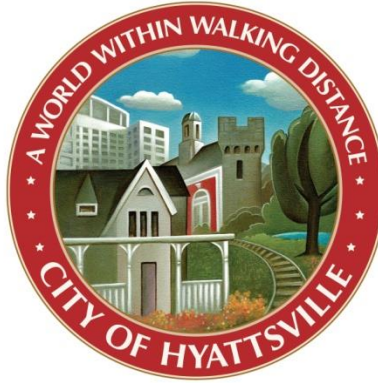




Hyattsville City Council Regular Meeting

Monday, June 1, 2015

8:00 PM

Agenda

1. Call to Order and Council Roll Call

2. Pledge of Allegiance to the Flag

3. Moment of Silence in Honor of Bart Kane and Alejandro Santos

4. Approval of Agenda

- (1) Motion to Approve the Agenda for the Council Meeting of June 1, 2015

5. Public Comment (8:10 p.m. - 8:20 p.m.)

6. Presentations (8:20 p.m. - 9:05 p.m.)

- (1) FY-2013 Audit
- (2) Kiplinger Phase II: Presentation
- (3) Overview of the Lighting Study - West Hyattsville

7. Consent Items (9:05 p.m. - 9:10 p.m.)

- (1) **75-06-15 MOU Between Board of Education and Hyattsville City Police** I move that the Mayor & Council approve an updated MOU between the Board of Education of Prince George's County and the Hyattsville City Police Department to provide police presence during sporting events and extracurricular activities sponsored by Northwestern High School. – **At the Request of the City Administrator**
- (2) **76-06-15 Office Care Contract Extension** I move that the Mayor & Council agree to extend the Office Care contract for one year, ending May 31, 2016. – **At the Request of the City Administrator**
- (3) **77-06-15 Renewal of Employment Contract for City Administrator** I move that the Mayor & Council approve the renewal of a 2-year employment contract for Ms. Tracey E. Nicholson as the City Administrator effective May 14, 2015 with an ending date of May 13, 2017. – **Hollingsworth**

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

- (1) **78-06-15 Reappointment of the City Attorney** I move that the Mayor & Council reappoint Richard T. Colaresi, Esquire, of Karpinski, Colaresi & Karp, located in Baltimore, Maryland, as City Attorney at an hourly rate of \$120 - \$145 per hour. – **Hollingsworth**
- (2) **79-06-15 Hyattsville Resolution 2015-01, Council Rules of Procedure** I move that the Mayor & Council introduce and adopt Hyattsville Resolution 2015-01, a Resolution setting forth Rules of Procedure for the Hyattsville City Council. – **Hollingsworth**

9. Discussion Items (9:25 p.m. - 10:20 p.m.)

- (1) Variance Request: 4509 Buchanan Street
- (2) Variance Request: 5016 36Th Avenue
- (3) Banner, Buchanan, Crittenden, and 40Th Avenue Project
- (4) University Hills Sidewalk and Street Improvements
- (5) Community Legacy Grant Application & Resolution

10. Council Dialogue (10:20 p.m. - 10:30 p.m.)

11. Community Notices and Meetings

- (1) Main City Calendar: June 2 - July 21, 2015

12. Motion to Adjourn

- (1) Motion to Adjourn the Council Meeting of June 1, 2015



Presentations: FY-2013 Audit

SUBJECT: FY-2013 Audit

SECTION: Presentations

BACKGROUND:

The auditors are still in the testing stage of the 2013 audit. The testing stage involves randomly selecting documentation in every expenditure area of the City to determine the City's level of budgetary and code compliance. Due to seasonal scheduling requirements, the FY-2013 audit is now scheduled for completion by the end of June 2015. This time frame adjustment will not affect completing the FY-2014 audit in December of this year.

NEXT STEPS:

Continue working towards completion of the FY-2013 audit.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

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

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 4 – Foster Excellence in all City Operations

Action: 4.3 Ensure policies, procedures, and practices meet or exceed accredited or nation


Tracey Nicholson, City Administrator 5/28/2015



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

Administrator

Meeting: 6/1/2015 8:00 PM
Department: Community & Econ Dev
Prepared by: Jim Chandler
Sponsors: At the Request of the City

6.2

DOC ID: (ID # 1179)

Presentations: Kiplinger Phase II: Presentation

SUBJECT: Kiplinger Phase II: Presentation

SECTION: Presentations

BACKGROUND:

The applicant, NVR Inc, the parent company of Ryan Homes, will be redeveloping two parcels of the former Kiplinger Editors Press site located at 3401 East-West Highway.

The applicant will present the City Council with a detailed design for the for-sale townhouse development on the south side of the site and 2-over-2 condominium development located on the western parcel of the subject site.

NEXT STEPS:

The applicant is scheduled to present and discuss the proposal with the Hyattsville Planning Committee on Tuesday, June 16, 2015. We anticipate the site plan to be brought back to Council for action on July 20, 2015 with recommended conditions for support. The applicant is tentatively scheduled for a M-NCPPC Planning Board hearing on Thursday, July 22, 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS AND ACTIONS:

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

Action: 2.4 Provide economic development programming and projects to support and facilitate


Tracey Nicholson, City Administrator 5/28/2015



Memo

To: Mayor and City Council

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

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

Date: May 22, 2015

Re: Kiplinger Property: Phase II – DSP-14010-01

The applicant, NVR Inc, the parent company of Ryan Homes, will be redeveloping two parcels of the former Kiplinger Editors Press site located at 3401 East-West Highway.

The applicant is represented by Bill Shipp with O'Malley, Miles, Nylen & Gilmore, P.A., who will present the City Council with a detailed design for the for-sale townhouse development on the south side of the site and 2-over-2 condominium development located on the western parcel of the subject site.

The Preliminary Plan of Subdivision, with support from the City of Hyattsville, was approved by the M-NCPPC Planning Board on May 14, 2015. The Preliminary Plan of Subdivision divided the 11.68 acre subject site into three separate parcels; Phase I includes a 352-multifamily unit building located on a 3.77 acre parcel and Phase II is located on the two remaining parcels, which includes 86 townhouse units and 40 condominium units.

As of the date of this memorandum, the applicant is finalizing the application to M-NCPPC, however since the subject site is an 'Expedited Transit-Oriented Development Site Plan Application', the timeline for review and approval of this application is more condensed than traditional applications.

The applicant is scheduled to present and discuss the proposal with the Hyattsville Planning Committee on Tuesday, June 16, 2015. I anticipate that this site plan will be brought back to Council for action on July 20, 2015 with recommended conditions for support. The applicant is tentatively scheduled for a M-NCPPC Planning Board hearing on Thursday, July 22, 2015, which is the final meeting prior to the Planning Board's August recess.

Kiplinger Detailed Site Plan

6.2.b

Single Family Town Homes & Condominium Development Project



Single Family Town Homes



Condominium Development Project



Kiplinger Property Redevelopment

6.2.b

East West Highway

The Edition

Toledo Terrace

Single Family



NVR: Elevations

Condominium



Town Homes





TOWN HOMES

6.2.b



Attachment: City of Hyattsville Presentation_05_28_2015 (1179 : Kiplinger Phase II:



TOWN HOMES

6.2.b







NVR – INDUSTRY LEADER

- o Fourth Largest Homebuilder in the U.S. (Revenue Ranking)
- o Full Service Mortgage Bank
- o Over \$3.0 Billion in Revenue
- o Over 10,000 New Homes Built Annually
- o Industry leading:
 - Profitability
 - Return on capital
 - Inventory turns
 - Interest coverage
 - Debt to capital
 - Debt to EBITDA
- o Only public homebuilder to operate profitably every year through the housing downturn (2006-Present)

NVR – INDUSTRY LEADER



- o Dominant Builder in All of Our Markets. #1 Builder in Prince George's County, Maryland.
- o Energy Star Partner of the Year Award Winner 2010 – 2012 offering state-of-the-art, energy efficient homes.
- o Product Diversity
 - Serve wide range of customer and price segments with various available options including 3-story and 4-story townhomes.
- o Rapid Inventory Turnover
 - Pre-Sell – Minimal Speculative Inventory
- o Employee Retention and Strength
 - March 2012 Zelman Report Ranked NVR Local Management Teams as #1 in the industry

CONTACT NVR

Brian Afnan
656 Quince Orchard Road, Suite 500
Gaithersburg MD 20878
301-602-7120





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

Administrator

Meeting: 6/1/2015 8:00 PM

Department: Public Works

Prepared by: Lesley Riddle

Sponsors: At the Request of the City

DOC ID: (ID # 1192)

6.3

Presentations: Overview of the Lighting Study - West Hyattsville

SUBJECT: Overview of the Lighting Study - West Hyattsville

SECTION: Presentations

BACKGROUND:

Please see attached memo

NEXT STEPS:

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 3 – Promote a Safe and Vibrant Community

Action: 2.4 Provide economic development programming and projects to support and facilitate


Tracey Nicholson, City Administrator 5/28/2015

City of Hyattsville

Overview of the Lighting Study – West Hyattsville



Lesley Riddle
5/20/2015

Overview

Over the past several years, residents and various officials have raised concerns about low level lighting in neighborhoods, on city sidewalks, and in parks in West Hyattsville. The Mayor, Council, and staff have placed a high priority on safety and security throughout the City; providing sufficient and effective lighting for walkways, parks and streets contributes to that overall goal. As a result, the city commissioned Charles P. Johnson and Associates (CPJ) to conduct a Lighting and Pedestrian Safety study. They completed their comprehensive study in March 2015, and as expected, it indicated that there are deficiencies with overall lighting in West Hyattsville. While the report and calculations include very technical information, this discussion is intended to provide a general overview of the findings and the City's short and long term plans.

Background

1. For years, residents and city officials have expressed concerns with lighting in neighborhoods and parks in West Hyattsville. In response, the city asked CPJ to evaluate current roadway and neighborhood lighting levels to determine if they meet industry standards. The most widely used industry standard is produced by Illuminating Engineering Society of North America (IESNA). CPJ analyzed data they gathered from observation, light meters, and computer software in accordance with IESNA standards. They then provided valuable feedback and recommendations to the city which afforded the staff the necessary information to prioritize requirements to make improvements in West Hyattsville.
2. According to national reviews, improved street lighting can reduce crime in neighborhoods by increasing surveillance and visibility, which can deter potential offenders. Lighting can also impact traffic and contribute to pedestrian safety. The reviews found that when street lighting is improved, it can lead to community cohesion and 'informal social control, (Welch, 2008). "Sufficient street lighting also helps define a positive urban character and support nighttime activities" (BetterStreets, 2015).
3. Measuring street lighting and its' effectiveness requires detailed analysis and calculation. Factors considered include roadway classification; in this case most of the roadways are "Local" neighborhood streets where pedestrians and cyclists are generally present. Hamilton Street and Jamestown Road are the exceptions and considered "Collector" roadways which are used for traffic movements and give direct service to abutting properties. The IESNA calculations also include uniformity, usage, roadway surface material, glare, light fixture type, and illuminance which measures the amount of light that hits

the surface; and luminance which measures the amount of light detected by a typical human eye from a particular angle.

4. The height and spacing of the light fixtures can also impact the effectiveness and visibility to pedestrians. Although mounting heights have increased over the past few decades as lamp technology has allowed for higher and brighter road lights, it often results in lighting designed for the car or the parking lot, not the person walking on the side of the street. Reducing the luminaires' height and adjusting it to the scale of the person on the sidewalk, can require more fixtures, which in turn means that the poles and their placement can have an impact on the overall streetscape.

5. Local lighting primarily functions to illuminate sidewalks and walkways and should be designed to supplement roadway lighting. It should be consistent throughout a block (uniformity), and minimize variance between bright and dark areas. In general, it should provide sidewalks with a minimum luminance that allows pedestrians to detect obstacles, stay visually oriented, and recognize faces from a distance of 13 feet, a minimum distance that brings comfort with regard to normal social contact. In addition, the fixture type and distribution should be selected based on street and sidewalk width. The following four types of light fixtures are found in West Hyattsville:

- A. Cut off Flat Glass Lens Lamps. These lamps are used in over 75% of the streets in West Hyattsville. They are arm mounted to wood utility poles and owned and maintained by PEPCO. These lights are high pressure sodium and range in wattage from 70-250 Watts.
- B. Pendant (Cobra Head Refractor glass lens) Lights. These lamps are used on about 20% of the streets in West Hyattsville. They are also arm mounted to wood utility poles, owned and maintained by PEPCO. These lights are either high pressure sodium or mercury and wattages range from 70-400 watts.
- C. Whatley (Acorn) Light Fixture. The Whatley is used on Hamilton Avenue and mounted on high cast aluminum poles. It has good vertical lighting levels which is important for pedestrian areas. Unfortunately these lenses haze and darken over time which significantly reduces the lights output. Ownership of these lamps is still being established.
- D. Incandescent (tear drop glass) Lights. Used only on 38th avenue, south of Hamilton Street. This fixture is mounted to a wood utility pole and range in size from 8" to 12" long. These lights are owned and maintained by PEPCO.

6. All of the above lights, with the exception of the Whatley, (ownership still being determined), are owned and maintained by PEPCO. The City of Hyattsville pays PEPCO for the power use and maintenance of all lights.

7. The areas that have high pedestrian traffic, near the Metro stations and commercial areas along Hamilton Ave require an enhanced horizontal and vertical illuminance, and uniformity. Fortunately, most of the commercial areas along Hamilton Street have the “Whatley” light which provides the required and desired vertical illumination.

8. A review of the other lighting fixture type, levels, spacing, mounting, wattage, arm length, and road width reveals that the majority of the streets studied do not meet recommended IESNA standards. In most instances the lighting level is met, but the light below the fixture does not meet the minimum light level between the lights. In many instances this can be corrected by using a light that minimizes the brightness below the light and directs the light outward.

10. The sources of illumination vary based on the quality of light they provide. High-pressure sodium, the light source typically used in West Hyattsville (A & B above), can cast a yellowish-orange glow that results in poor color rendition and can compromise visual clarity and detract from the overall quality of the nighttime urban environment. Conversely, LED renders color accurately, offers better visual clarity, improves reaction time for vehicles, and requires less wattage for the same perceived visibility (Projects for Public Spaces, 2015).

Recommendations

1. To mitigate existing conditions in the short term, the City will retrofit existing lights to LED lights “one for one” exchange. This will improve overall lighting conditions, luminance and illumination levels. Many of the new LED lights are specifically designed to minimize the brightness directly below the light and spread the light evenly. Also, LED lights are designed to mount to the existing wood pole arms that are widely utilized in West Hyattsville and throughout the City. We are negotiating with PEPCO on a plan to retrofit the poles and fixtures that they own. Costs are still to be determined based on quantity and cost sharing. We are also looking at other environmentally friendly, mid to low level ambient and cost effective lighting options (solar).

2. In addition to retrofitting the existing lighting, the distribution of light posts along the street can have a dramatic effect on the nature of the street and improve the visibility. Long term design options to be considered include:

- A. **Staggered arrangement:** Staggering light posts across the street from each other allows for an arrangement that is less formal, and can potentially use fewer lights, since there will be some overlap illumination.
- B. **Opposite arrangement:** Light fixtures that are aligned directly across the street from each other set up a more formal condition.
- C. **More closely spaced light posts/fixtures:** can lower the wattage, and therefore potential glare, of each fixture as an exterior habitable space.

3. Pedestrian Safety: The pedestrian study provided specific recommendations to improve or add crosswalks, stop signs, and reevaluate intersections to improve egress. We will be reviewing the recommendations in more detail and moving forward with modifications that were funded in the FY16 operating budget.

Long Term Solutions

Once the retrofitting is complete, the city will reevaluate the lighting effectiveness throughout West Hyattsville and pursue funding for the design and installation of any additional required lighting to improve and enhance city neighborhoods and streets. The type and design of lighting must be considered by location and the plan must include street and sidewalk width, height and placement of trees, and illumination levels.



