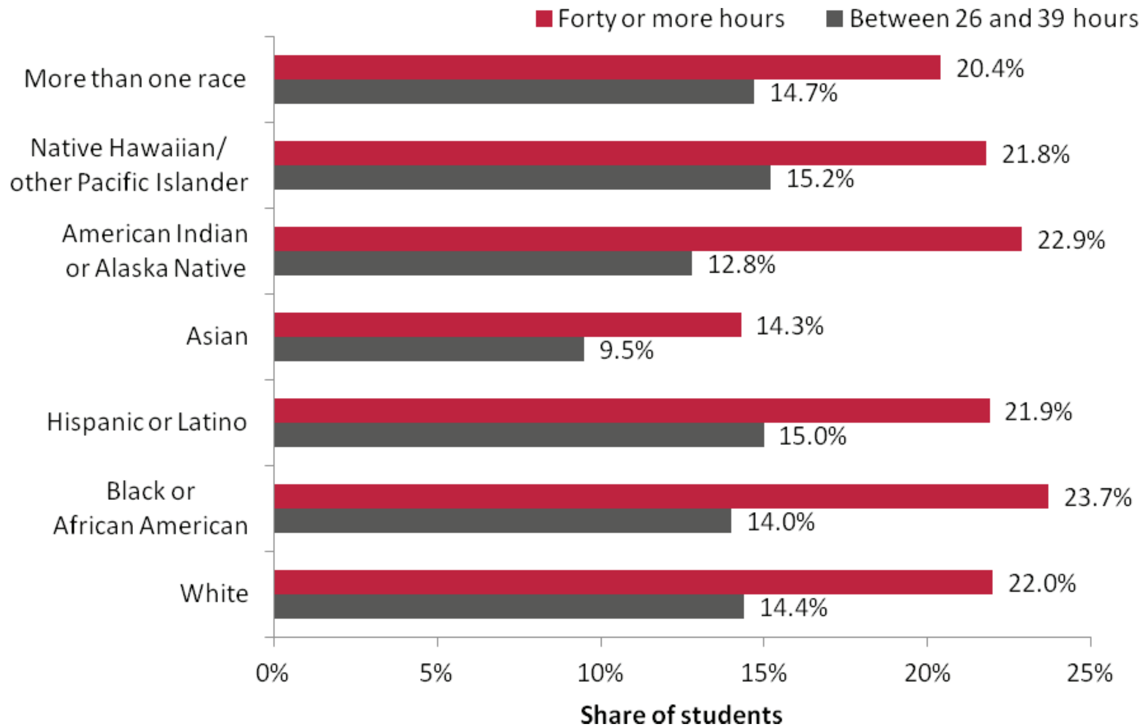
*Population includes individuals who identify as working while studying; not those who identify as studying while working.

** Low-income is at or below 200% of the Federal Poverty Level (FPL), middle-income is defined as between 201 percent and 500 percent of the FPL, and high-income is above 500 percent of the FPL.

Source: IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2003-04 Beginning Postsecondary Students Longitudinal Study, Second Follow-up (BPS:04/09).

Black and American Indian or Alaska Native students are more likely than students of other racial/ethnic backgrounds to work full-time (Figure 9). Nearly 23 percent of black and American Indian or Alaska Native students worked 40 hours or more per week while taking classes during the 2011-12 school year. Asian students were least likely to work 40 or more hours (14.3 percent of Asian students worked full time).[16]

Figure 9: Hours Worked per Week Among Undergraduate Students by Race/Ethnicity

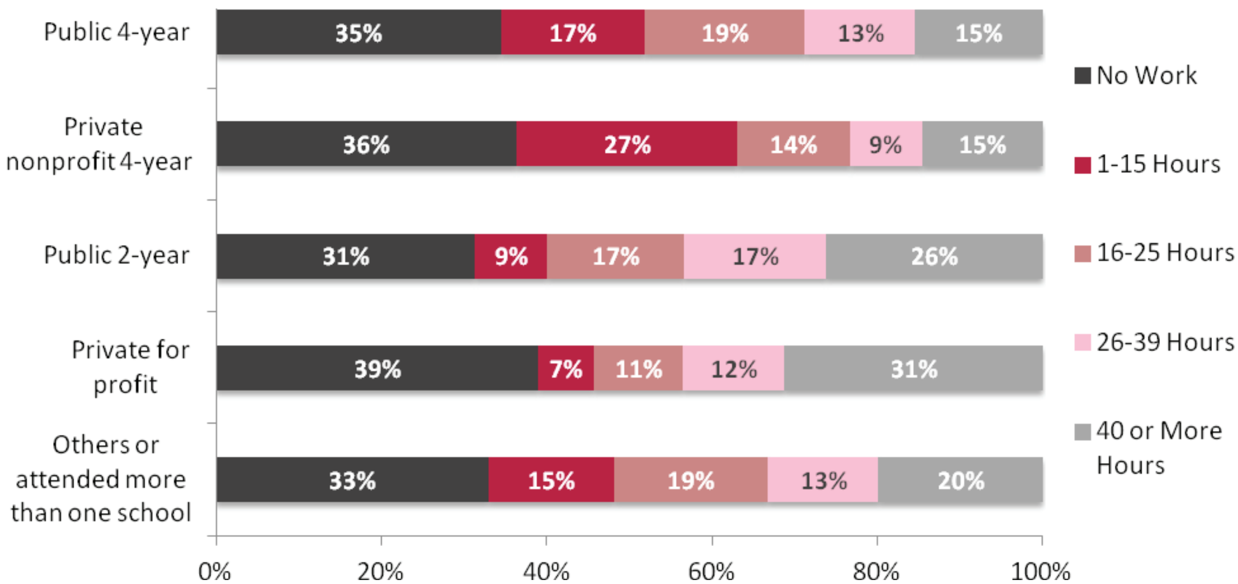


Source: IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

Community college students and for-profit students are more likely to work than students in any other postsecondary education setting. Twenty-six percent of students at public two-year schools and 31 percent of students at for-profit schools worked 40 hours or more during the 2011-12 school year, compared with 15 percent of students in both private and public four-year Baccalaureate programs (Figure 10).

[16] IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

Figure 10: Hours Worked per Week Among Undergraduate Students, by Institution Type



Source: IWPR analysis of U.S. Department of Education, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12).

More than six in ten student parents work 30 hours a week or more (61.4 percent; Huelsman and Engle 2013) and 29 percent of student parents are enrolled in school less than half-time (i.e. taking fewer than two courses) for at least one month out of the school year. These enrollment patterns endanger student-parents' eligibility for financial aid that is tied to school credit hours, as well as their potential to complete school on time or at (Huelsman and Engle 2013).

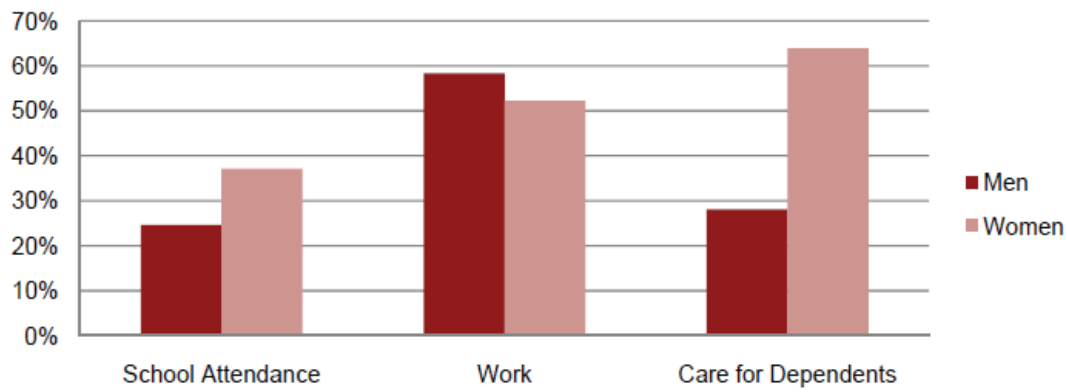
In a study using data from the National Longitudinal Survey of the High School Class of 1972 and the National Educational Longitudinal Study (1992 cohort), Bound, Lovenheim, and Turner (2007) examined increasing work hours for students in relation to increasing time to degree and decreasing rates of completion. The authors found a substantial increase in average weekly hours worked by college students from 1972 to 1992 (average work hours rose by 7.8 hours for the full sample), and concluded that these increases contributed to increase in time to degree and reduced completion rates, because students had less time available to them to devote to school. Johnson and Rochkind (2009), in a nationally representative survey of more than 600 adult community college students (aged 22-30) who left school without completing a degree, found that the difficulty of working long hours while attending school was the number one reason cited for non-completion.

The challenge of working while juggling classes and studying can be exacerbated by unpredictable work schedules. Students often hold low-paid hourly positions (Orozco and Cauthen 2009) characterized by inflexible work schedules, hours that vary considerably depending on business demand, and employers who change work schedules (requiring students to come in or go home without warning) even after they have been set (Lambert, Halye-Lock, and Henly 2012). The potential for unplanned schedule changes, combined with the general inability to reschedule work hours, can pose problems for students whose days revolve around rigid class schedules and considerable study obligations.

Time Spent on Dependent Care

Students with children have considerable dependent care obligations (Miller, Gault, and Thorman 2011) that stretch both their time and their money. Single student mothers spend large amounts of time caring for children, and are twice as likely as student fathers to spend at least 30 hours per week caring for children (more than 60 percent of student mothers spend 30 hours or more caring for dependents each week (Figure 11).

Figure 11: Full-Time Activities (30 Hours or More per Week) of Single Parents Attending Community College



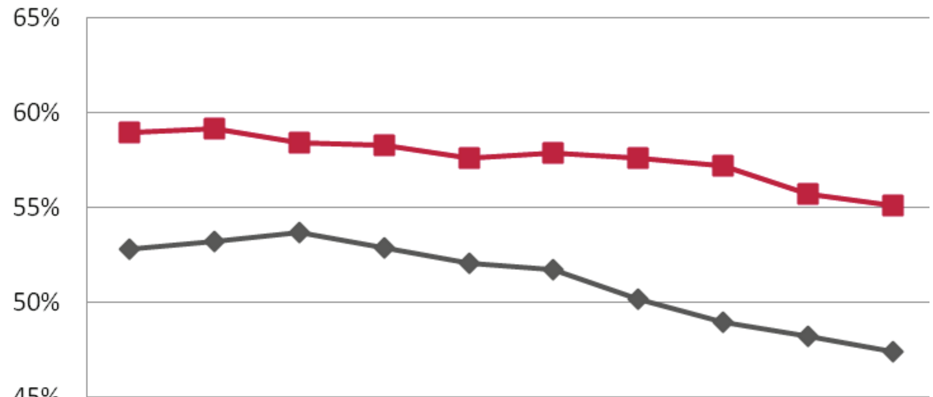
Source: Data on school attendance patterns and work hours derived from IWPR analysis of National Postsecondary Student Aid Study, 2008 undergraduate cohort. Data on time spent caring for dependents was calculated by IWPR from the 2008 Community College Survey of Student Engagement.

Given the large amounts of time that single student parents spend both working and caring for children, it is hardly surprising that they are less likely to complete college within six years than married parents and independent students without children and. Fifty-six percent of single parents who enrolled in postsecondary education in 2003/2004 had left without a degree or certificate after six years. An IWPR survey of current and former student parents who received welfare while in school found that the most common challenge reported by respondents was finding time to study (70.7 percent), followed closely by meeting financial obligations (69.6 percent; Jones-DeWeever and Gault 2006).

> ***"Being a student and a parent are difficult. You have children competing for your attention while you try to concentrate on school… Time is a luxury that most parents do not have."***

Time spent caring for children among student parents might be reduced with greater access to affordable child care. On-campus child care is both scarce and unaffordable for student parents, and the availability of on-campus child care has declined over time (Figure 12), especially at community colleges, where a large number of student parents are enrolled (Miller, Gault, and Thorman 2011). An IWPR analysis found that in 2010, the number of campus child care slots served only five percent of total student parent need for child care in 2010.[17]

Figure 12: Proportion of Public Postsecondary Institutions with On-Campus Child Care



	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Community Colleges	52.8%	53.2%	53.6%	52.9%	52.0%	51.7%	50.1%	49.0%	48.2%	47.4%
Public 4-Year Institutions	58.9%	59.1%	58.4%	58.2%	57.6%	57.8%	57.6%	57.2%	55.7%	55.1%

Source: IWPR calculations, Integrated Postsecondary Education Data System. Gunn-Wright and Gault. 2013. *Improving Outcomes for Marginalized Girls in the Secondary Education and Workforce Development Systems.*

Child care is expensive in addition to being difficult to find. In 2013, 19 states had wait lists or had frozen their intake for child care subsidies (Schulman and Blank 2013), with wait times ranging from 90 days to two years (Miller, Gault, and Thorman 2011). The cost of full-time child care ranges from $3,900 to $15,000 a year depending on location, quality, and a child's age (Child Care Aware of America 2012). These costs can make up approximately 25 percent of expenditures for a family of three (Wider Opportunities for Women 2014).

[17] IWPR analysis utilizing data from the National Postsecondary Student Aid Survey, Department of Education enrollment figures, IWPR NCCCC Member Survey, and the 2010 Current Population Survey.

Differential College Outcomes by Gender, Race, and Ethnicity

The lifelong economic rewards of higher education are well established (Hartmann and Hayes 2013; Carnevale, Rose, and Cheah 2011), but, the outcomes of college, in terms of completion rates and earnings, vary substantially by gender, race, and ethnicity, and dependent/independent student status. For example, dependent, students are substantially more likely than independent students to receive a degree or certificate within six years. Among students with children who had enrolled in college in 2003/2004, 52.2 percent (and 56 of single student parents) had left school with no degree or certificate by 2008/2009, compared with 50.9 percent of independent students without children, and 29 percent of dependent students.[18]

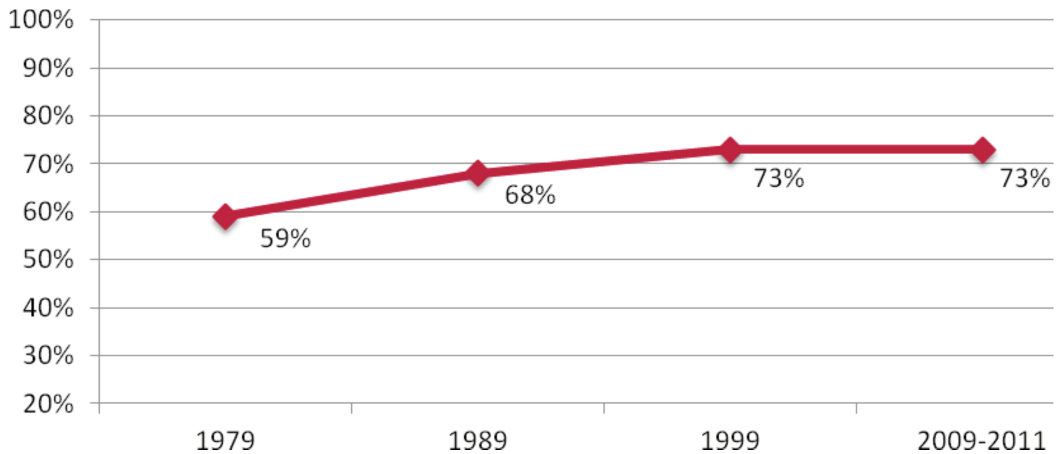
While women overall are more likely than men to complete postsecondary education, women's racial ethnic background is strongly associated with their rates of completion. White and Asian women, for example, are much more likely than black and Hispanic women to complete a degree or certificate within 6 years of enrolling in college (79.6 percent of Asian women, 68.3 percent of white women, 58.6 percent of Latinas, and 57.2 percent of black women, receive a degree or certificate after six years).[19]

Women and most communities of color also earn less than white and Asian men post-graduation. Women with bachelors' degrees working full-time and full-year earned only 73 percent of what comparable men earned in 2009-2011, and this ratio has remained essentially unchanged since 1999 (Figure 13). A Georgetown University study reports similar trends, finding that female bachelor's degree holders earn over $650,000 less, over the course of their careers, than men with the same degree (Carnevale, Rose, and Cheah 2011).

---

[18] U.S. Department of Education, National Center for Education Statistics, 2003-04 Beginning Postsecondary Students Longitudinal Study, Second Follow-up (BPS:04/09).
[19] Ibid.

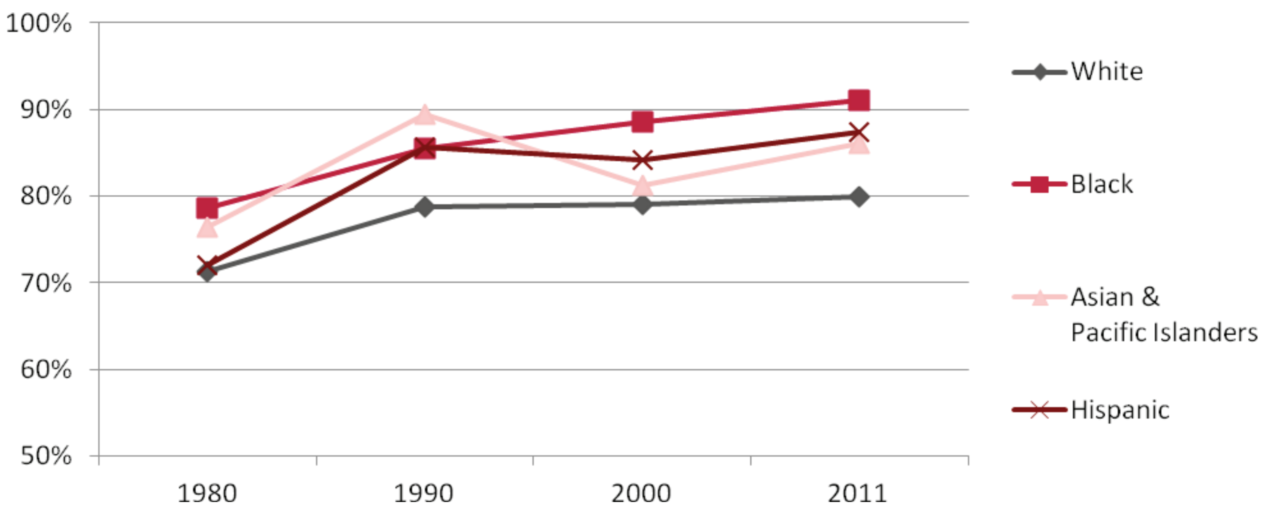
Figure 13: Women's Earnings as a Percentage of Men's for All Full-Time, Full-Year Bachelor's Degree Holders, 1979-2011



Source: IWPR analysis of data from Decennial Censuses (1980, 1990, and 2000) and American Community Surveys (2009-2011), Integrated Public Use Microdata Series (IPUMS, version 5.0).

Even among recent B.A. graduates, men earn more than women who work full-time, full year. In 2011, black women with B.A.s earned 91.1 percent, Hispanic women earned 87.5 percent, and white women earned 80.0 percent of what their male counterparts earned (Figure 16).