Consent Items: MOTION #75-06-15 MOU Between Board of Education and Hyattsville City Police

SUBJECT: MOU Between Board of Education and Hyattsville City Police

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #75-06-15

I move that the Mayor & Council approve an updated MOU between the Board of Education of Prince George's County and the Hyattsville City Police Department to provide police presence during sporting events and extracurricular activities sponsored by Northwestern High School.

BACKGROUND:

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

NEXT STEPS:

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

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Minimal resources to implement the MOU. All hours worked at the school are performed by off duty officers and reimbursed by the Board of Education.

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 3 - Promote a Safe and Vibrant Community

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

FISCAL IMPACT:

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



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

Administrator

Meeting: 6/1/2015 8:00 PM

7.1

Department: Police Department

Prepared by: Douglas Holland

Sponsors: At the Request of the City

DOC ID: (ID # 1178)

Consent Items: MOTION #75-06-15 MOU Between Board of Education and Hyattsville City Police


Tracey Nicholson, City Administrator 5/27/2015

Tracey E. Nicholson, City Administrator

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

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

WHEREAS, the Board finds it necessary and desirable to have police presence during Sporting Events and Extracurricular Activities sponsored by the public school which involve attendance by the public and

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

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

SECTION 1 SOCPE OF SERVICES

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

Section 1.2 Schedule Coverage

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

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

Section 1.3 The Police Department will provide uniformed police officers at Athletic or Extracurricular Events.

- a. Police officers will work these assignments on an overtime basis.
- b. If there are insufficient officers available, the Chief of Police will make necessary duty assignments.
- c. The minimum compensated time for these events is Three-and-a-half (3 ½) hours.
- d. The maximum pay shall be for a five (4) hour duty period unless exceptional circumstances (arrest or extension of events, etc.) occur; in which case the pay shall be for the total period.
- e. Police officers assigned to work these events are required to be at the school at least thirty (30) minutes prior to the start of school time, and will remain until the students and traffic have disperse.
- f. All police officers assigned to work these events shall be protected by the City of Hyattsville's medical, retirement, liability, and related benefits.

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

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

Section 1.5 Procedures for Submitting Overtime Slips

- a. An overtime slip will be submitted by each police officer working a school event.
- b. If the police officer is non-duty, the officer will fill out the overtime slip following normal procedure. At the top of the slip the officer will write "Northwestern High School" and under the reason or case number the officer will write the type of event, and the name of the school.

- c. If the police officer is off-duty, the officer will fill out the overtime slip following normal procedures. Under the reason or case number, the officer will write "Athletic or Extracurricular Assignment" & the name of the school.
- d. The overtime slip will be signed by the school principal or appropriate designee to verify the time spent by the respective officer(s) at these events and then will be submitted to the officer's supervisor.

Section 1.6 Statutes of Employment

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

SECTION II TERM OF AGREEMENT

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

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

For the Board

Dr. Kevin Maxwell
14201 School Lane
Upper Marlboro, MD 20772

For the Police Department

Chief Douglas Holland
4310 Gallatin St.
Hyattsville, MD 20781

SECTION III COMPENSATION

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

SECTION IV PAYMENT

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

SECTION V INDEMNIFICATION

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

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

Hyattsville, Maryland

Witness: _____

By: _____
Tracey Nicholson
City Administrator

Prince George's County Board of Education

Witness: _____

By: _____
Dr. Kevin Maxwell
Superintendent of Schools

LEAVE/OVERTIME REQUEST

NAME: _____

ID#: _____

LEAVE REQUEST

TYPE (check one):

___ANNUAL ___COMP ___SICK ___LWOP ___OTHER

DATE(S) OF LEAVE: _____

TOTAL NUMBER OF HOURS: _____ SHIFT-FROM: _____ TO _____

OVERTIME

TYPE (check one):

___OVERTIME ___COMP TIME ___GRANT FUNDING-TYPE _____

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

COURT OVERTIME
(Attach court summons)

TYPE (check one):

___DISTRICT ___CIRCUIT

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

EMPLOYEE SIGNATURE_____
DATEAPPROVED: _____
SQUAD COMMANDER_____
DATE



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

Administrator

Meeting: 6/1/2015 8:00 PM
Department: Public Works
Prepared by: Lesley Riddle
Sponsors: At the Request of the City

7.2

DOC ID: (ID # 1184)

Consent Items: MOTION #76-06-15 Office Care Contract Extension

SUBJECT: Office Care Contract Extension

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #76-06-15

I move that the Mayor & Council agree to extend the Office Care contract for one year, ending May 31, 2016.

BACKGROUND:

In May of 2014, the Mayor and Council accepted the Office Care facility cleaning services contract for \$73,565.00. Office Care was chosen after a thorough review of the Request for Proposals and the formal Bid process. The contract had a 1 year extension clause which the City is now prepared to execute.

NEXT STEPS:

Extend the contract for the next year. Office Care continues to provide the City with exceptional cleaning services.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Oversight of the existing contract.

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 4 - Foster Excellence in All City Operations

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

FISCAL IMPACT:

Cleaning contract funds are budgeted in the operating budget.



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

Administrator

Meeting: 6/1/2015 8:00 PM

Department: Public Works

Prepared by: Lesley Riddle

Sponsors: At the Request of the City

7.2

DOC ID: (ID # 1184)

Consent Items: MOTION #76-06-15 Office Care Contract Extension


Tracey Nicholson, City Administrator 5/27/2015

Tracey E. Nicholson, City Administrator



Consent Items: MOTION #77-06-15 Renewal of Employment Contract for City Administrator

SUBJECT: Renewal of Employment Contract for City Administrator

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #77-06-15

I move that the Mayor & Council approve the renewal of a 2-year employment contract for Ms. Tracey E. Nicholson as the City Administrator effective May 14, 2015 with an ending date of May 13, 2017.

BACKGROUND:

The City Council discussed and approved the offer of a renewal of an employment contract for Ms. Nicholson during a closed session on March 16, 2015

NEXT STEPS:

The City will execute a 2-year employment contract with Ms. Nicholson.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 4 - Foster Excellence in All City Operations

Action: 4.2 Recruit, develop, and retain a first-rate workforce by providing opportunities

FISCAL IMPACT:

\$135,910/annually


Tracey Nicholson, City Administrator 5/27/2015



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

Meeting: 6/1/2015 8:00 PM
Department: Human Resources
Prepared by: Vivian Snellman
Sponsors: Hollingsworth
DOC ID: (ID # 1186)

7.3

Consent Items: MOTION #77-06-15 Renewal of Employment Contract for City Administrator

Tracey E. Nicholson, City Administrator



Action Items: MOTION #78-06-15 Reappointment of the City Attorney

SUBJECT: Reappointment of the City Attorney

SECTION: Action Items

RECOMMENDED ACTION:

Motion #78-06-15

I move that the Mayor & Council reappoint Richard T. Colaresi, Esquire, of Karpinski, Colaresi & Karp, located in Baltimore, Maryland, as City Attorney at an hourly rate of \$120 - \$145 per hour.

BACKGROUND:

Per City Charter Section C6-4 - City Attorney (Amended 5-08-06 by HR 2006-05) within sixty (60) days after the Mayor and Council just elected are (qualified) sworn in, the City Attorney's position shall be subject to review by the City Council for appointment or reappointment. (Amended 3-17-03 by HR 2003-09). The Mayor, with the approval of the Council, may appoint a City Attorney who shall serve at the pleasure of the Mayor and the City Council. The City Attorney shall be a member of the bar of the Maryland Court of Appeals. The City Attorney shall be the legal adviser of the City and shall perform such duties in this connection as may be required by the Council or the Mayor. His/her compensation shall be determined by the Council. The City shall have the power to employ such legal consultants as it deems necessary from time to time.

NEXT STEPS:

n/a

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 4 - Foster Excellence in All City Operations

Action: 4.2 Recruit, develop, and retain a first-rate workforce by providing opportunities

FISCAL IMPACT:

The FY16 budget for legal services is \$220,000



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

Meeting: 6/1/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Hollingsworth
DOC ID: (ID # 1187)

8.1

Action Items: MOTION #78-06-15 Reappointment of the City Attorney


Tracey Nicholson, City Administrator 5/27/2015

Tracey E. Nicholson, City Administrator



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

Meeting: 6/1/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Hollingsworth
DOC ID: (ID # 1188)

8.2

Action Items: MOTION #79-06-15 Hyattsville Resolution 2015-01, Council Rules of Procedure

SUBJECT: Hyattsville Resolution 2015-01, Council Rules of Procedure

SECTION: Action Items

RECOMMENDED ACTION:

Motion #79-06-15

I move that the Mayor & Council introduce and adopt Hyattsville Resolution 2015-01, a Resolution setting forth Rules of Procedure for the Hyattsville City Council.

BACKGROUND

The proposed Council Rules of Procedure were discussed during the Council Meeting of May 18, 2015.

NEXT STEPS:

It is proposed that the Council take action on this item during the meeting of June 1, 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 4 - Foster Excellence in All City Operations

Action: Action 4.3 (Goal 4) - Ensure policies, procedures, and practices meet or exceed accredited or national standards

FISCAL IMPACT:

None


Tracey Nicholson, City Administrator 6/1/2015



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

Meeting: 6/1/2015 8:00 PM
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Prepared by: Laura Reams
Sponsors: Hollingsworth
DOC ID: (ID # 1188)

8.2

Action Items: MOTION #79-06-15 Hyattsville Resolution 2015-01, Council Rules of Procedure

Tracey E. Nicholson, City Administrator

MEMORANDUM

To: All Council Members
From: Candace B. Hollingsworth
Date: 05/26/15
Re: Council Rules of Procedure – Revised 05/26/15

Colleagues –

The revised rules of procedure are attached for your review. I have updated the references as suggested by Councilmember Paschall and have included a correction as suggested by Councilmember Solomon. The document is attached as .pdf with track changes.

I have also included below the concerns and recommendations from Councilmember Solomon. Councilmember Solomon's notes are in boldface and my comments are included inline in regular typeface. The comments are provided to elaborate on the rationale for certain items included in the rules of procedure. They should not be considered refusal or acceptance of a modification. If you have modifications that you would like to see in the final copy based on the discussion included here or your own review, please send them to the group.

Clerk Reams will be out of office on Friday, and we have this item scheduled for Action on June 1st so the final copy for the agenda is due no later than Thursday am. If you feel we need more time to consider this item, please advise.

I intend to provide this memo in full along with the track changes revision for inclusion in Monday's packet.

-cbh

Concerns:

I am concerned about the seasonal nature of motions, I would like to understand the necessity for this body or any municipal body.

The calendar for submissions is proposed with the intent to a) allow the body to focus its legislative activities during the months prior to the initiation of the (similar) budget season, b) ensure that items considered outside of that season are of interest to a number of council members for consideration, and c) fully utilizes the lean, summer months for staff to give the necessary feedback and/or notes on implementation.

I am concerned about closing motions for comment and editing two weeks before the date it is scheduled to appear before Council. Council members and staff often circulate a framework during the time period but final languages can be subject until final passage. This seems like it would prevent edits or compromises from the dais, which I believe should be allowed (Section 3.B[probably should be C – Requirements for Submission of Agenda Items].2.e).

The proposed “closing” is suggested to allow for earlier publication of agendas when all materials are received. Currently, absent either the proposed legislative calendar or closing date motions may be edited up to the publication of the agenda on which it will appear (often the Friday before Monday meetings). It is my opinion that retaining this process restricts the amount of time that the public and the council are able to review materials prior to scheduled meetings. Options to edit and make compromises from the dais remain available to the council and occur according to Robert’s Rules of Order.

Note: The section was corrected to Section 3.C.

I am concerned about the requirement that 2/3 members of the elected portion of the executive committee must agree upon adding items to the agenda (Section 3.B[probably should be C – Requirements for Submission of Agenda Items].2.h). I don’t think this should be a requirement given that we would already require 3 council members to sponsor a bill for items introduced during the same time period.

This requirement is suggested to place the responsibility on the executive committee

to assist the Clerk in adhering to the rules of procedure for motions submitted. This section in question reads:

"The City Clerk shall not, without the two-thirds consent of the Mayor, Council President, and Vice-President, accept an agenda item or revised agenda item after the deadlines or absent the requirements established herein."

This means that two of the three members of the executive committee shall agree to accept agenda items that do not meet the requirements established in the rules of procedure.

I am concerned that a single elected official is empowered to enforce these rules.

A single elected official is empowered to request that the rules are enforced. This is in effect the "point of order" motion in Robert's Rules of Order.

I am not fully supportive of Section 3.A.a.b (Meeting Agenda's – Policy). While I believe I understand the intent, I think this may be overly restrictive.

This is proposed to assist the body in the consideration of items that we have previously questioned or have intimated should be better handled by council members directly.

I am not sure if Section 3.A.a.c is necessary. I think of similar scenarios such as going into closed session, council does not first vote on the question, "Is the matter before us deserving of closed session."

Your observation is duly noted. This was included after observation of the discussions the Council has had in the past when considering emergency legislation. Almost every vote is often preceded by a discussion about why the legislation is considered emergency. To the contrary, there are clear cases and descriptions for the need for a closed session.

I believe section 4 subsection A should be stricken completely as it only serves to empower the Mayor with the ability create Ad Hoc committees without Council approval and without the ability of council or the public to attend such meetings. I think if Council (Mayor included) has a need for such committees that should be

created and specified with our current process. This section raises a concern around transparency for me.

This section empowers the Mayor to establish as well as the council to establish ad hoc committees when deemed necessary. The intent here was to allow for workgroups to form on defined issues/questions and allow for citizen participation for shorter periods of time without inundating staff with standing committees. These workgroups should not be dissimilar in function to the committees we have formed to review prospective candidates, for example. I have added the language "and upon approval of a majority of the Council." The restrictions on the number of participants is placed so that the committee meetings do not become *de facto* council meetings and allow for an equal if not majority participation by residents or determined subject matter experts.

Section 4 Subsection B should be restated to allow the Council to nominate and vote for members.

This is an addition to the previous policies and procedures. This does not preclude council nomination and is subject to council approval.

Section 5 is impractical, I struggle with finding acceptable wording and believe this should also be stricken from the text.

Section 5 is intended to maintain some level of consistency with the transparency motion that was previously passed by the Council (and is considered in effect until rules of procedure are replaced).

In general, I believe the scope of these rule changes represents an expansion of executive authority and a diminishing of the legislature. Hyattsville Charter places tremendous authority in the hands of the Council and names the Mayor as the presiding member of the Council. The Mayor is further empowered with limited capacity to direct staff, that limitation being set by section C2-3.J of the Hyattsville Charter, "secure the enforcement of all City ordinances, resolutions and laws under this Charter". Therefore I believe that items granting authority to the Mayor, should be refer to the Council.

There are four (4) specific instances which grant authority specifically to the Mayor alone (all other authorities are vested by the full council). In each of these instances

the same authority is given to the council through a majority and/or require the approval of the council. Those instances are as follows:

- A. Requesting a special meeting.
- B. Creation of an ad hoc committee.
- C. Development of the council agenda.
- D. Appointment of council representative to regional associations.

Item A is authorized per Article II §C2-3I of the Hyattsville Charter and Code.

Item B is authorized per Article II §4-5 of the Hyattsville Charter and Code.

Item C is consistent with past practice and the Policies & Procedures currently in force.

Item D is a new addition; the ability to appoint is consistent with Article II §4-5 of the Hyattsville Charter and Code.

Recommendations:

I think we should keep the portion of these recommendations requiring co-sponsors on legislation.

No modifications made.

I think these rules should be strictly limited to council operations and not behaviors

The "Ethos" and "Communications" sections were included in an effort to maintain the spirit of decorum that was present in the existing policies and procedures as a team agreement.

I would like to see enforcement of the rules shifted to a special committee or parliamentarian.

No modifications made at this time.

If we want some authority given to the executive committee, I would be supportive of the idea of allowing additional sponsorship of one member the exec committee to move an item from discussion to action/consent.

I'm not sure I follow the rationale here. Our current practice vacillates between mutual agreement and a vote (when items are contentious) to move items from consent to

action. Wouldn't the addition of an executive committee member's "sponsorship" add unnecessary burden on the motion maker for a minor item?

I think we can address issues of delayed discussion on council motions by placing constraints around how much time may elapse before the executive committee is required to place an item on the calendar or provided written notice to sponsors on when an item will be placed up for discussion.

I am interested to see your recommendation on this particularly if it still allows for greater planning and transparency.

I would like to see a section that defines a process around how new council sessions are started, including orientation, selection of executive committee leaders, and special sessions ahead of new business where rules and council leadership are explained and adopted by the each new council

Would you like to prepare this section to be reviewed and adopted?

With regard to separating authorities between Mayor and Council, if it is the will of this council to move away from the current governance model, I think we as a council should either discuss publicly or develop a task force aimed at providing recommendations coupled with reasons to change

There are no deviations from the current governance model proposed in the rules of procedure. I'm unclear on what this statement is referencing.

1 **RESOLUTION NO. 2015-~~01XX~~**

2
3 **Adopted by the Hyattsville City Council**

4 **on**

5 **June 1, 2015**

6
7 **ADOPTING THE COUNCIL RULES OF PROCEDURE**

8
9 A. To ensure a clean legislative history, it is preferred practice to adopt new
10 Council Rules of Procedure in entirety for any changes.

11 B. Council Policies and Procedures were most recently adopted on October 18,
12 2010 and amended on December 13, 2010. This resolution serves to replace all
13 previous versions of Council Policies and Procedures and will herein be called
14 "Council Rules of Procedure."

15 C. The Rules of Procedures are in compliance with state law and charter of the
16 City of Hyattsville and are intended to give clear direction to the mayor, council,
17 staff, and general public on the conduct of deliberative and legislative sessions.

18 D. To the extent these Rules of Procedure do not address an issue of
19 parliamentary procedure Robert's Rules of Order Newly Revised (RONR) shall
20 be used as a guide.

21 THE MAYOR AND COUNCIL OF THE CITY OF HYATTSVILLE RESOLVE AS
22 FOLLOWS:

23 Article 1. The Council Rules of Procedure as attached are a part of this resolution
24 and are adopted.

25 Article 2. All previous versions, including amendments, of Council Policies and
26 Procedures are repealed.
27

[City Logo]



Council Rules of Procedure

ADOPTED ON

June 1, 2015

by Resolution 2015-01

SECTION 1 – AUTHORITY AND ADMINISTRATION

A. Authority

1. The Council may determine its own rules and order of business as authorized by the Charter of the City of Hyattsville. The Council Rules and Procedures ("Rules") shall be in effect upon adoption of the resolution by the Mayor and Council and remain in compliance with the Charter of the City of Hyattsville and the Constitution and laws of the State of Maryland.
2. These Rules shall govern the order and conduct of deliberative and legislative meetings of the Mayor and Council. The Rules are also applicable to the conduct of meetings of any committees, commissions, or task forces ("Committees") of the Mayor and Council.

B. Administration

1. The Mayor and Council shall review and/or revise the Rules at least biennially from the date of adoption, or as needed.
2. The presiding officer (or chair, in the case of Committees) is responsible for ensuring that all parties adhere to the Rules.
3. Any member of the Council or Committees may request that the presiding officer or chair enforce these Rules.

C. Suspension

1. Any rule contained herein may be suspended by a two-thirds vote of all members present provided that a quorum exists for the conduct of business.

D. Amendment

1. The Rules may be amended or repealed by resolution by a majority vote of the Mayor and Council provided at least one (1) week's notice of the changes is provided to all members of the Council.

E. Parliamentary Procedure

1. To the extent these Rules of Procedure do not address an issue

of parliamentary procedure Robert's Rules of Order Newly Revised (RONR) shall be used as a guide.

SECTION 2 – CONDUCT OF MEETINGS

A. Frequency and Type

1. The Mayor and Council will schedule meetings in accordance with the Charter of the City of Hyattsville and in compliance with the Open Meetings Act of the State of Maryland.
2. As a general rule, regular meetings will be held at 8:00pm. The start time may be adjusted earlier to allow for closed session.
3. Action may be taken at any scheduled meeting of the Mayor and Council. The Executive Committee may structure the agendas to limit action items and allow for more deliberation and/or discussion on other matters from time-to-time.
4. Special meetings may be convened at the request of the Mayor or five (5) council members pursuant to the Charter of the City of Hyattsville.
5. Public Hearings may be convened to satisfy administrative notice and hearing requirements as provided by the Charter of the City of Hyattsville or at the request of the Mayor or a favorable majority of Council members.

B. Call to Order and Presiding Officer

1. The Mayor, or the Council President in the mayor's absence, shall take the chair as presiding officer at the appointed time for the meeting and shall call the meeting to order. The Council Vice-President shall call the meeting to order in the absence of the Mayor and Council President.
2. In the absence of the Mayor, Council President, and Council Vice-President, the City Clerk shall call the meeting to order and the members present shall appoint a mayor pro tempore as presiding officer.

3. Upon arrival of the Mayor, Council President or Vice-President, the temporary presiding officer shall relinquish the role as chair at the conclusion of the business immediately before the Council.

C. Attendance

1. Attendance by the Mayor and five (5) Councilmembers or, in the absence of the Mayor, six (6) Councilmembers present shall constitute a quorum for the transaction of business at all meetings of the City Council. A majority of the appointed members, excluding staff and Council liaisons, shall constitute a quorum for the transaction of business at all meetings of Committees established by the Mayor and/or Council.
2. Members must be physically present at the council dais (or meeting location, for Committees) in order to vote. Proxy or absentee voting is not permitted.
3. The City Clerk (or recording secretary) shall keep the record of attendance of all members before the Council proceeds with the business of the day. Temporary absence(s) during votes taken, late arrival, and/or early departure of members shall be recorded in the minutes.

D. Pledge of Allegiance

1. The Mayor and Council will recite the Pledge of Allegiance. Any member who wishes to be excused from reciting the Pledge of Allegiance—in whole or in part—may be excused.

E. Business of the Day

1. Presentations

- a. Presentations may include Council recognition of meritorious actions by residents, organizations, or others; requests for Council action on a relevant matter by a person or entity (scheduled in advance); or the provision of information important to Council and residents.

- b. Scheduled presenters may entertain questions from the Council following the presentation. Presentations from external parties are limited to 45 minutes including question and answer period. Question and answer periods will be entertained in rounds with each member allowed one question per round as time allows.
- c. A council member may request that a discussion on the outcomes of the presentation be scheduled for a subsequent meeting of the Mayor and Council.

2. Approval of the Agenda

- a. The Mayor and Council may wish to re-order, add, or remove items from the published agenda. Modifications to the agenda require a majority vote of members present except as required in Section 2.ED.2.b.
- b. Items not previously discussed or published with the agenda may be added to the agenda with a majority vote of all members. Members adding items to the agenda must make copies of the motion available to the Council, staff, and public for contemporaneous review.

3. Public Comment

a. Purpose

- i. The City provides an opportunity for the public to address the Mayor and Council at all regular meetings. Individuals may provide opinion on any items (on the agenda or otherwise) of interest to or under the purview of the City.
- ii. Public comments should not be addressed to individual members or city officials, but to the Council as a whole.
- iii. Public comment period is not intended for "question and answer" or debate. The presiding

officer may choose to respond immediately or provide a response later.

b. Time Limits

- i. Individuals wishing to address the Council are limited to three (3) minutes. If translation/interpretation is needed, that time does not count against the prescribed three (3) minute period.

c. Speaker Cards

- i. Individuals wishing to address the Council should complete a speaker's card and submit it to the City Clerk prior to the start of the public comment period.
- ii. Comments are requested in the order in which the speaker cards are received. Public comment can only be offered from podium after being recognized by the presiding officer.
- iii. Resident addresses will not be included in the official minutes prepared by the City Clerk.

4. Consent Calendar

- a. The consent calendar is considered one item and typically adopted in one motion. Items appearing on the consent calendar should consist of matters considered routine in nature and not likely to debate or inquiry.
- b. Members may request an item to be moved from the consent calendar following the rules set forth in Section 2.ED.

5. Action Items

- a. As a general rule, the action agenda includes motions that satisfy at least one of the following:
 - Has been discussed at a previous Council meeting;

- Has received written comment from administrative staff or legal counsel; and/or
- Has received an opinion from Committee at the request of the Council.

6. Discussion Items

- a. The sponsor(s) will introduce the item for discussion; no official action is expected at the time of introduction.
- b. The motion, with or without amendments, will appear before the Council at a subsequent meeting for action.
- c. Members may refer discussion items to Committee, request additional input from staff, and/or recommend modifications to the motion prior to its consideration as an action item.
- d. An item may be referred to committee by a favorable vote of the majority of members present.

7. Council Dialogue

- a. Members are encouraged to provide updates on the status of legislation or motions being considered or drafted, community notices, or updates from meetings or matters of interest to the general public.

8. Adjournment

- a. Each meeting will be concluded by a vote to adjourn.

F. Closed Sessions

1. Closed sessions will be scheduled and publicized in compliance with the Maryland Open Meetings Act.
2. A closed session may occur prior to the business of the day or after council dialogue. Members of the public will be notified during the meeting if and the approximate time the Council will return to open session.

G. Items Not Generally on the Agenda

1. The City Administrator is encouraged to take actions that

1 implement Council policies and directives, department goals,
2 and improve the quality of life in the City.

- 3 2. The following items are examples of items that will not
4 generally appear on the agenda, but may be conveyed to
5 council members via staff reports or at the council member's
6 request. These items include:

- 7 a. Street Closings for Block Parties;
8 b. 30-day Extensions (first-time only) for satisfying a Code
9 Enforcement Violation;
10 c. Requests for variances except as per Charter;
11 d. Installation or removal of street signs for reasons of
12 public safety.

14 SECTION 3 – MEETING AGENDAS

15 A. Policy

- 16 a. No ordinance, resolution, motion, or item of business will be
17 considered that:

- 18 a. Does not affect the conduct of the business of the City
19 of Hyattsville or its powers or duties as a municipal
20 corporation; or
21 b. Supports or disapproves of any legislation or action
22 i. of the State of Maryland; or
23 ii. of Prince George's County; or
24 iii. before any office or agency of the County or
25 State;

26 Unless the proposed legislation or action, if adopted, will
27 affect the conduct of the City's business or the municipal
28 powers or duties of the City of Hyattsville, its officials, or
29 employees.

- 30 b. The Council may consider items outside the scope of section 3.A.1
31 with a favorable vote of the majority of the Council.

- c. No ordinance may be considered as emergency legislation without first recording an affirmative vote of the majority of the Council in response to the question: "Is the matter before us deserving of treatment of emergency legislation?"

B. Preparation of the Agenda Packet

1. The Mayor shall develop the agenda in consultation with the Council President, Vice-President, City Administrator, and City Clerk.
2. Members may submit items for Council consideration using the form provided by the City Clerk.
3. Charter officers and department directors, at the City Administrator's discretion, may submit staff reports and requests for council action for placement on the agenda.
4. External parties may submit agenda items for consideration by the Council provided it is sponsored by three (3) or more council members.

B.C. Requirements for Submission of Agenda Items

1. General

- a. All agenda items shall have written staff comments or recommendations reflecting the administration's professional view on the issue and shall be signed by the City Administrator.
- b. The City Administrator will provide motions to relevant staff members for comment.
- c. Comments and recommendations from staff and legal counsel are considered advisory in nature and shall be weighed in the Council's consideration of proposals.
- d. All items submitted following the policy guidelines set forth herein will receive consideration and placement on a Council agenda with impartiality unless they are withdrawn by the sponsor(s).

2. Submission Timeline

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- a. Council members shall submit motions for consideration and placement on an agenda during the period of May 1st – August 31st of each year.
- b. Items submitted during this window will be scheduled for placement on an agenda between August 15th and January 31st.
- c. Items submitted outside of the period determined in Section 3.B.2.aⁱ must be sponsored by at least three (3) council members for consideration. They will be placed on the first available agenda.
- d. Council members are requested to respond to requests for additional information from staff within three (3) business days.
- e. Motions will be closed for comment and editing two weeks before the date it is scheduled to appear before the Council. Council members are encouraged to discuss any concerns with staff comment or recommendations before the close date.
- f. Staff may request, via the City Administrator, to receive a "sense of the council" on any items submitted that may require significant staff time or external resources to provide adequate comment and/or recommendations.
- g. The primary sponsor may withdraw a motion at any time before the item is moved and seconded during the Council meeting.
- h. The City Clerk shall not, without the two-thirds consent of the Mayor, Council President, and Vice-President, accept an agenda item or revised agenda item after the deadlines or absent the requirements established herein.

3. Reconsideration

- a. A motion to reconsider may be made on any action no later than a week following the action.
- b. A motion to reconsider may be made only by a Councilmember on the prevailing side of the action to be reconsidered.

- c. The motion to reconsider is approved by an affirmative majority of the members present.
- d. The action to be reconsidered may pass only with the required number of votes as per the Charter of the City of Hyattsville.

SECTION 4 – OTHER COMMITTEES AND ASSOCIATIONS

A. Ad Hoc Committees

1. An ad hoc committee may be formed at the request of the Mayor or a majority of the Council and upon approval of a majority of the Council.–
2. Ad hoc committees shall be tasked with providing response or a recommendation on a specific question/issue for the Council's consideration.
3. Ad hoc committees are limited to eight (8) members not including staff liaison. Up to four (4) of the members may be members of the Council.
4. Council members who are not members of the ad hoc committee shall not attend the ad hoc committee meetings.
5. The City Administrator shall determine the appropriate supporting department and/or staff liaison.
6. The work of ad hoc committees is intended to be temporary in nature. They may be convened for a maximum of six (6) months or six (6) meetings whichever comes first.
7. When the ad hoc committee has completed the assignment, the liaising department shall submit a briefing summarizing the committee's work and recommendations to the City Clerk for distribution to the Mayor and Council.
8. The ad hoc committee is dissolved once the final report is submitted.
9. No more than two (2) ad hoc committees may run concurrently.

B. Other Associations

1. The Mayor may appoint a council representative to regional associations or working groups, subject to Council approval.

SECTION 5 – REPRESENTATIONS

- A. No person or committee has authority to represent the Council on policy matters, unless the Council via an affirmative majority vote has explicitly granted such authority.
- B. Exceptions to Section 5A include statements that are factual in nature and accurately reflect the Council's publicly adopted position.
- C. Members may provide a statement of personal opinion (even of a dissenting opinion) only after first identifying the City's publicly adopted position and express acknowledgment that the member's statement is a) non-binding and b) not made on behalf of the City of Hyattsville.

SECTION 6 – DECORUM

A. Ethos

1. As members of the Hyattsville City Council, we will consistently make our best effort to:
 - a. Put constituents first at all times;
 - b. Value all opinions, be open to new and different ideas, and encourage creativity in boldness.
 - c. Treat everyone (each other, staff, and members of the public) with dignity, courtesy, and respect;
 - d. Follow through on our commitments to each other and hold ourselves accountable;
 - e. Seek clarity when items/issues are discussed in confidence and make every effort to maintain confidentiality;
 - f. Offer a genuine dissent in debate without intentionally prolonging debate or being a barrier to consensus;
 - g. Make comments clear, concise, and relevant;
 - h. Continuously strive to improve how we work together as a

team;

- i. Offer clear and realistic expectations on staff resources and time when requesting action; and
- j. Present problems/issues with an interest in advancing a solution.

B. Communications

- 1. Members should project a focused, professional image of the City of Hyattsville.
- 2. Praise of City staff should be offered publicly.
- 3. Members should speak with the City Administrator privately and directly to address issues or concerns under his/her purview.
- 4. Request answers to questions on council agenda items from the City Administrator, City Attorney, Treasurer, or Department Directors prior to the meeting whenever possible and practical.

INTRODUCED and passed by the Mayor and City Council of the City of Hyattsville at a Regular Meeting on June 1, 2015, at which meeting copies were available to the public for inspection.