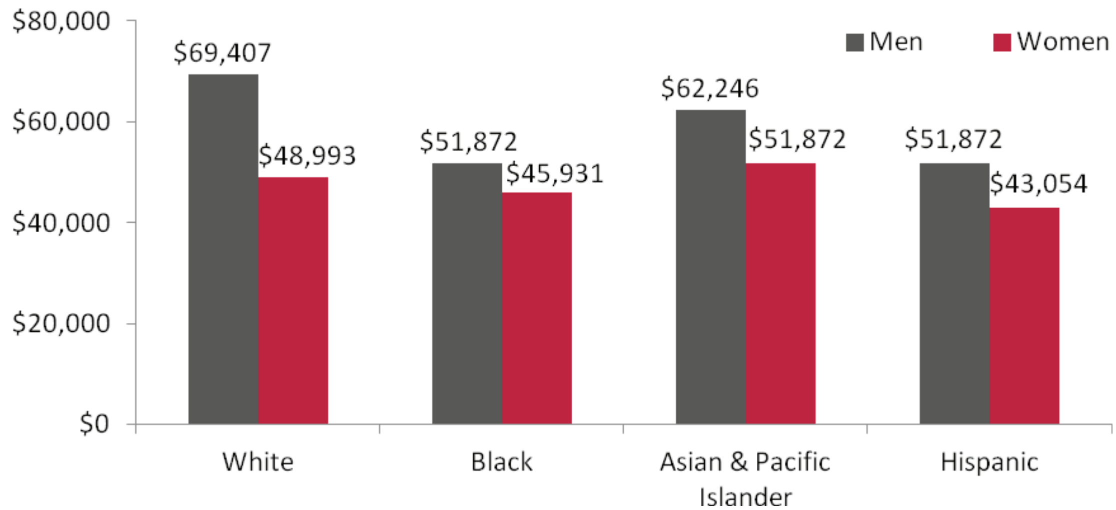
Figure 14: Full-Time, Full-Year Women's Earnings as a Percentage of Comparable Men's Earnings for Bachelor's Degree Holders Ages 25-34, 1980-2011.



Source: IWPR analysis of data from Decennial Censuses (1980, 1990, and 2000) and American Community Surveys (2009-2011), Integrated Public Use Microdata Series (IPUMS, version 5.0).

The gender wage gap persists among all racial/ethnic groups and at all education levels. For full-time, full-year bachelor's degree holders, black men earn almost $6,000 more per year than black women, Asian and Pacific Islander men earn over $10,000 more than their female counterparts, and Hispanic men earn nearly $8,800 more than comparable women (Figure 15). White women with a bachelor's degree have higher median earnings than women of all other racial/ethnic groups except for Asian and Pacific Islander women ($48,993 compared with $51,872, respectively), but still less than comparable white men ($69,407), who unsurprisingly make more than men and women of any other racial/ethnic background (Figure 15).

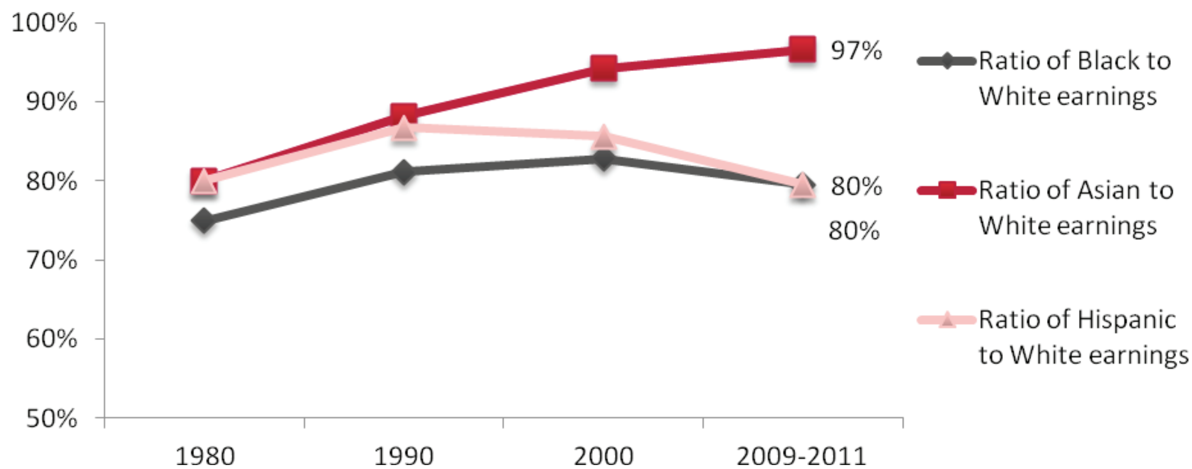
Figure 15: Median Earnings for Full-Time, Full-Year Workers Ages 25 and Older with a Bachelor's Degree by Gender and Race/Ethnicity, 2009-2011



Source: IWPR analysis of data from the American Community Surveys (2009-2011), Integrated Public Use Microdata Series (IPUMS, version 5.0).

Both black and Hispanic full-time, full-year workers with B.A.s earn only 80.0 percent of what comparable white workers earn (Figure 16). Over the course of a lifetime, black workers with a B.A. earn 20 percent less than white workers with equivalent degrees, on average (Carnevale, Rose, and Cheah 2011).

Figure 16: Median Earnings of Bachelor's Degree Holders Ages 25 and Older as Proportion of Comparable White Workers' Earnings, 1980-2011

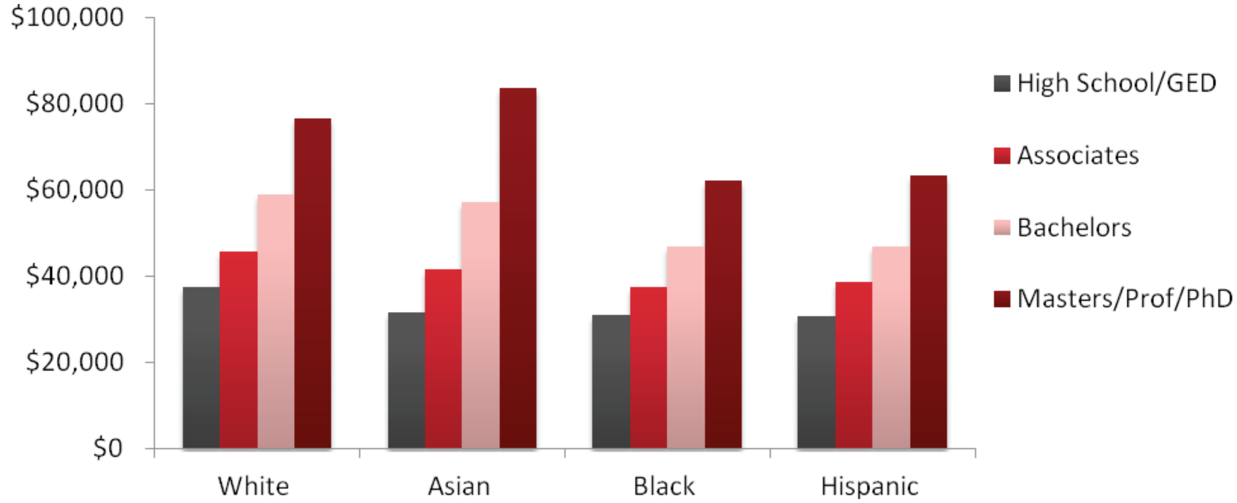


Source: IWPR analysis of data from Decennial Censuses (1980, 1990, and 2000) and American Community Surveys (2009-2011), Integrated Public Use Microdata Series (IPUMS, version 5.0).

Workers of color need more education to reach earnings levels comparable to those received by white workers. Black workers must have a bachelor's degree for their median earnings to equal those of a white worker with an associate's degree, and a master's degree to equal those of white and Asian bachelor's degree holders (Figure 17).

Black workers must have a bachelor's degree for their median earnings to equal those of a white worker with an associate's degree, and a master's degree to equal those of white and Asian bachelor's degree

Figure 17: Median Earnings by Degree and Race/Ethnicity for Full-Time, Full-Year Workers Ages 25 and Older, 2011



Source: IWPR analysis of data from Decennial Censuses (1980, 1990, and 2000) and American Community Surveys (2009-2011), Integrated Public Use Microdata Series (IPUMS, version 5.0).

Differences in major and occupation play a strong role (but certainly not the only role) in racial/ethnic and gender differences in earnings after college in addition to discrimination in hiring and pay. Women and students of color are often concentrated in fields with relatively low wages, whereas men and white students are more concentrated in higher paying fields such as those in Science Technology, Engineering, and Math (STEM). BA degrees in STEM fields, for example, typically lead to relatively high earnings, (such as in chemical engineering, which has median earnings of $86,000 per year) compared with BA's in education ($42,000 per year) or social work ($39,000) (see Figure 18; Carnevale, Strohl, and Melton 2011).

Figure 18: Median Earnings by Major for Full-Time, Full-Year Workers with a Bachelor's Degree

Majors that Earn the Most	Median Earnings	Majors that Earn the Least	Median Earnings
Petroleum Engineering	$120,000	Counseling Psychology	$29,000
Pharmaceutical Sciences and Administration	$105,000	Early Childhood Education	$36,000
Mathematics and Computer Science	$98,000	Theology and Religious Vocations	$38,000
Aerospace Engineering	$87,000	Human Services and Community Organizations	$38,000
Chemical Engineering	$86,000	Social Work	$39,000

Source: Carnevale, Strohl and Melton. 2011. *What's It Worth? The Economic Value of College Majors*. Georgetown University Center on Education and the Workforce.

Women are less likely than men to major in STEM fields, regardless of racial/ethnic background (Figure 19). Men at the associate's degree level, for example, have two STEM fields among their top five most common majors ("computer and information sciences and support services" and "engineering technologies and technicians"). These two STEM majors appear in the top five most common degrees for men of every major racial/ethnic group, whereas no STEM fields are among the top five majors for women of any major racial/ethnic group (U.S. Department of Education, National Center for Education Statistics 2009).

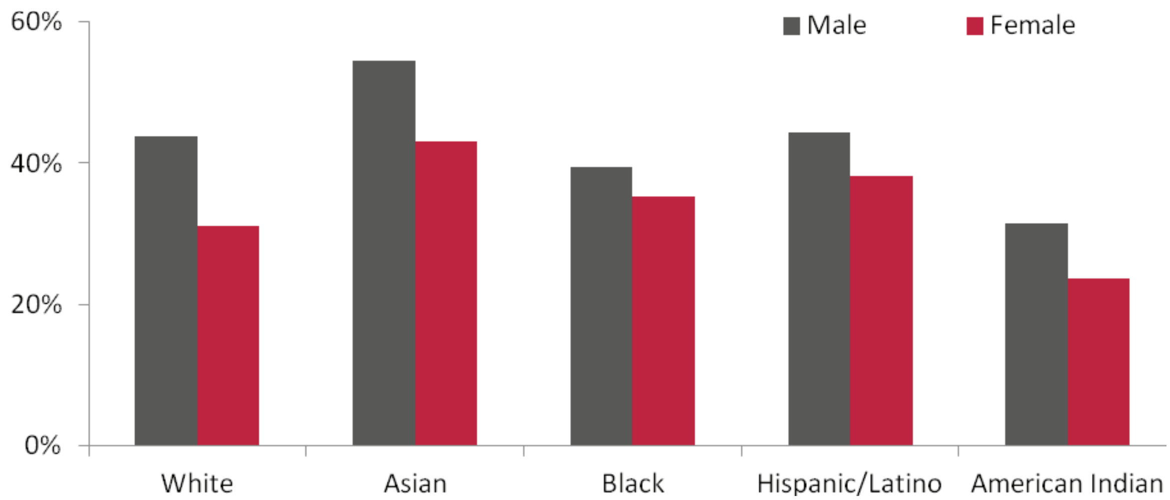
Figure 19: Five Most Common Associate's Degrees for Women and Men by Race/Ethnicity and Gender, 2008-2009

ASSOCIATE'S DEGREES AWARDED IN:		**STEM**		**Non-STEM**						
		Engineering Technologies/ Technicians	Computer & Information Sciences & Support Services	Liberal Arts & Sciences, General Studies, Humanities	Business, Management, Marketing, Related Support Services	Health Professions & Related Clinical Sciences	Security & Protective Services	Education	Multi/ Interdisciplinary Studies	Visual & Performing Arts
MEN	**White**	✓	✓	✓	✓	✓				
	Asian	✓	✓	✓	✓	✓				
	Black	✓	✓	✓	✓	✓				
	Latino	✓	✓	✓	✓	✓				
WOMEN	**White**			✓	✓	✓	✓	✓		
	Asian			✓	✓	✓			✓	✓
	Black			✓	✓	✓	✓	✓		
	Latina			✓	✓	✓	✓		✓	

Note: Checkmark indicates that degree is among the top five for that sex and racial/ethnic group.
Source: U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS), Fall 2009, Completions component.

In 2010, 56.7 percent of all students enrolled in two-year and four-year institutions were women (National Science Foundation 2013), but only 33.3 percent of female students entering college that year intended to major in science and engineering majors, compared with 44.1 percent of male students (National Science Foundation 2013). Among all racial/ethnic groups, American Indians were least likely to say that they intended to major in a science or engineering field (23.6 percent; Figure 20).

Figure 20: Intentions of Freshmen at All Institutions to Major in Science and Engineering Fields by Race/Ethnicity and Gender, 2010

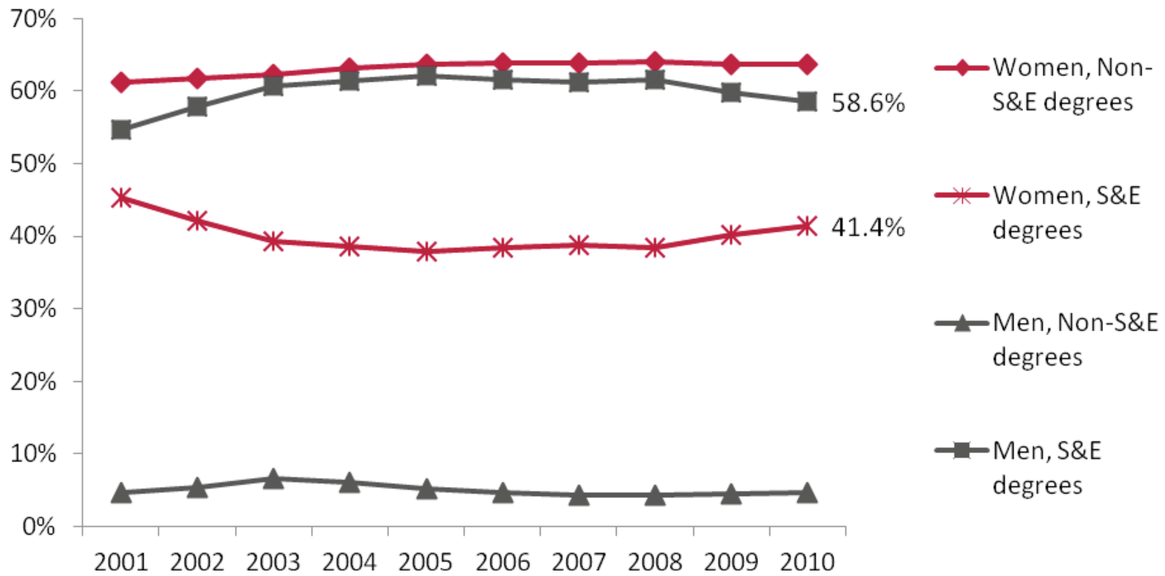


Source: IWPR analysis of Higher Education Research Institute, University of California at Los Angeles, special tabulations (2011) of the Survey of the American Freshman.

Women's underrepresentation in STEM programs at community colleges, is a significant concern since a large proportion of women pursue postsecondary degrees at community colleges, and more women than men in four-year colleges or graduate programs began their scientific careers at the community college level (Starobin and Laanan 2008). While the number of women graduating with associate's degrees grew rapidly between 2001 and 2010, the proportion of associate's degrees in STEM fields (including social sciences) received by women declined from 45.3 percent to 41.4 percent (Figure 21).[20] Only 15 percent of employed women with bachelor's degrees, compared with 32 percent of men, worked in science and engineering occupations.[21]

[20] IWPR analysis of the Integrated Postsecondary Education Data System, Completions Survey, 2001–10.
[21] IWPR analysis of Scientists and Engineers Statistical Data System (SESTAT), 2010.

Figure 21: Proportion of Associates Degrees Awarded to Men and Women by Field,* 2001-2010



*Science and engineering fields include the social sciences.
Source: National Science Foundation, National Center for Science and Engineering Statistics, special tabulations of U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System, Completions Survey, 2001–10.

Even when women and students of color pursue majors that pay relatively well, they tend to earn less than their white and male counterparts. Among students who earn bachelor's degrees in "business" (a group of majors that includes, for example, accounting, business economics, finance, and marketing) and work full-time, full-year, white workers earn a median of $63,000 per year, Asian workers earn $51,000, Hispanic workers earn $48,000, and black workers earn only $47,000 per year (Carenvale, Strohl and Melton 2011).). Men with degrees in "pharmaceutical sciences and administration" and "computer science" earn roughly $10,000 more than women with the same degrees; with "chemical engineering" degrees, women's median earnings are $20,000 less than men's (Carnevale, Strohl and Melton 2011).

Colleges and universities can play a much stronger role in diversifying access to high quality careers through more widespread implementation of promising evidence-based strategies.

Colleges and universities can play a much stronger role in diversifying access to high quality careers through more widespread implementation of promising evidence-based strategies. Such approaches include sectoral training initiatives and an array of interventions to diversify STEM education, many of which have been funded and evaluated by the National

Science Foundation (NSF). IWPR, for example, reviewed a set of promising programs and strategies that have been implemented at the community college level to improve women's access to STEM careers (Costello 2012). These strategies include provision of child care and other financial supports, recruitment strategies, counseling, advising and academic supports that take women's specific needs and concerns into account, and instructional practices that help to foster women's success. Similarly, NSF has funded numerous tools and evaluated interventions to increase participation in STEM among communities of color at all levels of higher education.

Considerations for Measuring Return on Investment to College for Low-Income Students

The Economic Benefits and Opportunity Costs of Higher Education

Regardless of their economic backgrounds, adults who complete college enjoy strong returns on their investments, despite the high and rising costs of college.[22] Both quantitative and qualitative research unequivocally demonstrates the high value of postsecondary degrees and credentials. A woman with a bachelor's degree, for example, will earn roughly $800,000 more over the course of her lifetime compared with a woman with only a high school diploma (Carnevale, Rose, and Cheah 2011).

Michael Greenstone and Adam Looney (2011) find that returns to college are very high compared with average return rates for other investments, like stocks (6.8 percent), bonds (2.9 percent), gold (2.3 percent), and housing (.4 percent; Greenstone and Looney 2011). The authors estimate that the average return on investment for a four-year degree is 15.2 percent per year. They report that college graduates earn an average of $570,000 more, over a lifetime, than those with only high school diplomas (Greenstone and Looney 2011). They estimate opportunity costs of attending college at approximately $102,000 for a four-year degree, and $28,000 for a two-year degree. Pursuing a college degree instead of focusing exclusively on paid work means that students must delay or reduce their earnings from work, and often must take on debt, which can be especially burdensome for low-income students. For students with children, these factors are compounded by sacrifices in time available to spend with children, high child care expenses, and often by concerns about food or housing security. Intense financial hardship can compromise potential student's ability to see college as a realistic or manageable investment.

"Sometimes I feel like giving up but I know that college is going to provide me with a brighter future. I'm just waiting on my destination."