Attest:

Laura Reams

Candace B. Hollingsworth

4. City Clerk

Mayor

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

Administrator

Meeting: 6/1/2015 8:00 PM

9.1

Department: Community & Econ Dev

Prepared by: Jim Chandler

Sponsors: At the Request of the City

DOC ID: (ID # 1181)

Discussion Items: Variance Request: 4509 Buchanan Street

SUBJECT: Variance Request: 4509 Buchanan Street

SECTION: Discussion Items

BACKGROUND:

The homeowner, Adeyemi Ogunsola, has applied for a zoning variance with Prince George's County to construct a driveway located at 4509 Buchanan. Hyattsville, MD 20782. The proposed driveway would stretch from the public right of way to the existing garage at the rear of the property and will require variances of eight (8) feet front yard depth, two feet side yard width and 12.6% net lot coverage.

NEXT STEPS:

This item is scheduled for 'Action' on July 20, 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Staff has reviewed this variance and developed recommended conditions for support. Pending the decision of the City Council, the City will notify Zoning Hearing Examiner.

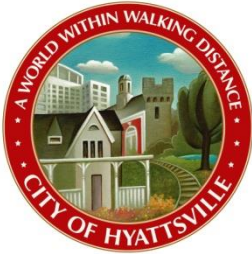
STRATEGIC GOALS AND ACTIONS:

Goal: Goal 3 – Promote a Safe and Vibrant Community

Action: 3.3 Provide effective, responsive, data-driven safety information and services.


Tracey Nicholson, City Administrator 5/27/2015

City of Hyattsville



Memo

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

CC: Mayor & City Council
Tracey Nicholson, City Administrator

From: Chris Giunta, Code & Parking Compliance Manager

Date: May 8, 2015

Re: V-35-15: 4509 Buchanan Street Zoning Variance Request

The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request at the above listed property.

Adeyemi Ogunsola: Zoning Variance Request

The homeowner, Adeyemi Ogunsola, has applied for a zoning variance with Prince George's County to construct a driveway located at 4509 Buchanan Street Hyattsville, MD 20781. The proposed driveway would stretch from the public right of way to the existing garage at the rear of the property and will require variances of eight (8) feet front yard depth, two feet side yard width and 12.6% net lot coverage.

The variance for front yard depth and side yard width is an existing condition from when the structure was originally built. I am recommending that the lot coverage variance be supported with the condition that the homeowner utilize "green" building materials, such as permeable pavers, for the driveway construction or consider "runners" with grass in between. The use of

permeable materials would reduce the lot coverage and allow for a greater percentage of pervious surface/green space.

Recommendation:

The Office of Code Compliance recommends support of the variance if the conditions outlined above are met.



THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

COUNTY ADMINISTRATION BUILDING, UPPER MARLBORO, MARYLAND 20772
TELEPHONE (301) 952-3220

NOTICE OF HEARING

Date: April 28, 2015

Petitioner: Adeyemi Ogunsola

Appeal No.: V-35-15

Hearing Date: WEDNESDAY, MAY 13, 2015, AT 6:00 P.M. EVENING

Place: Zoning Hearing Room #2190
County Administration Building, Upper Marlboro, Md.

Appeal has been made to this Board for permission to validate existing conditions and obtain a building permit to repair an existing driveway on the premises known as Lot 26, Subdivision of Tract of Land in Hyattsville Subdivision, being 4509 Buchanan Street, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

The specific violation resides in the fact that Zoning Ordinance Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth and a side yard at least 7 feet in width. Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Variances of 8 feet front yard depth, 2 feet side yard width and 12.6% net lot coverage are requested.

Public hearing on this Appeal is set for the time and place above stated. **Petitioner, or counsel representing Petitioner, should be present at the hearing. A Petitioner which is a corporation, limited liability company, or other business entity MUST be represented by counsel, licensed to practice in the State of Maryland, at any hearing before the Board. Any non-attorney representative present at the hearing on behalf of the Petitioner (or any other person or entity) shall not be permitted to advocate.**

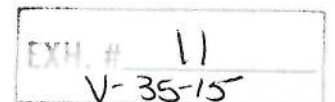
Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board.

If inclement weather exists on hearing date, please contact the office to ascertain if hearing is still scheduled.

BOARD OF ZONING APPEALS

By: Anne F. Carter
Anne F. Carter
Administrator

cc: Petitioner
Adjoining Property Owners
Park and Planning Commission
City of Hyattsville



Attachment: v3515 (1181 : Variance Request: 4509 Buchanan Street)

THIS DOCUMENT CERTIFIED TO:

YEMI OGUNSOLA

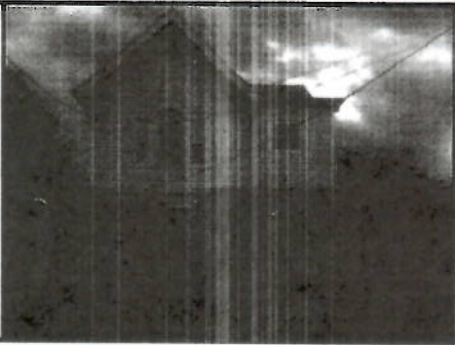
CASE #: *****

LEGEND:

- X- - FENCE
- B/E - BASEMENT ENTRANCE
- B/W - BAY WINDOW
- BR - BRICK
- BRL - BLDG. RESTRICTION LINE
- BSMT - BASEMENT
- C/S - CONCRETE STOOP
- CONC - CONCRETE
- D/W - DRIVEWAY
- FR - FRAME
- MAC - MACADAM
- O/H - OVERHANG
- PUE - PUBLIC UTILITY ESMT.

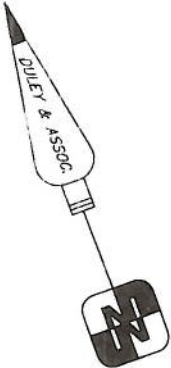
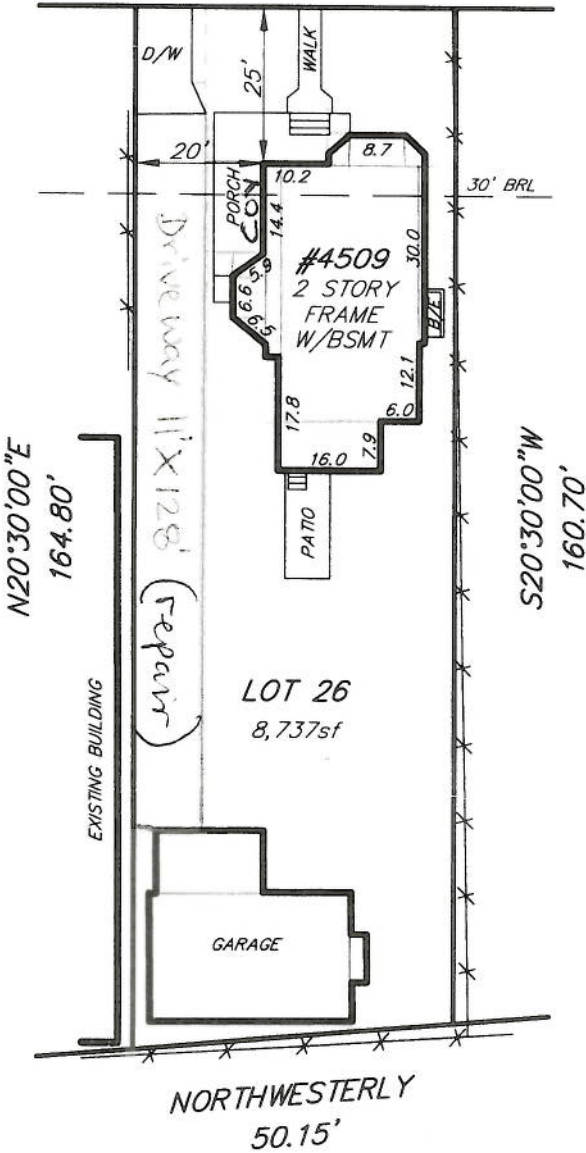
COLOR KEY:

- (RED) - RECORD INFORMATION
- (BLUE) - IMPROVEMENTS
- (GREEN) - ESMTS & RESTRICTION LINES



BUCHANAN STREET

569°30'00"E
50.00'



NOTE:
ENCROACHMENTS
MAY EXIST

EXH. # 2
V- 35-15

LOCATION DRAWING OF:

#4509 BUCHANAN STREET
LOT 26
SUBDIVISION OF TRACT OF LAND
HYATTSVILLE
PLAT BOOK A, PAGE 32
PRINCE GEORGE'S COUNTY, MARYLAND
SCALE: 1"=30' DATE: 6-19-13
DRAWN BY: AP FILE #: 133107-200

A Land Surveying Company



DULEY
and
Associates, Inc.



Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111

Fax: 301-888-1114

Phone: 1-888-88-DULEY

Fax: 1-888-55-DULEY

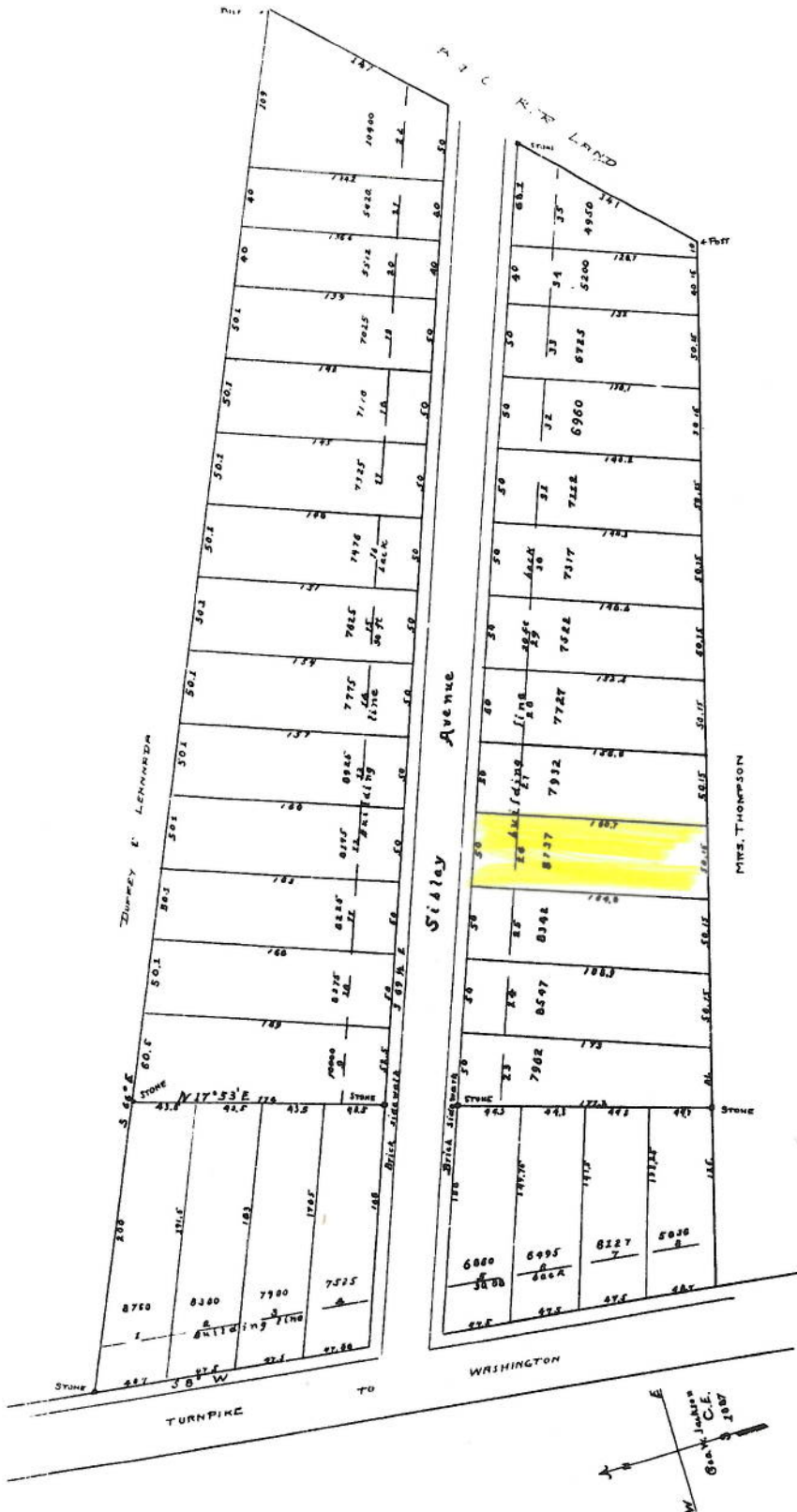
For survey order/approval forms, prices & more visit us at www.duley.biz



SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS; THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OF A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1'±. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED TO DETERMINE THE EXACT LOCATION OF IMPROVEMENTS.

Attachment: v3515 (1181 : Variance Request: 4509 Buchanan Street)



SUBDIVISION OF TRACT OF LAND
CONTAINING 7 ACRES
IN
HYATTSTVILLE,
Prince George County, Maryland,

BY
GEORGE E. EMMONS and
GEO. W. B. SWARTZELL,
SURVEYORS.

SCALE 50 FT. TO 1 INCH
Surveyed April, 1907,
by Geo. W. Jackson, C.E.

Washington D.C.
April 10, 1907

WE hereby submit for record this proposed
Subdivision of a Tract of Land containing 7.8
Acres, and described in the deed to the under-
signed from W. I. Sibley dated April 9, 1902 and
duly recorded in Liber J.W.B. No. 165 - Folio -
of the Land Records of Prince George's Co., Md.
and do hereby dedicate for public use the Road
and Avenue herein laid out.

Geo. E. Emmons
(Geo. W. Swartzell).

Authenticated before me this 10th day of April,
A.D. 1907

Andrew Parker,
Notary Public.

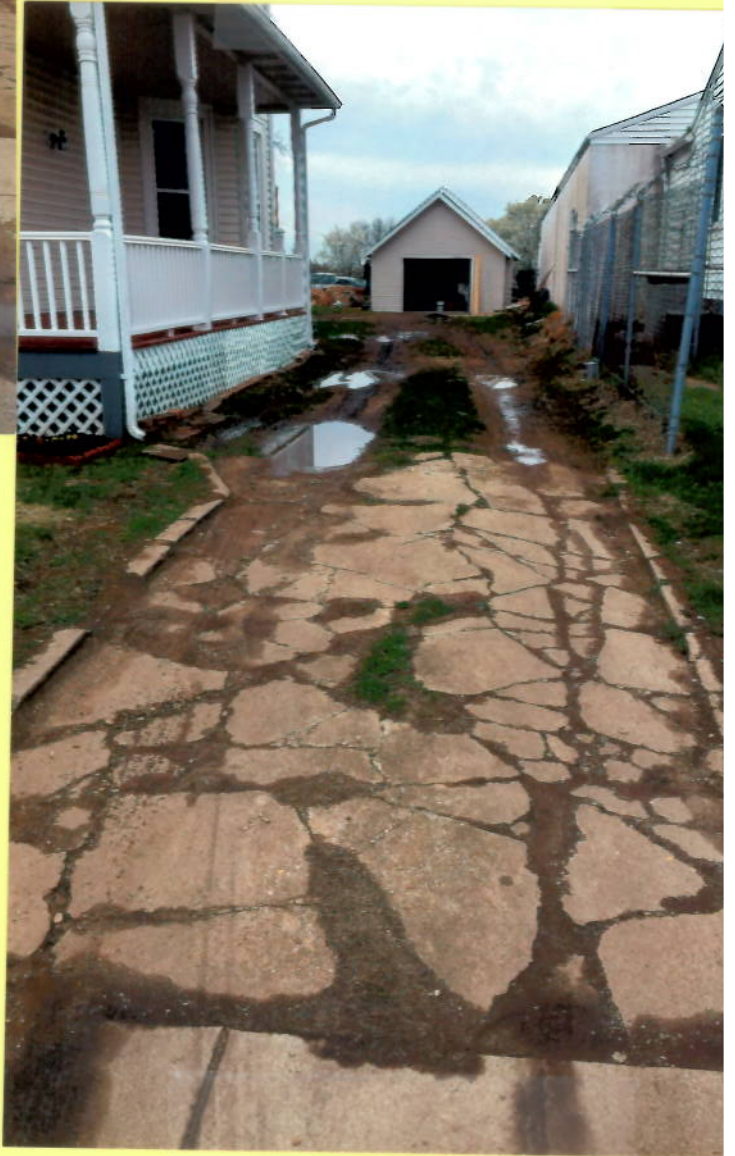
Enrolled April 20, 1907.