College graduates have higher rates of employment, with all the concomitant benefits that it brings, throughout the lifespan. Today, the average American is working longer than in the past, and staying in the labor market past retirement age. Older workers with postsecondary education have higher rates of employment than those with a high school diploma or less (Hartmann and Hayes 2013). The greater likelihood of being employed and working longer among college graduates means that they will enjoy higher lifetime earnings, bringing substantial returns on education into old age (Hartmann and Hayes 2013). These returns are

[22] A 2011 study by the Pew Research Center found that tuition and fees for both public and private universities have roughly tripled since 1980 (Taylor et al. 2011). The median published price for attending a nonprofit four-year institution was $11,093 for the 2013-1014 school year (Baum and Ma 2013).

enhanced by employment benefits experienced more often by workers with a postsecondary education. For example, college-educated workers are more likely to work for an employer who provides a pension plan: 65 percent of bachelor's degree holders and 73 percent of master's degree holders were offered pension plans in 2011 compared with only 52 percent of workers with only a high school diploma (Baum, Ma, and Payea 2013). Prolonged earnings and access to pensions strengthen individuals' abilities to build wealth for their own and their children's futures. A college degree can make it more likely for an individual to improve their overall socioeconomic standing: between 2000 and 2008, 31 percent of middle-class college graduates who attended a four-year institution moved to the top income quintile, compared with only 12 percent of those without an equivalent degree (Baum, Ma, and Payea 2013).

"I want to be able to support myself with a better paying job and become my own person, and college is the first step for me."

Those who have completed college tend to recognize the value of their investments: 86 percent of college graduates surveyed said that college had been a good investment for them, and 84 percent of enrolled students reported that they expected it to be a good investment (Taylor et al. 2011). Enrollees also expected that a higher degree would yield an earnings premium down the road, with respondents estimating increased earnings of $20,000 a year from a bachelor's degree (Taylor et al. 2011). An IWPR study found that student parents in California, despite facing significant challenges, including sacrificing time with children (72.8 percent) and paid employment and earnings (65.2 percent), overwhelmingly reported that postsecondary education had improved their lives. Degree holders also reported that, because of their educational attainment, their children were more likely to express a desire to go to college, make better grades, and improve their study habits, and they, as parents, were more likely to be involved with their children's educational development (Jones-DeWeever and Gault 2006).

Despite strong evidence for the positive returns to education, potential college students often question whether college is a realistic and worthwhile investment. A 2011 study by the Pew Research Center found that 75 percent of Americans think that college is not affordable, and 57 percent think that college provides only a fair or poor value for the money students spend (Taylor et al. 2011).

Factors Affecting Return on Investment

Choice of college and major both have important implications for earnings and return on investment (Gemici and Wiswall 2011). School competitiveness, whether an institution is public or private, nonprofit or for-profit, and the availability of financial aid can all play an important role in students' college outcomes and ultimate return on investment. The likelihood of completion increases with a school's selectivity, even when controlling for differences in student characteristics across schools with varying levels of selectivity (Pender et al. 2012). Less selective schools, while often displaying a lower sticker price than those on the opposite end of the spectrum, have fewer supports, monetary or otherwise, to help their students through their college careers (Hoxby 2009). More selective schools tend to bring stronger returns on investment for students over the long-term (Hess et al. 2009; Sawhill and Owen 2013).

Hoxby and Avery (2013) have demonstrated that, despite greater potential for financial aid and support, high-achieving, low-income students do not apply to selective postsecondary institutions at the same rate as their high-achieving, high-income peers, choosing instead to attend less selective schools that they feel are more feasible financially (Hoxby and Avery 2013). Similarly, authors Carnevale and Strohl (2013) found that, of students with a high school grade point average higher than 3.5, more than 30 percent of black and Hispanic students attend community colleges, compared with 22 percent of white students. Research has also demonstrated that low-income students "undermatch," or choose a postsecondary institution for which they are overqualified academically, almost half the time, compared with their higher-income peers who do so only about one-third of the time (Smith, Pender, and Howell 2011).

As mentioned earlier, choice of major can have an enormous influence on annual and lifetime earnings, with careers in STEM fields among those bringing stronger returns to college (Carnevale, Strohl, and Melton 2011). On average, a computer scientist with a two-year degree will earn $3 million in his or her lifetime (Carnevale, Rose, and Cheah 2011). Moving toward equality in the distribution of women and students of color in college majors will go a long way toward improving the return on investment for low-income students.

Challenges to Students in Taking an Investment Approach to Education

The difficulty of assessing the potential return on investment of college, and of specific colleges in particular, often in the absence of adequate information, can make the selection process daunting for potential students and their families. As Long (2010) observes, potential consumers of postsecondary education are generally uninformed about the quality and ultimate cost of the college options that they are considering. Long (2010) suggests an expansion of institutional-level data collection based on more holistic measures of college value and affordability, including, for example, data on average aid given to low-income students, the amount of debt incurred by past students, and employment outcomes for both median income families and Pell grant recipients (Long 2010). Indicators of college experience and student success, like data on graduation rates and time to completion, disaggregated by student profiles (e.g. part-time versus full-time, independent versus dependent) and institutional characteristics (allowing comparisons among peer institutions), would also be valuable for evaluating school quality (Long 2010).

Economic insecurity may preclude adults' ability to invest in postsecondary education. For parents, attempting to balance work, school, studying, and family demands, without adequate financial or child care support, can lead to food insecurity, significant sleep deprivation, and sometimes crushing stress (Green 2013). College can become unaffordable if the financial and time strain takes too great a toll on the health and well-being of a student and her or his family. Faced with the prospect or experience of this kind of strain, students may quite rationally choose to forego postsecondary education or to quit school mid-stream. While students at all income levels can experience stress, pressure, and competing demands with the college experience, for the lowest-income students, these pressures can create a level of toxicity that can make a return on investment calculation unfeasible. Rather than representing an expression of the well-documented human tendency to value smaller short-term gains over larger, longer-term rewards (see Ainslie 2001), dropping out of school, or failing to consider college, becomes a matter of mere survival. Significant public investments can help to eliminate sources of financial, socio-emotional, time, and physical pressures that create short-term, but undeniable, impediments to long-term educational, financial, and social rewards.

Sawady and Tescher (2008), through interviews with 27 residents of a low-to-moderate income neighborhoods, conclude that the limited and unstable nature of resources available to low-income individuals causes them to prioritize short-term needs over long-term investments. Long-term financial planning can be superseded by the urgent need to address immediate financial priorities (such as securing stable employment or housing; Sawady and Tescher 2008). Real-time financial strain can lead low-income students to enroll in institutions with relative low sticker price, but that also yield lower long-term benefits (Hoxby and Turner 2013; Hoxby and Avery 2013). Through this process, students from low-income families are at a greater risk of not capitalizing on college as a means of social mobility and economic security.

Low-income students are often less willing than higher income students to utilize loans and are less likely than higher income students to have access to loan counseling (Burdman 2005). Hispanic and Asian students are less likely than other students to borrow for college, and some research has shown that this can negatively impact completion rates (Cunningham and Santiago 2008). A study using data from the 2003-04 National Postsecondary Aid Survey and the 2004 and 2006 Beginning Postsecondary Students Survey found that for black and Hispanic students in particular, and to a lesser extent, white students, borrowing is associated with improved student persistence and completion (for Asian students, borrowing does not affect degree attainment; Cunningham and Santiago 2008). Some scholars have suggested a need to contextualize the term “debt averse,” to acknowledge that students and families from low-income communities may interpret information on financial aid differently than their higher-income peers, as they often have had different financial experiences that affect their interpretation of spending, saving, consumption, and investment (McDonough and Calderone 2006). In light of the fact that completion rates can be so low among the most financially challenged college students, and specifically single mothers, advice surrounding borrowing for college must be delivered with a solid understanding of how economic and family circumstances affect college completion. It can be argued that interventions like reinstating the summer Pell, or better targeting Pell grants to the neediest students, would do more for low-income students than alleviating their discomfort with student loan debt.

Better access to information about quality college choices, and the financial resources that do exist, could make college a more manageable investment for more low-income students.

Although the Pell is not always adequate to make college comfortably accessible to all low-income students, many eligible students are forgoing the opportunity to benefit from the substantial support that it can bring. For example, in 2007/ 2008, 42 percent of Pell grant eligible community college students did not file the FAFSA (McKinney and Novak 2013). Research finds that high-achieving low-income students often go into the college application process with little awareness of common application practices, such as applying to a mix of "peer," "reach," and “safety” schools, or of the institutional variations that can affect their success in college over time, like instructional resources or graduation rates (Hoxby and Turner 2013).

The limited information available to low-income students stems, in part, from their relative lack of contacts and networks with information to share about college choice, financing, and the application process (Grodsky and Jones 2007; Hoxby and Avery 2013; Gonzalez, Stoner, and Jovel 2003; Plank and Jordan 2001). Scholars have documented a knowledge divide across racial/ethnic and class lines, that restricts socioeconomically disadvantaged families’ access to information on college and financial aid (Grodsky and Jones 2007; Horn, Chen, and Chapman 2003; Immerwahr 2003; Tomás Rivera Policy Institute 2004; Tornatzky, Cutler, and Lee 2002). High student-to-counselor ratios also limit low-income students’ access to information (Parsad et al. 2003). Lack of access to economically and culturally valuable social ties are often described as a lack of social capital. Lin’s network theory of social capital (2001) emphasizes the benefits associated with an individual’s strong and weak social ties that serve as bridges to rich and heterogeneous networks of established connections and relationships (Flap 1991; Lin 2001). In an analysis of Lin’s network theory of social capital, Martin, Simmons, and Yu (2013) explain how this is an effective way of accessing and mobilizing resources: social capital facilitates access to information, can affect decision-makers, offers desirable social credentials, and can legitimize an individual’s identity and social recognition (Martin, Simmons, and Yu 2013).

Bridging the Information Gap for Low-Income Students

A number of interventions can help prepare low-income students and their families to make strong decisions about college. Increasing access to counseling at the high school and college level should be a top priority. Technological tools can help to raise consciousness about the long-term payoffs of college; the possibilities for financing help; “out-of-the-box,” high value career choices; as well as the success and outcomes for students at different colleges. Existing technological tools would be especially valuable if those offering salary information for different jobs were refined to allow students to estimate the costs of their investments in education opportunity costs, and potential long-term gains. To ensure success, however, such tools should be accompanied with real-time counseling. They should be sensitive to, rather than avoid, gender and race/ethnicity considerations; the failure to take such considerations into account results in a misreading of the data. For example, a recent news article, reporting on wage data among students from different colleges across the United States, reported that graduates of women’s colleges have worse employment outcomes, without acknowledging that women across the labor market as a whole have worse employment outcomes, and without disaggregating data from mixed-sex schools (Stewart 2013).

Expanding access to help with the financial aid application process will also bring significant benefits for low-income students and their families. Bettinger, Long, and Oreopoulos (2009) found that offering free assistance in filing the FAFSA to families making less than $45,000 a year and with family members between the ages of 15 and 30 who did not have bachelor's degree could make a significant impact on college enrollment. The study found that college enrollment increased by 8 percentage points (from 34 percent to 42 percent) for current or recently graduated high school seniors, and increased the likelihood of receiving federal grant aid by 10.6 percentage points for dependent students (Bettinger, Long, and Oreopoulos 2009). Among those who benefitted most from the intervention were independent low-income students who had never been to college: participating in the program nearly tripled FAFSA submissions for these students, from 16.1 percent to 42.8 percent (Bettinger, Long, and Oreopoulos 2009). In addition, Oreoupolous and Pretronijevic (2013) found that students who received help with the FAFSA were 25 percent more likely to enroll and stay enrolled in college.

The Affordability of Higher Education for Society: Benefits for Two Generations and Beyond

For society as a whole, investing in postsecondary education is affordable if the aggregate benefits outweigh the costs, such that public investments in college pay off in the long run. This payoff stems from the economic and social gains associated with successful college graduates, which benefit society at large by increasing earning potential, reducing the need for public assistance, increasing the tax base, and reducing inequality.

Only two percent of bachelor's degree holders ages 25 and older received Supplemental Nutritional Assistance (SNAP) in 2011 compared with 12 percent of high school graduates (Baum, Ma, and Payea 2013). College graduates also contribute to the tax base: workers with a bachelor's degree (comprising 25 percent of all full-time, full-year workers) pay $5,000 more in taxes each year than those with high school diplomas only (comprising 27 percent of full-time, full-year workers; Baum, Ma, and Payea 2013). A more highly educated population also has the potential to reduce health care costs, as college graduates are more likely to have employer-based health insurance and see better health outcomes in their children (e.g. obesity) and practice healthier habits (e.g. regular exercise) over time, compared with less-educated adults (Baum, Ma, and Payea 2013).

College degrees bring important multigenerational benefits that can improve children's economic, educational, and social outcomes, and enhance a family's long-term prospects for socioeconomic mobility (Attewell and Lavin 2007; Magnusen 2007). A mother's educational attainment, for example, significantly predicts of whether her child goes to college. In Attewell and Lavin's (2007) analysis of the City University of New York Longitudinal Study, which surveyed female college entrants in the early 1970s and conducted follow-up surveys with them and their children in 2000, the children of mothers who were in the top quartile of their high school class were 12 percent more likely to go to college than children whose mothers who were less academically successful in high school (Attewell and Lavin 2007). The same analysis showed that the socioeconomic and educational background of multiple generations can affect a child's educational success. After adjusting for the overlapping effects of race, grandparents' income and educational attainment, and mothers' high school success, 36.9 percent of children with high-income grandparents and 33.1 percent of those with grandparents who have a college degree performed well in high school compared with 22.5 and 30.4 percent of their counterparts (Attewell and Lavin 2007).

> ***"The choice to attend college is my way of showing my son how important education is and what one can accomplish when they put their mind to it. Actions speak louder than words. I choose to lead by example."***

Another analysis by the same authors of the National Longitudinal Survey of Youth (1979-2000) Mother-Child Sample showed that having a bachelor's degree influences the likelihood of children going to college, and has significant positive effects on five of seven children's educational outcomes after controlling for the mother's characteristics that could influence these outcomes simultaneously (e.g. mother's socioeconomic status, IQ, and high school preparation; Attwell and Lavin 2007). Supporting low-income students' educational attainment can help ensure children's success and promote social mobility across generations (Attwell and Lavin 2007).

Recommendations: Steps Toward Improving Affordability and Returns on Investment

- Create systems and tools to help women and students of color select majors that prepare them for high paying careers.
  - Implement evidence-based, campus-wide initiatives to increase gender and racial/ethnic diversity in STEM careers, including targeted recruitment, curriculum review, employer engagement, and provision of support services for parents. The Federal government can develop incentives to pursue such efforts through existing, expanded, or new funding streams.
  - Encourage or require campuses to track progress in diminishing racial/ethnic and sex segregation in the attainment of high quality degrees as a part of growing efforts to track institutional effectiveness. Equity in outcomes must become a more central component of discussions of institutional effectiveness.
  - Train career counselors and educators in techniques to help students think more broadly about potential careers and to consider high-paying, but potentially unfamiliar, careers.
  - As a part of efforts to develop return on investment calculators, build in features that encourage women students, and students of color to "try on" high-paying, high-demand careers that may be unfamiliar or incongruent with stereotyped gender roles.

- Shift federal and state systems of financial aid to more accurately and completely account for student financial need, to help apportion more aid to students who need it the most.
  - Shift the formula for calculating the Expected Family Contribution (EFC) to allow for a negative EFC with no lower boundary.
  - Modify estimated costs of living in the EFC calculation so that they are based on a self-sufficiency standard rather than a percentage of the official poverty level.
  - Consider increases to Pell for students with the least available resources to pay for college (while maintaining existing levels of support).

- Develop more student and campus supports that acknowledge the multiple demands in students' lives, which often include substantial work and care-giving obligations. Move toward the development of family friendly campus support and financial aid policies. This would include:
  - Building commitment among postsecondary education policy and institutional leaders to improve access to child care for student parents as a national priority.
    - Federal agencies can continue to take an integrated approach toward greater coordination of postsecondary education and early childhood policy.

  - Increased funding for the Federal Child Care Access Means Parents in School program is long overdue (Miller, Thorman, and Gault 2012). Colleges and universities can draw on successful child care program and support models in operation around the country (Boressoff 2013, 2012).

- Expand efforts to help students access publically provided benefits, such as the Earned Income Tax Credit (EITC), TANF, WIC, and child care subsidies.

  - Examples of existing programs that help low-income students access public benefits include Centers for Working Families, Benefits Access for College Completion, and Single Stop.
- Develop more targeted scholarships and campus supports for the many students with dependent care obligations, such as inclusive campus policies, programs to increase social connectedness and reduce isolation, health supports, and single-parent housing, in addition to child care support. Performance-based scholarships have been successfully implemented with low-income student parents (Patel et al. 2013).

Approaching affordability interventions with an awareness of the role of gender and race in students' ability to afford college, the decisions they make, and the value they gain from higher education, will help individuals, families, and policy makers make wiser investments in education. Ideally, any interventions to shift institutional and consumer knowledge and incentives should be examined from the perspectives of how they will affect women and communities of color, populations that have disproportionate time constraints, dependent care obligations, and poorer labor market outcomes at all educational levels.

References

Ainslie, George. 2001. *The Breakdown of Will.* Cambridge, MA: Cambridge University Press.

Attewell, Paul, and David E. Lavin. 2007. *Passing the Torch: Does Higher Education for the Disadvantaged Pay Off Across the Generations*? New York, NY: Russell Sage Foundation (March). <https://www.russellsage.org/publications/passing-torch> (accessed February 6, 2014).

Baum, Sandy and Jennifer Ma. 2013. *Trends in College Pricing*. New York, NY: The College Board. <https://trends.collegeboard.org/sites/default/files/college-pricing-2013-full-report.pdf> (accessed March 18, 2014).

Baum, Sandy, Jennifer Ma, and Kathleen Payea. 2013. *Education Pays: The Benefits of Higher Education for Individuals and Society*. New York, NY: The College Board. <http://trends.collegeboard.org/sites/default/files/education-pays-2013-full-report.pdf> (accessed January 30, 2014).

Bettinger, Eric, Bridget Long and Phillip Oreopoulos. 2009. *Increasing Postsecondary Enrollment among Low-Income Families: A Project to Improve Access to College Information and Financial Aid THE FAFSA H&R BLOCK EXPERIMENT*. Cambridge, MA: Harvard University (January). <http://www.aypf.org/documents/NewFAFSAHRBlock-preferreddescription.pdf> (accessed February 5, 2014).

Boressoff, Todd. 2013. *Tools for Student Parent Success: Financing Child Care for College Student Success*. Washington, DC: Institute for Women's Policy Research.

Boressoff, Todd. 2012. *Tools for Student Parent Success: Varieties of Campus Child Care*. Washington, DC: Institute for Women's Policy Research.

Bound, John, Michael Lovenheim, and Sarah Turner. 2007. *Understanding the Decrease in College Completion Rates and the Increased Time to Baccalaureate Degree*. Ann Arbor, MI: Population Studies Center (November). <http://www.psc.isr.umich.edu/pubs/pdf/rr07-626.pdf> (accessed March 19, 2014).

Burdman, Pamela. 2005. *The Student Dilemma: Debt Aversion as a Barrier to College Access.* Berkeley: Project on Student Debt, The Institute for College Access and Success, Inc. (September). <http://projectonstudentdebt.org/files/pub/DebtDilemma.pdf> (accessed February 4, 2014).

Carnevale, Anthony and Jeff Strohl. 2013. *Separate and Unequal: How Higher Education Reinforces the intergeneration Reproduction of White Privilege*. Washington, DC: Georgetown University, Center on Education and the Workforce (July). <http://cew.georgetown.edu/separateandunequal> (accessed February 14, 2014).