EXH. # 3
V-35-15

I hereby certify this to be a true copy of
Plat recorded in Liber J.W.B. as folio 165
Prince George's County Md. Land Records
Sept 14, 1907
Geo. W. Jackson
Surveyor for P.G.C. Md.



A



B

EXH. # 4A+B
V-35-15

LOT COVERAGE WORKSHEET

NET LOT SIZE 8737 SQUARE FEET

30 % LOT COVERAGE ALLOWED 2621.1 SQUARE FEET

STRUCTURE/PARKING	MEASUREMENTS	SQUARE FOOTAGE
HOUSE	7.9×16 22×41 1×29 3×30 $((6.6 \times 5) + (3 \times 5)) = 33 + 15 =$ $(5 \times 8.7) + (3 \times 5) = 43.5 + 15 =$	126.4 902 29 90 48 58.5 <u>1253.9</u>
GARAGE/CARPORT	20×32 95×17 2×75	640 1615 15 <u>816.5</u>
DRIVEWAY	$(11 \times 128) - (2 \times 12 + 2 \times 57.5) = 1408 - 29 =$ $(24 + 5 = 29)$	1379
PORCH/SUNROOM	$(8 \times 18) + (3 \times 3) + (3 \times 37.5) = 144 + 9 + 4.5 =$ $(7 \times 14) + (3 \times 3.5) + (3.5 \times 457.5) = 98 + 105 + 7.88 =$	157.5 116.38 <u>273.88</u>
SHED(S)		
ADDITION(S)		
OTHER:		

TOTAL LOT COVERAGE 3723.28

TOTAL % NET LOT COVERAGE 42.6 %

TOTAL % OVER NET LOT COVERAGE 12.6 % (1102 S.F.)

EXH. # 10
V-35-15

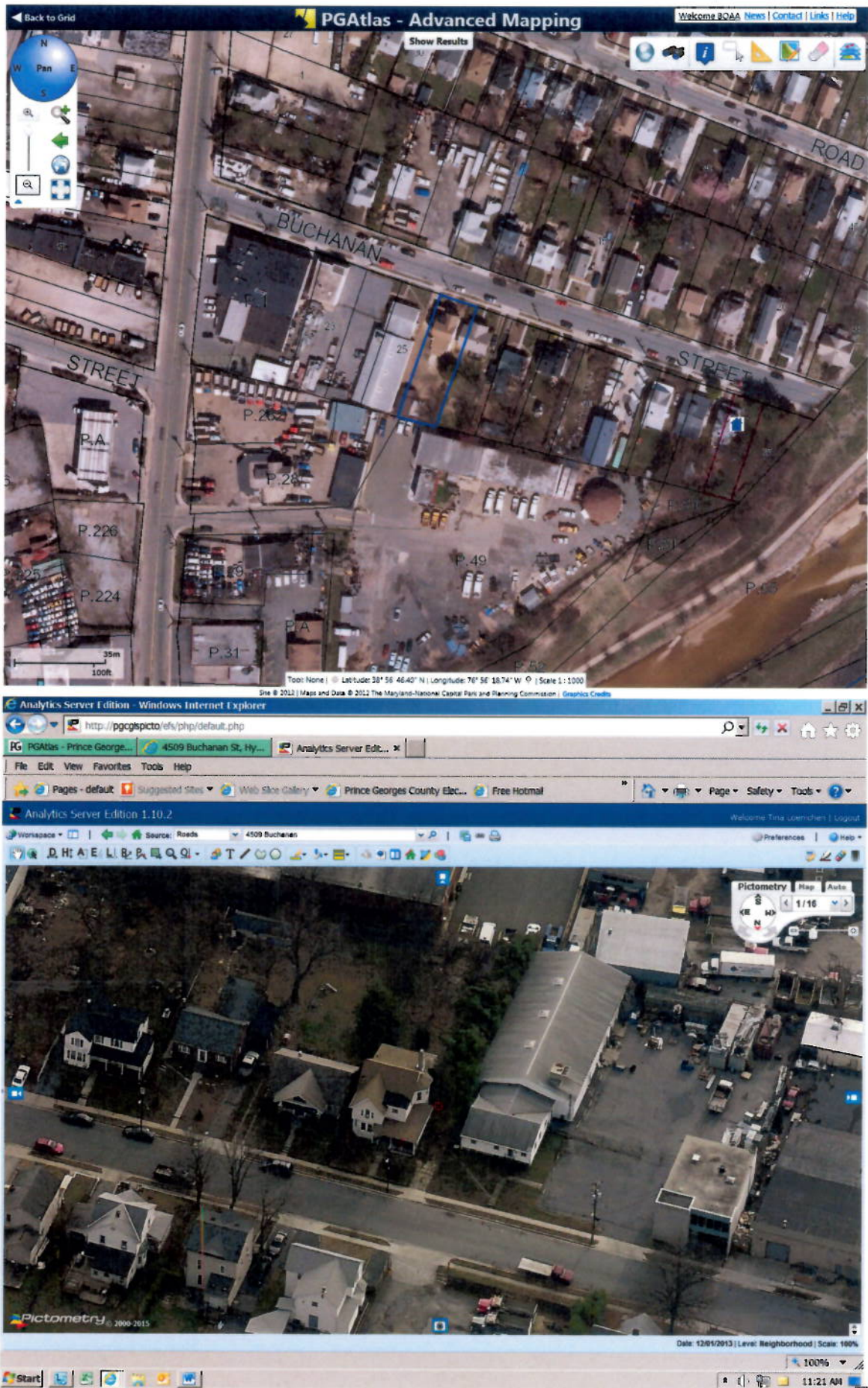
Attachment: v3515 (1181 : Variance Request: 4509 Buchanan Street)

Permit History

Application Date	Permit Number	Permit Name	Permit Type	Work Description	Permit Mode	Issuance Date
3/4/1998 12:00:00 AM	505593-1998-0	98055930031	ER (ELECTRICAL RESIDENTIAL)		CLOSED	3/4/1998 12:00:00 AM
3/23/1998 12:00:00 AM	506452-1998-0	98064520031	ER (ELECTRICAL RESIDENTIAL)		CLOSED	3/23/1998 12:00:00 AM
9/9/2005 12:00:00 AM	33648-2005-0	S&S ELECTRIC	ER (ELECTRICAL RESIDENTIAL)	150a h/u	EXPIRED	9/9/2005 12:00:00 AM
7/16/2013 12:00:00 AM	24010-2013-0	OGUNSOLA INTERIOR	DPIE RW	INTERIOR ALTERATIONS	ABANDONED	7/16/2013 12:00:00 AM
11/4/2013 12:00:00 AM	24010-2013-1	OGUNSOLA INTERIOR	DPIE RW	REVISED TO CHANGE DRYWALL & LAYOUT OF BASEMENT	ABANDONED	11/4/2013 12:00:00 AM
10/9/2014 12:00:00 AM	24010-2013-2	OGUNSOLA INTERIOR	DPIE RW	REVISED DRAWINGS WITH MEASUREMENTS & SWITCHING MASTER BEDROOM BATH TO RIGHT SIDE	ABANDONED	10/9/2014 12:00:00 AM
10/23/2014 12:00:00 AM	24010-2013-3	OGUNSOLA INTERIOR	DPIE RW	REVISED DRAWINGS TO INCLUDE DOOR IN BASEMENT, KITCHEN, AND RIGHT POSITION OF BATH TUB IN UPSTAIR HALLWAY	REVOKED	10/23/2014 12:00:00 AM
7/18/2014 12:00:00 AM	25974-2014-0	PEARSON ELECTRIC 24010-2013	DPIE ER	2ac, 20rw,20lght-fx	PERMITTED	7/18/2014 12:00:00 AM
8/14/2014 12:00:00 AM	29569-2014-0	OGUNSOLA MECHANICAL	DPIE MECW	INTALL (2) TWO HVAC UNITS AND DUCTWORK	PERMITTED	8/14/2014 12:00:00 AM
12/9/2014 3:37:50 PM	45207-2014-0	2712574 Pearson Electric	DPIE ER	150 amp Heavy up.	PERMITTED	12/9/2014 3:44:24 PM
4/14/2015 12:00:00 AM	14370-2015-0	EMMONS & SWARTZELL	RESIDENTIAL DRIVEWAY PERMIT		APPLICATION	

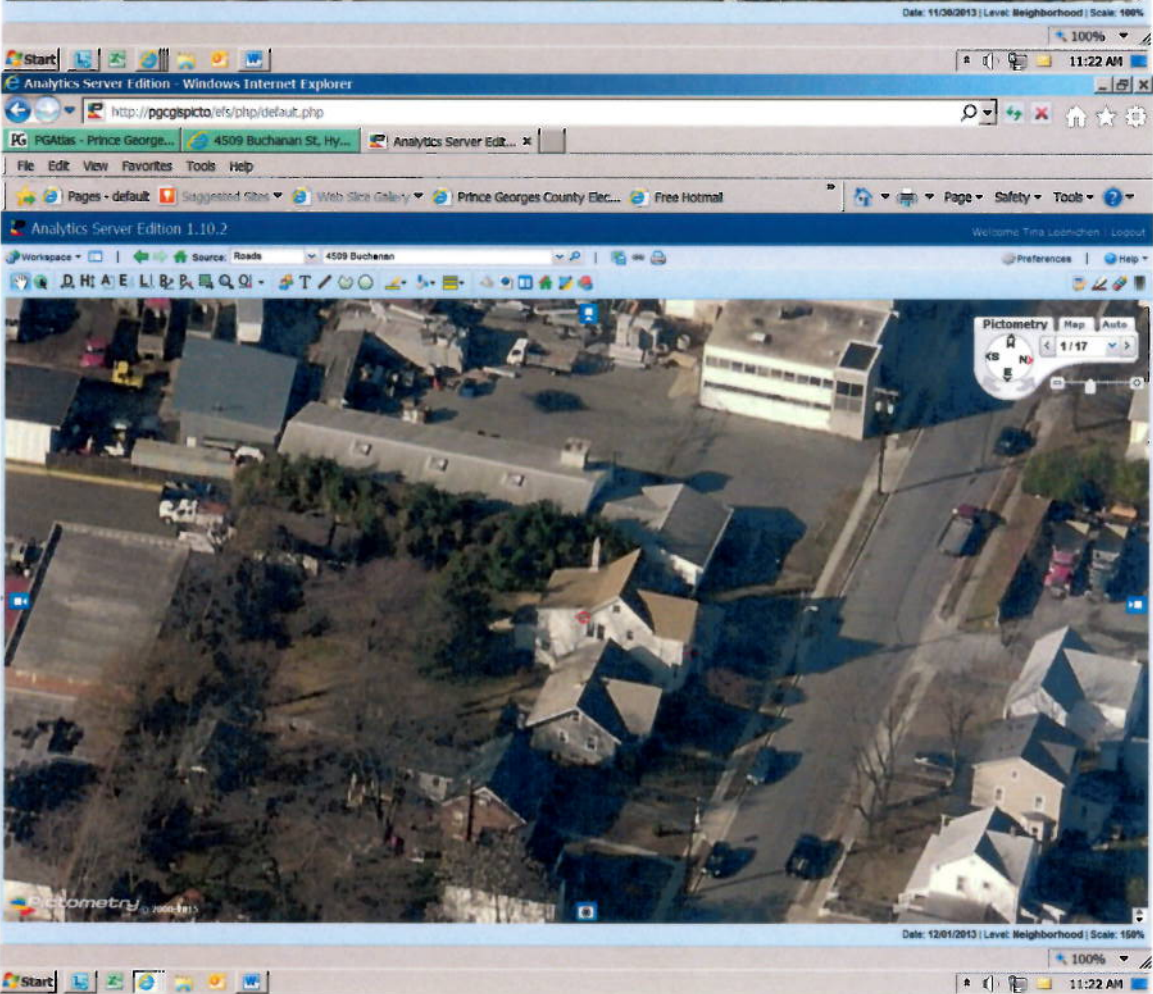
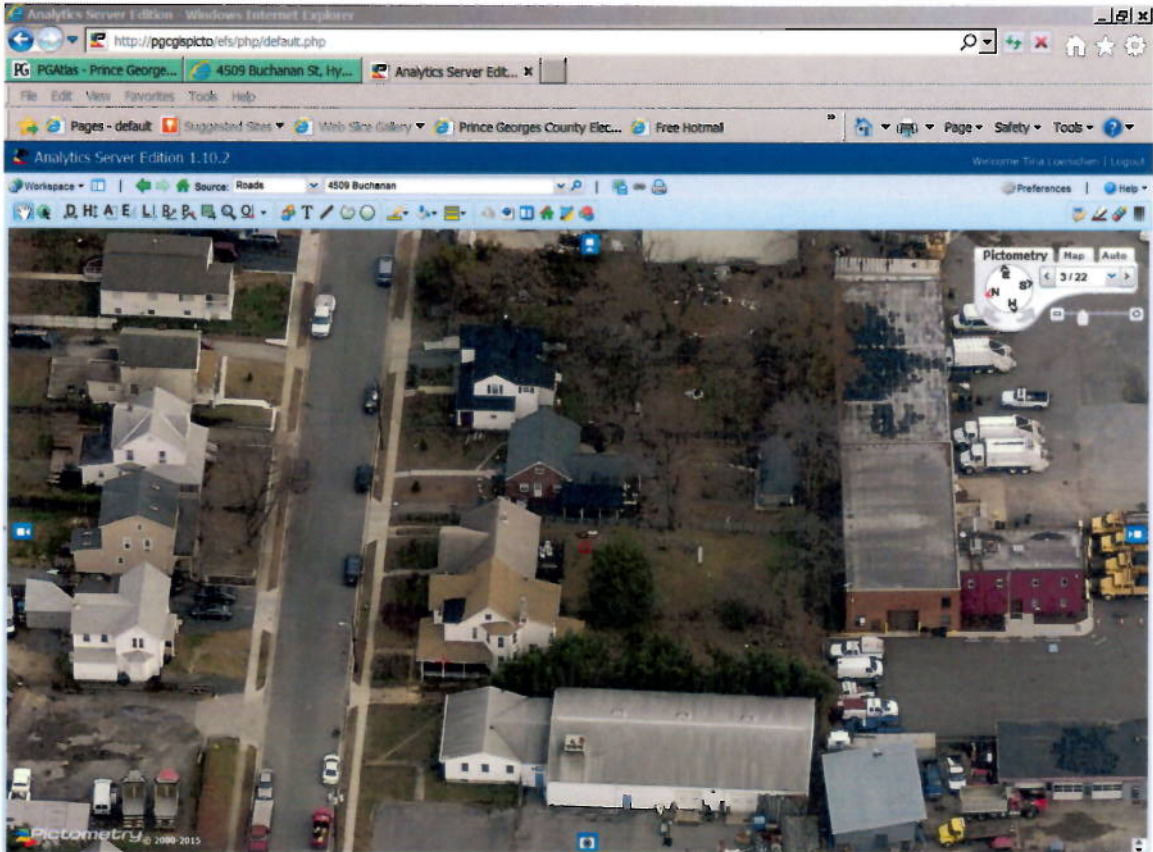
Close Window

EXH.# 5
V-35-15

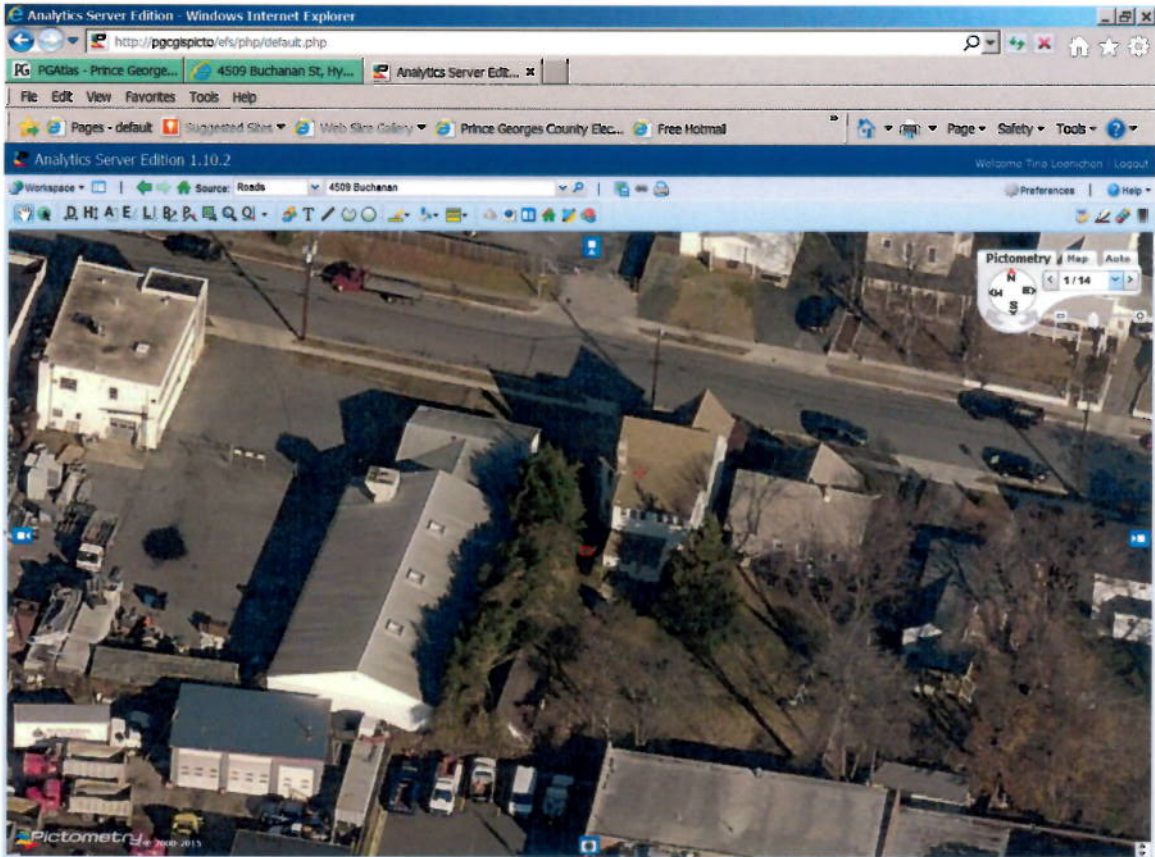


EXH. # 8A-F
V-35-15

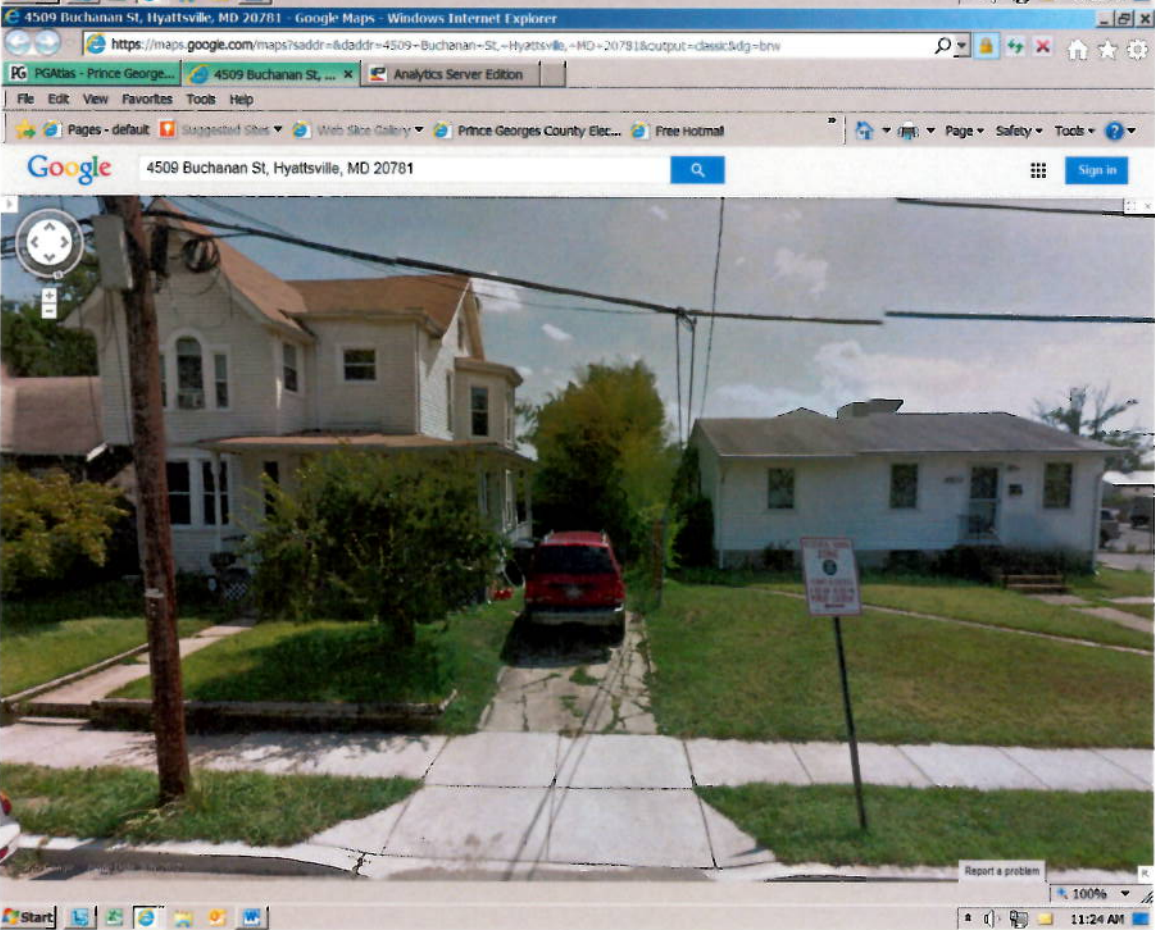
Attachment: v3515 (1181 : Variance Request: 4509 Buchanan Street)



Attachment: v3515 (1181 : Variance Request: 4509 Buchanan Street)

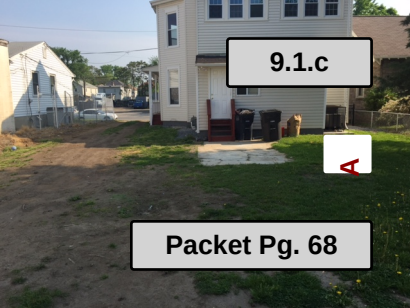


E



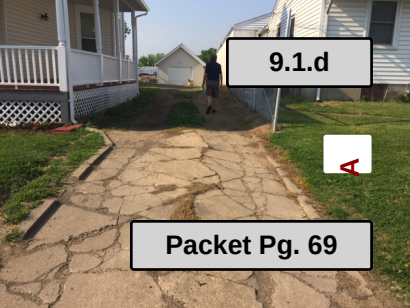
F

Attachment: v3515 (1181 : Variance Request: 4509 Buchanan Street)



9.1.c

Packet Pg. 68



9.1.d

Packet Pg. 69

A photograph of a two-story white house with a red roof and a front porch. The house has white siding and a white picket fence around the porch. A red roof is visible on the house. A white sign with a red letter 'A' is on the lawn. A concrete sidewalk runs along the front of the property.

9.1.e

Packet Pg. 70

City of Hyattsville Zoning Variance Policy Statement and Variance Process –

The Mayor and Council adopted the following City of Hyattsville Policy and Process for Zoning Variance Requests: City of Hyattsville Zoning Variance Policy Statement:

The City of Hyattsville affirms the role of the Prince George's County Planning Board zoning authority and "the purposes, intent, standards and design criteria set forth in the Zoning Ordinance and appropriate County policies."

The City of Hyattsville affirms the current zoning policy within the City limits and as a matter of policy does not support zoning variances as a normal business practice.

The City's support of a zoning variance ordinarily be granted only after the Mayor and City Council acknowledge that the granting of a variance:

1. remedies a unique situation that zoning did not anticipate;
2. remedies that which creates a significant hardship on the property-owner that can be documented and clearly demonstrated;
3. will result in benefits to the residents and improve the quality of the environment of the City.

Citizens requesting such support shall submit:

1. current plat of site with all existing conditions;
2. photos of all existing site conditions;
3. scale plans and elevations of existing conditions and proposed changes
4. narrative description of the proposed changes, specifics of the zoning variance requirements and an explanation of how the zoning variance request responds to:
 - a. a unique situation that zoning did not anticipate;
 - b. a significant hardship on the property owner
 - c. benefits to the residents and improve the environment of the City

The City shall as a matter of policy provide letters of support for residents to document a "non conforming lot" as part of the normal permitting process for projects complying with all other aspects of zoning regulations, unless the matter at hand is the certification of a non-conforming use on a non-conforming lot. The standard for the support of the certification of a non-conforming use on a non-conforming lot would revert to the instant aforementioned requirements for City support of a zoning variance.

The City will not support variance requests for additional lot coverage when the intention of the request is to add off-street parking on the lot, except in extraordinary circumstances

City of Hyattsville Zoning Variance Process

Requests for zoning variances shall be processed by the Office of Code Enforcement and reviewed by the staff for technical issues. The Office of Code Enforcement shall determine if the request complies with all of the requirements of City of Hyattsville Zoning Variance Policy or to document a "non conforming lot". The Supervisor shall then issue a report for the City Administrator citing one of the following "Actions":

- A. The request for the City's support of the zoning variance does not comply with City's policy, Do Not Recommend Approval
- B. The request for the City's support of the zoning variance does comply with City's policy, Recommend Approval - Zoning Variance
- C. The request for the City's support of the zoning variance does comply with City's policy for "non conforming lots", Recommend Approval - Non Conforming Lot

The City Administrator shall review the Office of Code Enforcement Supervisor's Report and determine which of the following actions is applicable and execute accordingly:

- A. Do Not Recommend Approval - The City Administrator shall draft a letter detailing the City's opposition for the proposed request for a zoning variance for the Mayor's consideration and signature. The City letter opposing the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.
- B. Recommend Approval - Zoning Variance - The City Administrator shall forward the Office of Code Enforcement Supervisor's Report for the proposed request for a zoning variance to the (Planning Committee for review and comment along with any other City staff comments) the Mayor and City Council for action.
- C. Recommend Approval - Non Conforming Lot - The City Administrator shall draft a letter detailing the City's support for the proposed request for a zoning variance for a "non conforming lot" to the Mayor for his review and signature. The City letter supporting the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.

Adopted by the Mayor and Council on February 13, 2006

Amended by the Mayor and Council on October 3, 2011



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

Administrator

Meeting: 6/1/2015 8:00 PM

9.2

Department: Community & Econ Dev

Prepared by: Jim Chandler

Sponsors: At the Request of the City

DOC ID: (ID # 1180)

Discussion Items: Variance Request: 5016 36Th Avenue

SUBJECT: Variance Request: 5016 36Th Avenue

SECTION: Discussion Items

BACKGROUND:

The homeowners, Valencia and Bruce Boyd, have applied for a zoning variance with Prince George's County to construct a one-story addition on a semi-detached single family dwelling located at 5016 36th Ave, Hyattsville, MD 20782. The proposed addition will require variances of five feet front yard depth for the dwelling, 13.5% net total lot coverage and 1' foot side lot line setback for an accessory structure.

NEXT STEPS:

This item is scheduled for 'Action' on July 20, 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Staff has reviewed this variance and developed recommended conditions for support. Pending the decision of the City Council, the City will notify Zoning Hearing Examiner.

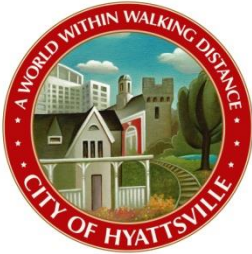
STRATEGIC GOALS AND ACTIONS:

Goal: Goal 3 – Promote a Safe and Vibrant Community

Action: 3.3 Provide effective, responsive, data-driven safety information and services.


Tracey Nicholson, City Administrator 5/28/2015

City of Hyattsville



Memo

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

CC: Mayor & City Council
Tracey Nicholson, City Administrator

From: Chris Giunta, Code & Parking Compliance Manager

Date: May 8, 2015

Re: V-34-15: 5016 36th Avenue Zoning Variance Request

The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request at the above listed property.

Boyd Family: Zoning Variance Request

The homeowners, Valencia and Bruce Boyd, have applied for a zoning variance with Prince George's County to construct a one-story addition on a semi-detached single family dwelling located at 5016 36th Ave, Hyattsville, MD 20782. The proposed addition will require variances of five feet front yard depth for the dwelling, 13.5% net total lot coverage and 1' foot side lot line setback for an accessory structure.

The variance for front yard depth is an existing condition from when the structure was originally built. Recommend that the lot coverage variance be supported with conditions detailed below. The side setback variance is unnecessary and we do not recommend support of that specific requested variance.

1. The City staff recommends supporting the lot coverage variance request with the condition that the homeowner remove the existing large accessory structure (shed) and the additional hardscaping (patio area) in the rear yard. The staff will meet with the homeowner prior to the Council meeting and inform them of our concerns and recommendation to Council. Removal of these structures would reduce the overall lot coverage and provide for more pervious surface/green space. Single story extensions, such as the one the Boyd's are proposing are common in this neighborhood and would not be out of character with the immediate surrounding homes. (Please see attached photos.)
2. The conditions placed on the variance request above as detailed in condition #1 negates the need for the side set back variance request.

Recommendation:

Recommend support of the variance with the condition that the homeowner remove or modify the existing large accessory structure (shed) and the additional hardscaping (patio area) in the rear yard of the subject property.



THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

COUNTY ADMINISTRATION BUILDING, UPPER MARLBORO, MARYLAND 20772
TELEPHONE (301) 952-3220

NOTICE OF HEARING

Date: April 28, 2015

Petitioners: Valencia & Bruce Boyd

Appeal No.: V-34-15

Hearing Date: WEDNESDAY, MAY 13, 2015, AT 6:00 P.M. EVENING

Place: Zoning Hearing Room #2190
County Administration Building, Upper Marlboro, Md.

Appeal has been made to this Board for permission to validate existing conditions and construct a one-story addition on a semi-detached single-family dwelling on the premises known as Lot 9, Block E, Lanhardt Subdivision, being 5016 36th Avenue, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

The specific violation resides in the fact that Zoning Ordinance Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth. Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Section 27-442(i)(Table VIII) prescribes that accessory buildings shall be set back 2 feet from any side lot line. Variances of 5 feet front yard depth for the dwelling, 13.5% net lot coverage and 1 foot side lot line setback for an accessory building are requested.

Public hearing on this Appeal is set for the time and place above stated. **Petitioner, or counsel representing Petitioner, should be present at the hearing. A Petitioner which is a corporation, limited liability company, or other business entity MUST be represented by counsel, licensed to practice in the State of Maryland, at any hearing before the Board. Any non-attorney representative present at the hearing on behalf of the Petitioner (or any other person or entity) shall not be permitted to advocate.**

Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board.

If inclement weather exists on hearing date, please contact the office to ascertain if hearing is still scheduled.