Carnevale, Anthony, Stephen J. Rose, and Ban Cheah. 2011. *The College Payoff: Education, Occupations, Lifetime Earnings.* Washington, DC: Georgetown University, Center on Education and the Workforce. <http://www9.georgetown.edu/grad/gppi/hpi/cew/pdfs/collegepayoff-complete.pdf> (accessed February 14, 2014).

Carnevale, Anthony, Jeff Strohl and Michelle Melton. 2011. *What's It Worth? The Economic Value of College Majors*. Washington, DC: Georgetown University, Center on Education and the Workforce (May). <http://www9.georgetown.edu/grad/gppi/hpi/cew/pdfs/whatsitworth-complete.pdf> (accessed February 5, 2014).

Center for Postsecondary and Economic Success. 2013. Funding Career Pathways and Career Pathway Bridges. Washington, DC: Center for Postsecondary and Economic Success at CLASP (March). <http://www.clasp.org/resources-and-publications/publication-1/CPToolkit2012_V1R4.pdf> (accessed April 4, 2014).

Child Care Aware of America. 2012. *Parents and the High Cost of Child Care.* Arlington: Child Care Aware of America. <http://www.naccrra.org/sites/default/files/default_site_pages/2012/cost_report_2012_final_081012_0.pdf> (accessed April 2, 2014).

Costello, Cynthia. 2012. *Increasing Opportunities for Low-Income Women and Student Parents in Science, Technology, Engineering, and Math at Community Colleges.* Washington, DC: Institute for Women's Policy Research.

Cunningham, Alisa F., and Deborah Santiago. 2008. *Student Aversion To Borrowing: Who Borrows and Who Doesn't?* Washington, DC: Institute for Higher Education Policy (December). <http://www.ihep.org/assets/files/publications/s-z/studentaversiontoborrowing.pdf> (accessed February 14, 2014).

Flap, Henk D. 1991. "Social Capital in the Reproduction of Inequality." *Comparative Sociology of Family, Health and Education*, 20 (6): 179–202.

Gemici, Ahu and Matthew Wiswall. 2011. *Evolution of Gender Differences in Post-Secondary Human Capital Investments: College Majors*. New York, NY: New York University, Institute for Education and Social Policy (July). <http://steinhardt.nyu.edu/scmsAdmin/media/users/lah431/Working_Paper_03-11.pdf> (accessed February 5, 2014).

Gunn-Wright, Rhiana and Gault, Barbara. 2013. “Improving Outcomes for Marginalized Girls in the Secondary Education and Workforce Development Systems.” *Georgetown Journal of Poverty Law and Policy* 20 (2): 351-371.

Gonzalez, Kenneth, Carla Stoner and Jennifer Jovel. 2003. “Examining the role of social capital in access to college for Latinas: Toward a college opportunity framework.” *Journal of Hispanic Higher Educatio*n 2 (2): 146–147.

Green, Autumn. 2013. *Babies, Books, and Bootstraps: Low-Income Mothers, Material Hardship, Role Strain and the Quest For Higher Education.* (Doctoral dissertation). Available from ProQuest Dissertations and Theses database. (UMI No. 3568106).

Greenstone, Michael and Adam Looney. 2011. *Where is the Best Place to Invest $102,000 – In Stocks, Bonds, or a College Degree?* Washington, DC: The Hamilton Project at Brookings (March). <http://www.hamiltonproject.org/papers/where_is_the_best_place_to_invest_102000_--_in_stocks_bonds_or_a_colle/> (accessed October 2, 2013).

Grodsky, Eric and Melanie Jones. 2007. “Real and Imagined Barriers to College Entry: Perceptions of Cost.” *Social Science Research* 36 (2): 745-766.

Hartmann, Heidi and Jeff Hayes. 2013. *How Education Pays Off for Older Americans.* Washington, DC: Institute for Women’s Policy Research.

Hess, Frederick M., Mark Schneider, Kevin Carey, and Andrew P. Kelly. 2009. *Diplomas and Dropouts: Which Colleges Actually Graduate Their Students (and Which Don’t).* Washington, DC: American Enterprise Institute for Public Policy Research (June). <http://www.aei.org/files/2009/06/03/Diplomas%20and%20Dropouts%20final.pdf> (accessed February 6, 2014).

Higher Education Research Institute, University of California at Los Angeles, 2011 Survey of the American Freshman. <http://www.heri.ucla.edu/tfsPublications.php> (accessed February 4, 2014).

Horn, Laura, Xianglei Chen, and Chris Chapman. 2003. *Getting Ready to Pay for College: What Students and Their Parents Know About the Cost of College Tuition and What They are Doing to Find Out*. Washington, DC: U.S. Department of Education, Institute of Education Sciences (September).<http://nces.ed.gov/pubs2003/2003030.pdf> (accessed February 4, 2014).

Hoxby, Caroline. 2009. “The Changing Selectivity of American Colleges.” Nashville, TN: *The Journal of Economic Perspectives* (Fall), 23(4): 95-118.

Hoxby, Caroline and Christopher Avery. 2013. “‘The Missing ‘One-Offs:’ The Hidden Supply of High Achieving, Low-Income Students.” Washington, DC: Brookings Institute, Brookings Papers on Economic Activity (Spring): 1-65.

<http://www.brookings.edu/~/media/projects/bpea/spring%202013/2013a_hoxby.pdf> (accessed February 3, 2014).

Hoxby, Caroline and Sarah Turner. 2013. *Informing Students about their College Options*. Washington DC: The Hamilton Project at Brookings (June). <http://www.brookings.edu/~/media/research/files/papers/2013/06/26%20expanding%20college%20opportunity%20hoxby%20turner/thp_hoxbyturner_final.pdf> (accessed February 3, 2014).

Huelsman, Mark and Engle, Jennifer. 2013. "Student Parents and Financial Aid." Washington, DC: Institute for Women's Policy Research Working Paper.

Immerwahr, John. 2003. *With Diploma in Hand: Hispanic High School Seniors Talk about Their Future*. San Jose, CA: National Center for Public Policy and Higher Education (June). <http://www.highereducation.org/reports/hispanic/hispanic.pdf> (accessed February 4, 2014).

Institute for Women's Policy Research. 2013. "Public Benefits Receipt among College Students and its Relationship to College Persistence and Completion." Unpublished Report to the Ford Foundation. Washington, DC: Institute for Women's Policy Research.

Institute for Women's Policy Research and Women's Fund of Mississippi, 2014. Data from the Survey of Mississippi Women in Community Colleges (survey report in progress). Washington, DC: Institute for Women's Policy Research. Please contact IWPR for more information on the survey data.

Johnson, Jean and Jon Rochkind. 2009. *With Their Whole Lives Ahead of Them: Myths and Realities About Why So Many Students Fail to Finish College*. New York, NY: Public Agenda, prepared for the Bill and Melinda Gates Foundation. <http://www.publicagenda.org/files/theirwholelivesaheadofthem.pdf> (accessed February 5, 2014).

Jones-DeWeever, Avis A., and Barbara Gault. 2006. *Resilient and Reaching for More: Challenges and Benefits of Higher Education for Welfare Participants and their Children*. Washington, DC: Institute for Women's Policy Research.

Kassabian, David, Anne Whitesell and Erika Huber. 2012. *Welfare Rules Databook: State TANF Policies as of July 2011*. Washington, DC: The Urban Institute (August) <http://anfdata.urban.org/databooks/Welfare%20Rules%20Databook%202011_final%20text.pdf> (accessed December 4, 2012).

Lambert, Susan J., Anna Haley-Lock, and Julia R. Henly. 2012. "Schedule Flexibility in Hourly Jobs: Unanticipated Consequences and Promising Directions." *Community, Work and Family* 15 (3): 293-315.

Lareau, Annette and Erin M. Horvat. 1999. “Moments of Social Inclusion and Exclusion: Race, Class, and Cultural Capital in Family-School Relationships.” *Sociology of Education*, 72 (1): 37-53.

Lin, Nan. 2001. *Social Capital: A Theory of Social Structure and Action*. Cambridge: Cambridge University Press.

Long, Bridget T. 2010. *Grading Higher Education: Giving Consumers the Information They Need*. Washington, DC: The Hamilton Project at Brookings (December). <http://www.hamiltonproject.org/files/downloads_and_links/lr_Brookings_LongPaper_2.pdf> (Accessed October 9, 2013).

Magnusen, Katherine. 2007. "Maternal education and children's academic achievement during middle childhood." *Developmental Psychology* 46 (2): 1497-1512.

Martin, Julie, Denise Simmons, and Shirley Yu. 2013. “The Role of Social Capital in the Experiences of Hispanic Women Engineering Majors.” *Journal of Engineering Education*, 102 (2): 227–243.

McDonough, Patricia M., and Shannon Calderone. 2006. “The Meaning of Money: Perceptual Differences between College Counselors and Low-Income Families About College Costs and Financial Aid.” *American Behavioral Scientist* 49 (August): 1703-1718.

McKinney, Lyle and Heather Novak. 2013. “The Relationship between FAFSA Filing and Persistence Among First-Year Community College Students.” *Community College Review* 41(1): 63-85.

Miller, Kevin. 2012. *Single Student Parents Face Financial Difficulties, Debt, Without Adequate Aid.* Washington, DC: Institute for Women’s Policy Research.

Miller, Kevin, Barbara Gault, and Abby Thorman. 2011. *Improving Childcare Access to Promote Postsecondary Success Among Low-Income Parents*. Washington, DC: Institute for Women’s Policy Research.

National Science Foundation. 2013. *Women, Minorities, and Persons with Disabilities in Science and Engineering: 2013*. Special Report NSF 13-304. Arlington, VA: National Science Foundation, National Center for Science and Engineering Statistics. <http://www.nsf.gov/statistics/wmpd/> (accessed January 8, 2014).