BOARD OF ZONING APPEALS

By: 
Anne F. Carter
Administrator

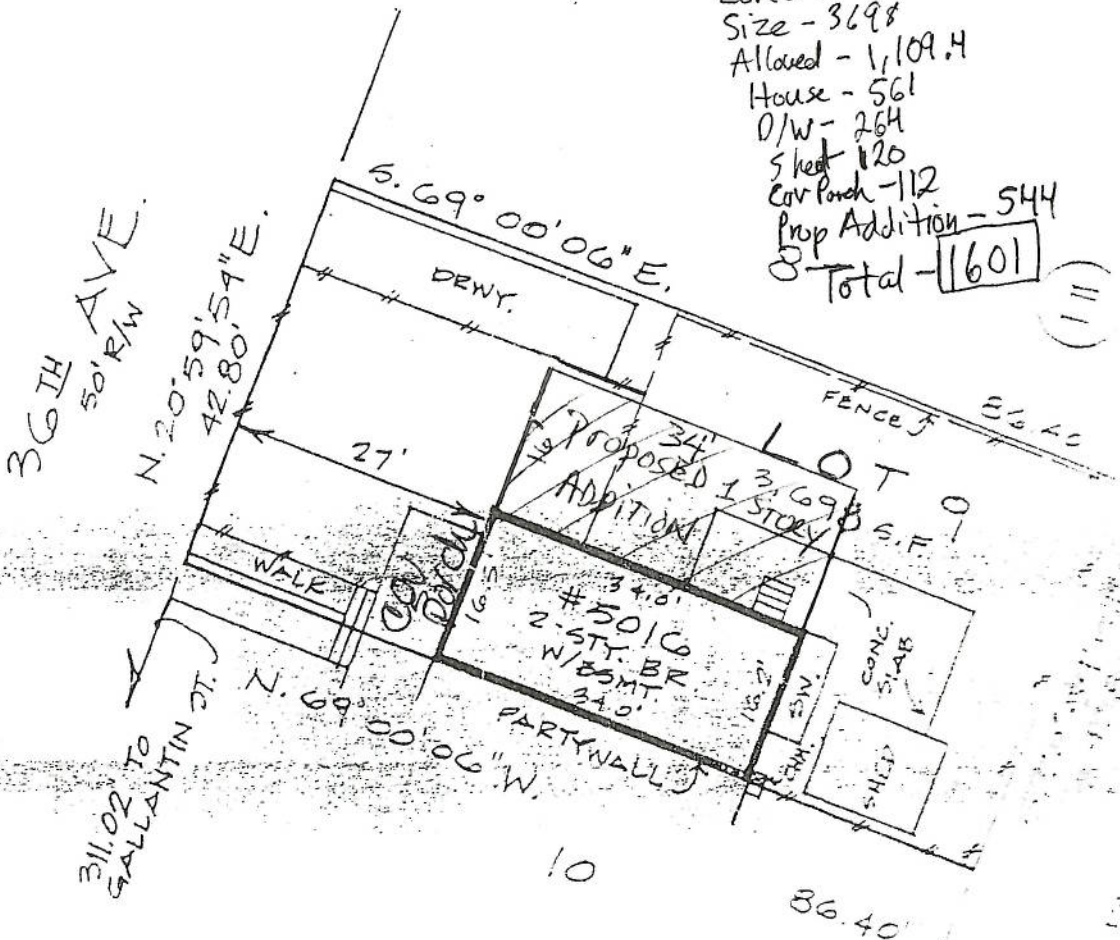
cc: Petitioners
Adjoining Property Owners
Park and Planning Commission
City of Hyattsville

EXH. # 13
V-34-15

NOTES:

- 1 This is NOT a Property Line/Boundary Survey and is NOT to be used for the erection of fences or any other improvement. This Survey is for Title Purposes ONLY; Title Report was not furnished.
- 2 This survey was prepared in accordance with the plat of subdivision and/or deed as recorded in the Land Records of Prince George's County, Maryland
- 3 This property shown hereon is subject to easements and right-of-way(s) of record
- 4 The location of any Fence or Fences shown hereon are Approximate ONLY, the Exact location of same has NOT been determined by this survey
- 5 LEGEND: Oh = building overhang, D = deck, S = stoop, W = walkway, P = patio, AW = aerial wires, PL = porch, BW = bay window, CHM = chimney, WW = window well, SW = stairwell, G = gas meter

2/27 Lot Coverage
Zone-R35-30%
Size-3698
Allowed-1,109.4
House-561
D/W-264
Shed-120
Car Porch-112
Prop Addition-544
Total-1601



Note: This property lies within Flood Zone C, an area of Minimal flooding, as established by the National Flood Insurance Program, (F.E.M.A.)

EXH. # 2
V-34-15

HOUSE LOCATION SURVEY

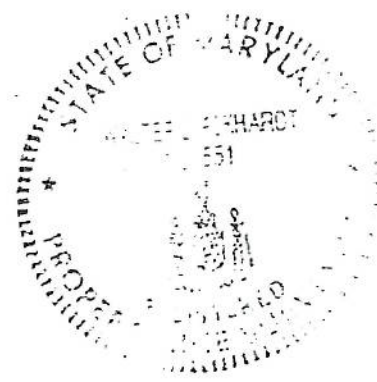
5016 36TH AVENUE
LOT 9 BLOCK E
SECTION 4
LANHARDT SUBDIVISION
P.B. WWW 23 P. No. 48
16TH Election District
Prince George's County, Maryland

C-P No. 245208 0025 C
MAP REV. JUN. 18, 1983

CERTIFICATION:

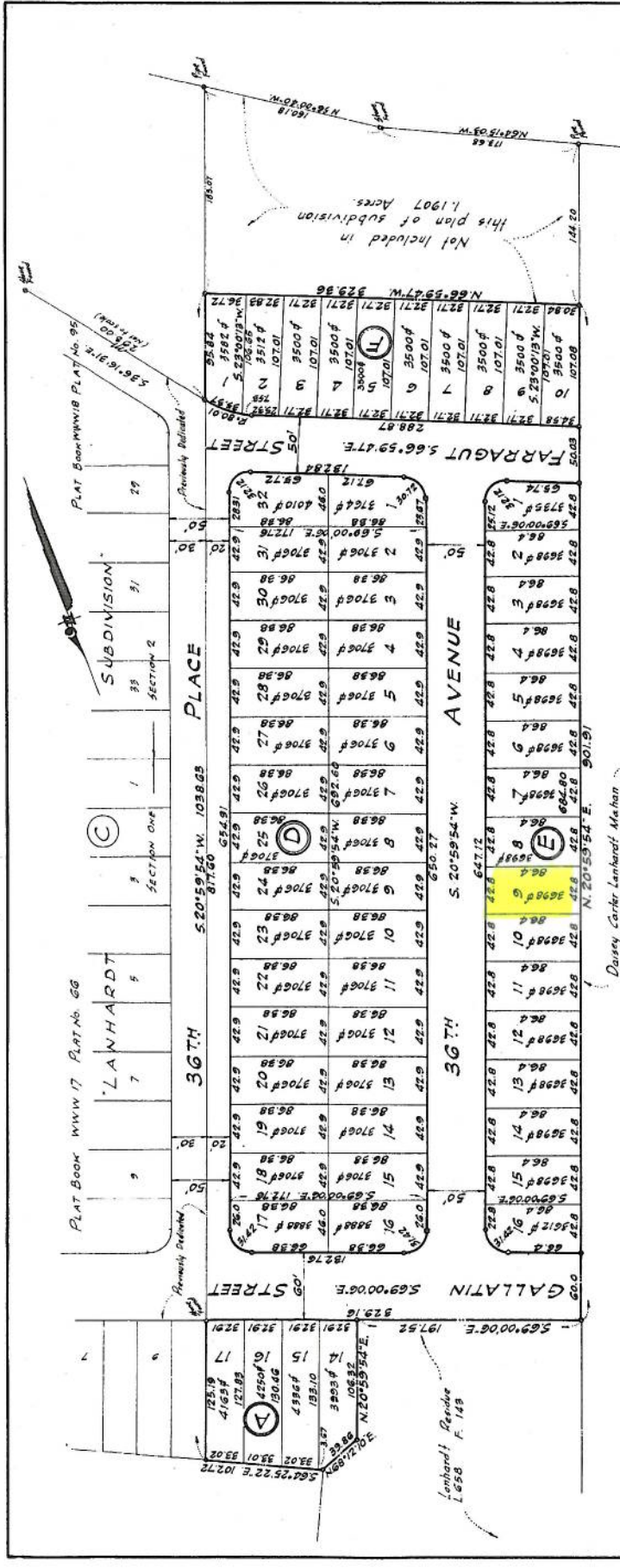
I certify, to the best of my knowledge and belief, that the existing visible improvements shown hereon have been established by Accepted land surveying practices and the unless otherwise shown, there are no other encroachments.

Walter E. Eckhardt
Property Line Surveyor No. 151



MSI METROPOLITAN SURVEYING, INC.

262 Georgia Ave., Suite 20
Arlington, MD 21040
Tel: 410-298-1441
Fax: 410-298-1442



CURVE DATA			
STATION	RADIUS	ARC	TANG.
1	20.00	87.9541	30.72
2	20.00	90.0000	31.42
3	20.00	90.0000	31.42
4	20.00	90.0000	31.42
5	20.00	90.0000	31.42
6	20.00	90.0000	31.42
7	20.00	90.0000	31.42
8	20.00	90.0000	31.42
9	20.00	90.0000	31.42
10	20.00	90.0000	31.42
11	20.00	90.0000	31.42
12	20.00	90.0000	31.42
13	20.00	90.0000	31.42
14	20.00	90.0000	31.42
15	20.00	90.0000	31.42
16	20.00	90.0000	31.42
17	20.00	90.0000	31.42

OWNERS DEDICATION

We, The Boswell-Miller Construction Company, a Maryland Corporation, by Harry A. Boswell, Jr., President and James A. Miller, Jr., Secretary, owners of the property shown and described herein hereby adopt this plan of subdivision, establish the minimum building restriction lines, and dedicate the streets to public use.

There are no suits of action, leases, liens or trusts on the property included in this plan of subdivision except a certain mortgage and the parties in interest thereto have below indicated their assent.

January 25, 1954

The Boswell-Miller Construction Company

ENGINEERS CERTIFICATE

I hereby certify that the plan shown herein is correct, that it is a subdivision of part of the lands conveyed by Helena Lanhardt, widow to the Boswell-Miller Construction Company, a Maryland Corporation by deed dated January 21, 1954 and recorded among the Land Records of Prince Georges County, Maryland in Liber 1693 at Folio 21.

That iron pipe indicated thus and stones indicated thus are in place as shown.

That the total area included in this plan of subdivision is 7.2432 Acres.

January 23, 1954

SECTION 4
LANHARDT SUBDIVISION
PRINCE GEORGES COUNTY, MARYLAND
JANUARY, 1954
SCALE: 1"=60'

Attest:
James G. McHugh
Surveyor
I assent to this plan of subdivision.
Joseph R. Tensler
Witness
Helena Lanhardt, widow, Mortgagee.

Caroline Macle
Land Surveyor
Maryland & District

THE MARYLAND NATIONAL CAPITAL PLANNING COMMISSION
APPROVED: JANUARY 28TH 1954
By:
MNCPC RECORD FILE NO 5-54008

W. STANLEY MACHEN
LAND SURVEYOR
HYATTSVILLE, MARYLAND

EXH # 4
V-34-15

MSA SSU 1950-1980





5019- 36TH AVE / ACROSS STREET

Attachment: Variance - 34 -15 (1180 : Variance Request: 5016 36Th Avenue)



9.2.b

EXH

Packet Pg. 81

NET LOT SIZE

3698 SQUARE FEET

30% LOT COVERAGE ALLOWED

1109.4 SQUARE FEET

STRUCTURE/PARKING

MEASUREMENTS

SQUARE FOOTAGE

HOUSE

$$16.5 \times 34$$

561

GARAGE/CARPORT

DRIVEWAY

$$8 \times 34$$

272

PORCH/SUNROOM

$$8 \times 14$$

112

SHED(S)

 10×12

120

ADDITION(S)

$$16 \times 34$$

544

OTHER:

TOTAL LOT COVERAGE

1609

TOTAL % NET LOT COVERAGE

43.5%

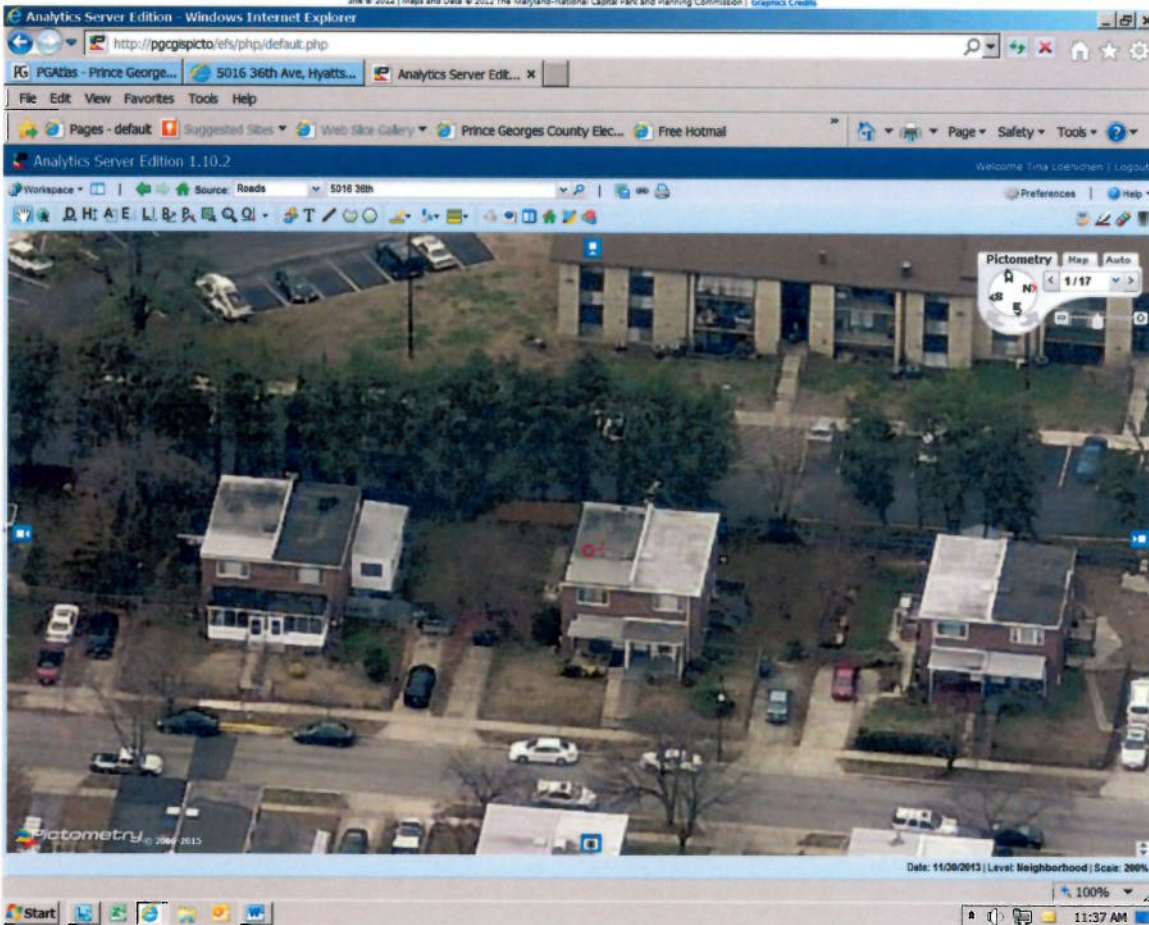
TOTAL % OVER NET LOT COVERAGE

13.5 % (500 S.F.)