National Science Foundation, National Center for Science and Engineering Statistics, special tabulations of U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System, Completions Survey, 2001–10.

Oreopoulos, Philip, and Uros Petronijevic. 2013. “Making College Worth It: A Review to the Returns of Higher Education.” Princeton, NJ: The Future of Children, *Postsecondary Education in the United States* 23 (1): 41-65. <http://futureofchildren.org/futureofchildren/publications/docs/23_01_03.pdf> (accessed October 7, 2013).

Orozco, Viany and Nancy Cauthen. 2009. *Work Less, Study More & Succeed: How Financial Supports Can Improve Postsecondary Success.* New York City, NY: Demos (September). <http://www.demos.org/sites/default/files/publications/WorkLessStudyMore_Demos.pdf> (accessed February 6, 2014).

Parsad, Basmat, Debbie Alexander, Elizabeth Farris, Hudson, Lisa, and Greene, Bernard. 2003. *High School Guidance Counselin.*
(NCES 2003-015). Washington, DC: U.S. Department of Education, National Center for Education Statistics. <http://www.gpo.gov/fdsys/pkg/ERIC-ED480381/pdf/ERIC-ED480381.pdf> (accessed February 4, 2014).

Patel, Reshma, Lashawn Richburg-Hayes, Elijah de la Campa, and Timothy Rudd. 2013. *Performance-Based Scholarships: What Have We Learned?* New York, NY: MDRC (August). <http://www.mdrc.org/publication/performance-based-scholarships-what-have-we-learned> (accessed February 6, 2014).

Pender, Matea, Michael Hurwitz, Jonathan Smith, and Jessica S. Howell. 2012. *College Choice: Informing Students' Tradeoffs Between Institutional Price and College Completion.* New York, NY: The College Board (October). <http://advocacy.collegeboard.org/sites/default/files/policy-college-choice-students-tradeoffs-price-completion.pdf> (accessed January 30, 2014).

Plank, Stephen and Will Jordan. 2001. “Effects of information, guidance, and actions on postsecondary destinations: A study of talent loss.” *American Educational Research Journal*, 38(4): 947-979.

Sawady, Edna R. and Jennifer Tescher. 2008. *Financial Decision Making Processes of Low-Income Individuals*. Working Paper UCCO8-2. Cambridge: Joint Center for Housing Studies at Harvard University. <http://www.jchs.harvard.edu/sites/jchs.harvard.edu/files/ucc08-2_sawady_tescher.pdf> (accessed April 2, 2014).

Sawhill, Isabel V. and Stephanie Owen. 2013. *Should Everyone Go to College?* Washington, DC: Brookings Institution, Center on Children and Families (May). <http://www.brookings.edu/~/media/research/files/papers/2013/05/07%20should%20everyone%20go%20to%20college%20owen%20sawhill/08%20should%20everyone%20go%20to%20college%20owen%20sawhill.pdf> (Accessed October 9, 2013).

Schulman, Karen and Helen Blank. 2013. *Pivot Point: State Child Care Assistance Policies 2013*.

Washington, DC: National Women's Law Center. <http://www.nwlc.org/sites/default/files/pdfs/final_nwlc_2013statechildcareassistancereport.pdf> (accessed January 30, 2014).

Smith, Jonathan, Matea Pender, and Jessica Howell. 2013. "The Full Extent of Student-College Academic Under-Match." *Economics of Education Review* 32: 247-261.

Starobin, Soko S and Laanan, Frankie Santos. 2008. "Broadening female participation in science, technology, engineering, and mathematics: Experiences at community colleges." *New Directions for Community Colleges* (June): 142: 37 -46.

Stewart, James. September 13, 2013. "New Metric for Colleges: Graduates' Salaries." New York Times. <http://www.nytimes.com/2013/09/14/business/economy/nice-college-but-whatll-i-make-when-i-graduate.html?pagewanted=all> (accessed February 1, 2014).

Taylor, Paul, Kim Parker, Richard Fry, D'Vera Cohn, Wendy Wang, Gabriel Velasco, and Daniel Docterman. 2011. *Is College Worth It? College Presidents, Public Assess Value, Quality and Mission of Higher Education*. Washington, DC: Pew Social & Demographic Trends, Pew Research Center. <http://www.pewsocialtrends.org/files/2011/05/higher-ed-report.pdf> (accessed January 28, 2014).

Tomás Rivera Policy Institute. 2004. *Caught in the Financial Aid Information Divide: A National Survey of Latino Perspectives on Financial Aid.* Reston, VA: Sallie Mae Fund.

Tornatzky, Louise G., Richard Cutler, and Jognho Lee. 2002. *College Knowledge: What Latino Parents Need To Know and Why They Don't Know It*. Claremont, CA: University of Southern California, Tomás Rivera Policy Institute. <http://trpi.org/wp-content/uploads/archives/College_Knowledge.pdf> (accessed February 5, 2014).

U.S. Census Bureau. 2013. "Poverty Thresholds." Washington, DC: United States Census Bureau. <http://www.census.gov/hhes/www/poverty/data/threshld/index.html> (accessed January 30, 2014).

U.S. Department of Agriculture (USDA). Food and Nutrition Service. 2013. "Supplemental Nutrition Assistance Program: Students" <http://www.fns.usda.gov/snap/students> (accessed February 5, 2014).

U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, 2011-12 National Postsecondary Student Aid Study (NPSAS:12). <http://nces.ed.gov/datalab/> (accessed February 4, 2014).

U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, 2009 Beginning Postsecondary Students Longitudinal Study. <http://nces.ed.gov/datalab/> (accessed February 4, 2014).

U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS), Fall 2009, Completions Component. <http://nces.ed.gov/datalab/> (accessed February 4, 2014).

U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, 2007-08 National Postsecondary Student Aid Study (NPSAS:08). <http://nces.ed.gov/datalab/> (accessed February 4, 2014).

U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, 2008 Baccalaureate and Beyond Survey. <http://nces.ed.gov/datalab/> (accessed February 4, 2014).

U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Postsecondary Student Aid Study, 2008 Undergraduate Cohort. <http://nces.ed.gov/datalab/> (accessed February 4, 2014).

U.S. Department of Education, Office of Federal Student Aid. 2011. "2011-2012 Federal Pell Grant Payment and Disbursement Schedules." Washington, DC: U.S. Department of Education (February). <http://www.ifap.ed.gov/dpcletters/P1101.html> (accessed February 14, 2014).

U.S. Department of Education, Office of Federal Student Aid. 2013. "Federal Student Grant Programs." Washington, DC: US Department of Education (June). <http://studentaid.ed.gov/sites/default/files/federal-grant-programs.pdf> (accessed February 14, 2014).

Waters Boots, Shelley. 2010. *Improving Access to Public Benefits: Helping Eligible Individuals and Families Get the Income Supports They Need*. The Ford Foundation, the Open Society Institute, and the Annie E. Casey Foundation (April). <http://www.aecf.org/~/media/Pubs/Topics/Economic%20Security/Family%20Economic%20Supports/ImprovingAccesstoPublicBenefitsHelpingEligibl/BenefitsAccess41410.pdf> (accessed December 5, 2012).

Wider Opportunities for Women. 2010. *The Basic Economic Security Tables for the United States*. Washington, DC: Wider Opportunities for Women. <http://www.wowonline.org/documents/BESTIndexforTheUnitedStates2010.pdf> (accessed January 30, 2014).

Wider Opportunities for Women. 2014. "BEST Index." Washington, DC: Wider Opportunities for Women (WOW). <http://www.basiceconomicsecurity.org/Default.aspx> (accessed January 30, 2014).

Main City Calendar: July 18 – August 7, 2017

Weekly Program Offerings

Hyattsville Farmer's Market
Tuesdays, 3:00 PM – 7:00 PM @ Parking Lot of Redeemer Lutheran Church

Art Works Now Senior Summer Camp
Wednesdays, 1:00 PM – 3:00 PM @ Art Works Now
Call Beryl Johnson at (301) 985-5058 to learn more about this opportunity!

Ageless Grace Senior Exercise Classes
Wednesdays and Fridays, 10:00 AM @ City Municipal Building

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

City Calendar: July 18 – August 7, 2017

Hyattsville Environment Committee Meeting
July 19, 2017, 7:30 PM -8:30 PM @ City Municipal Building

Summer Jam & Police Department Open House
July 21, 2017, 6:30 PM – 8:30 PM @ City Municipal Building

Education Advisory Committee Meeting
July 27, 2017, 6:30 PM – 8:00 PM @ City Municipal Building, 2nd Floor Prangley Room

Health, Wellness, & Recreation Advisory Committee Meeting
July 27, 2017, 7:00 PM – 8:30 PM @ City Municipal Building, 3rd Floor

Sunset Movie Series at Heurich Park
July 28, 2017, 8:30 PM – 10:00 PM @ Heurich Park

National Night Out Against Crime
August 1, 2017, 6:00 PM – 9:00 PM @ Heurich Park

Council Meeting
August 7, 2017, 8:00 PM – 10:00 PM @ City Municipal Building, 3rd Floor Council Chambers

Hyattsville City Council Agenda Item Report

Meeting Date: July 17, 2017
Submitted by: Jim Chandler
Submitting Department: Community & Economic Development
Item Type: Planning & Development
Agenda Section: Motion to Close

SUBJECT
Motion to Close (Please note that the Council will not return to Open Session)

Motion #
HCC-11-FY18

Recommendation:
I move that the Mayor and Council close the Council Meeting of June 5, 2017 in order to discuss contract negotiations and to consider the investment of public funds.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (5) to consider the investment of public funds, and (14) to discuss, before a contract is awarded or bids are opened, 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.

Sponsor(s):
At the Request of the City Administrator

ATTACHMENTS

Summary Background:
This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305

Next Steps:
N/A

Fiscal Impact:
N/A

City Administrator Comments:
Recommend support

Community Engagement:
N/A

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

Legal Review Required?
N/A