EXH. # 12
V-34-15

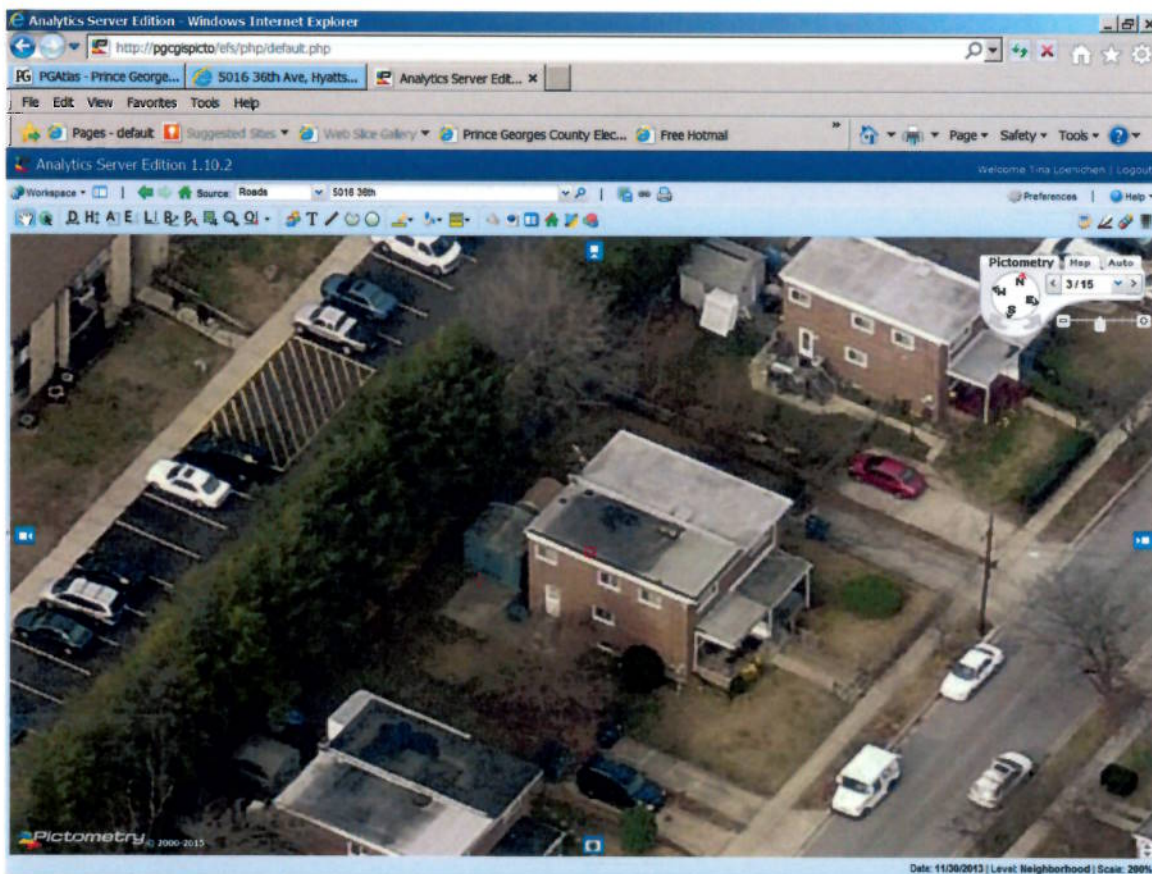


A

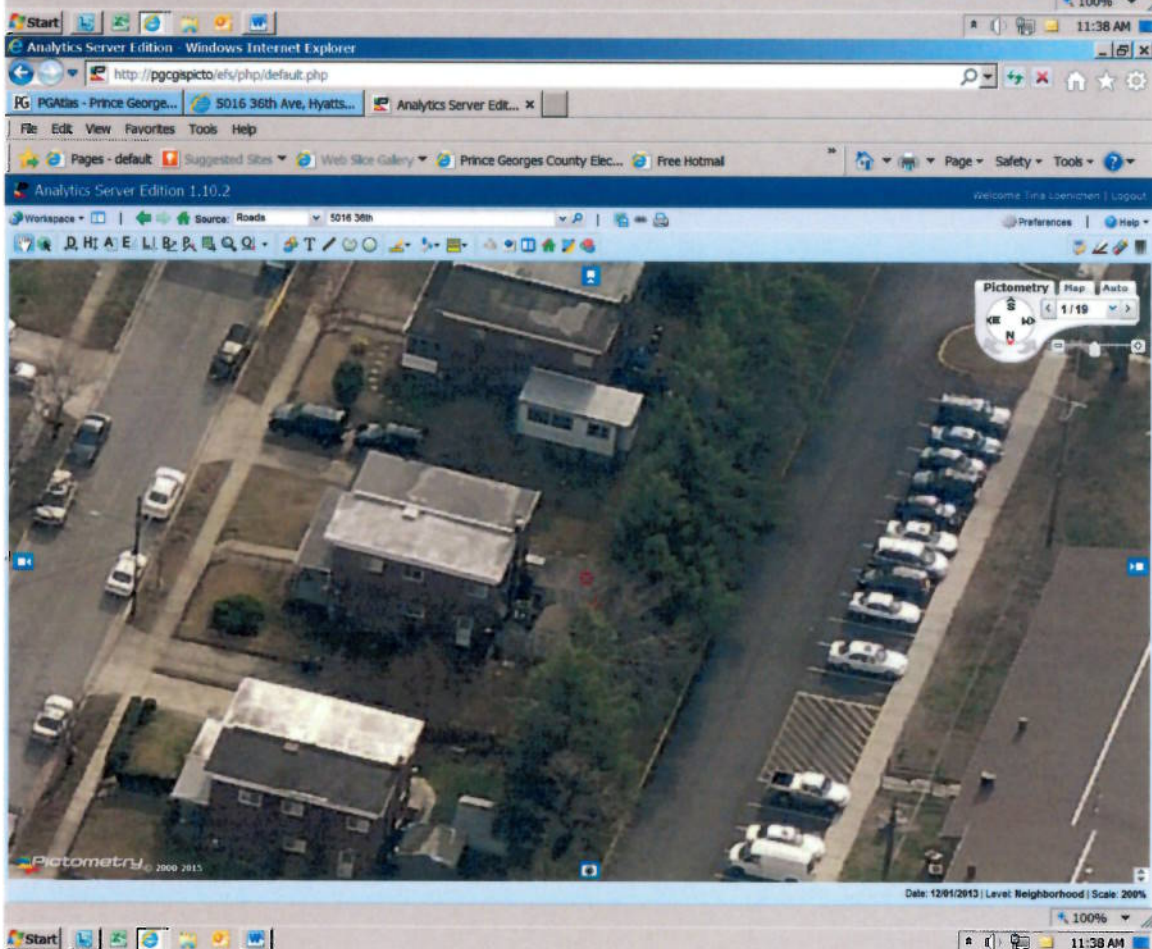


B

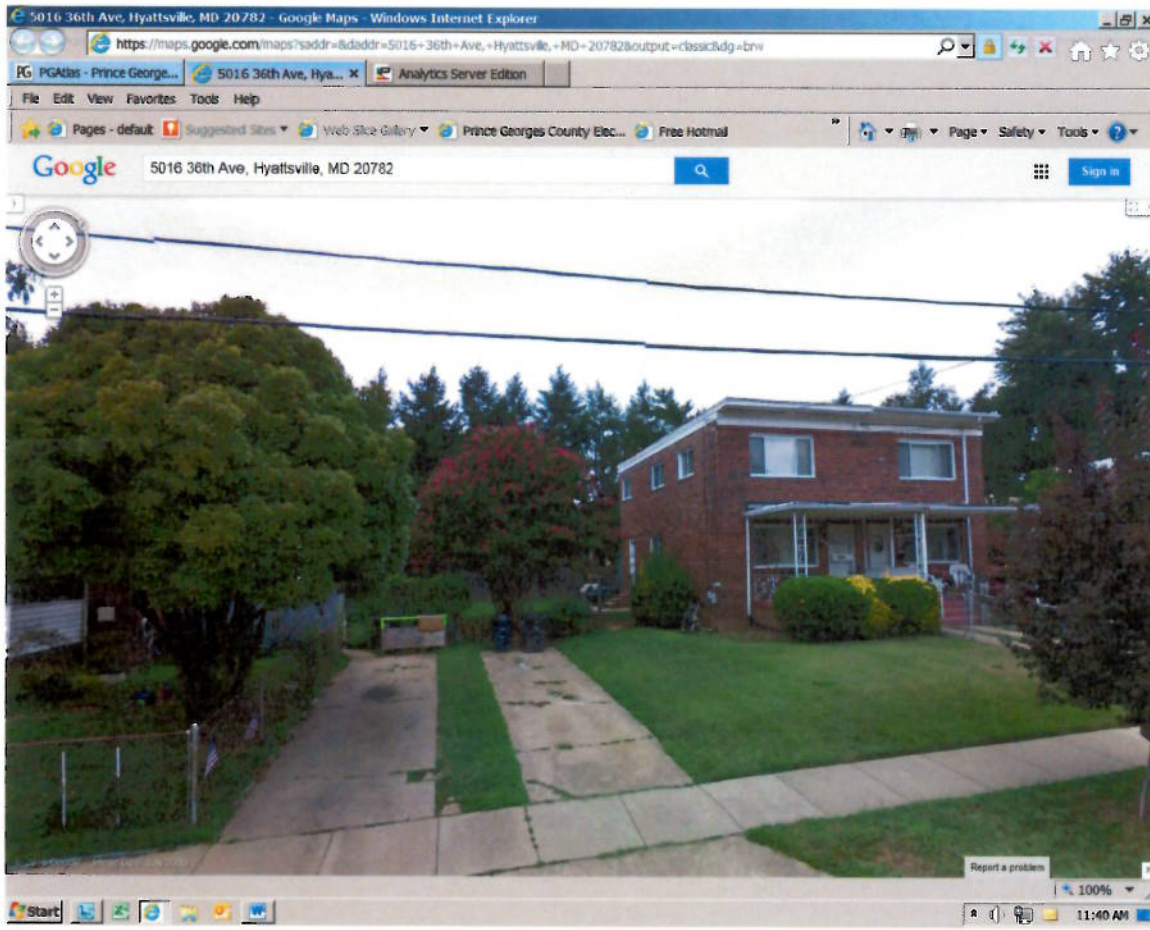
EXH. # 10A-E
V-34-15

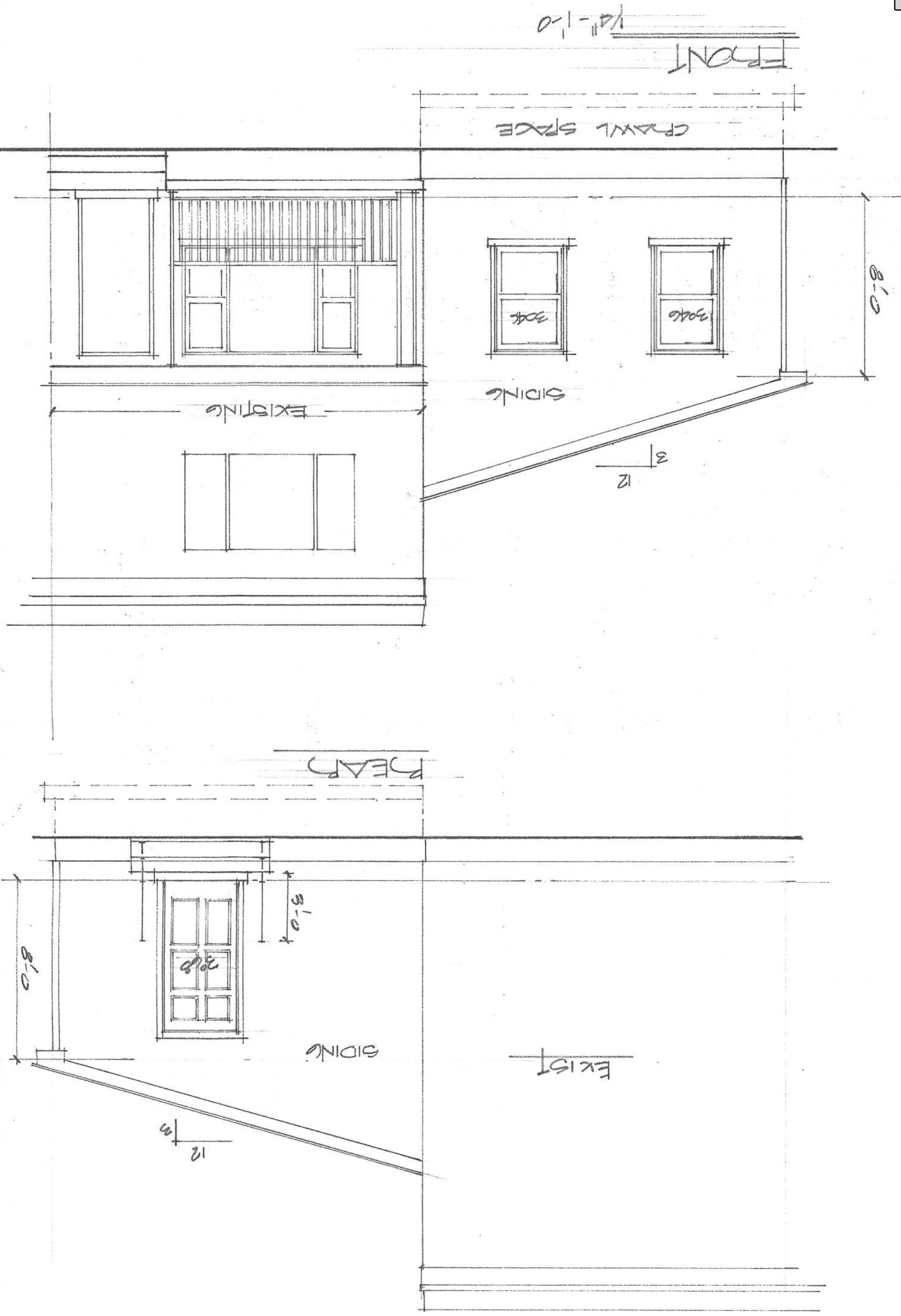


C



D



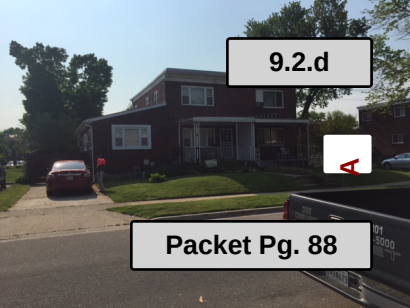




9.2.c

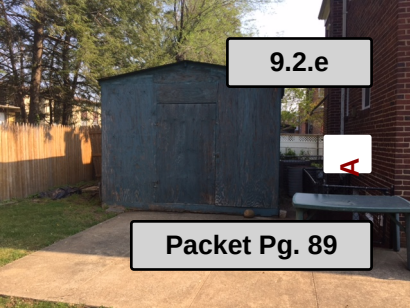
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Packet Pg. 87



9.2.d

Packet Pg. 88



9.2.e

Packet Pg. 89

City of Hyattsville Zoning Variance Policy Statement and Variance Process –

The Mayor and Council adopted the following City of Hyattsville Policy and Process for Zoning Variance Requests: City of Hyattsville Zoning Variance Policy Statement:

The City of Hyattsville affirms the role of the Prince George's County Planning Board zoning authority and "the purposes, intent, standards and design criteria set forth in the Zoning Ordinance and appropriate County policies."

The City of Hyattsville affirms the current zoning policy within the City limits and as a matter of policy does not support zoning variances as a normal business practice.

The City's support of a zoning variance ordinarily be granted only after the Mayor and City Council acknowledge that the granting of a variance:

1. remedies a unique situation that zoning did not anticipate;
2. remedies that which creates a significant hardship on the property-owner that can be documented and clearly demonstrated;
3. will result in benefits to the residents and improve the quality of the environment of the City.

Citizens requesting such support shall submit:

1. current plat of site with all existing conditions;
2. photos of all existing site conditions;
3. scale plans and elevations of existing conditions and proposed changes
4. narrative description of the proposed changes, specifics of the zoning variance requirements and an explanation of how the zoning variance request responds to:
 - a. a unique situation that zoning did not anticipate;
 - b. a significant hardship on the property owner
 - c. benefits to the residents and improve the environment of the City

The City shall as a matter of policy provide letters of support for residents to document a "non conforming lot" as part of the normal permitting process for projects complying with all other aspects of zoning regulations, unless the matter at hand is the certification of a non-conforming use on a non-conforming lot. The standard for the support of the certification of a non-conforming use on a non-conforming lot would revert to the instant aforementioned requirements for City support of a zoning variance.

The City will not support variance requests for additional lot coverage when the intention of the request is to add off-street parking on the lot, except in extraordinary circumstances

City of Hyattsville Zoning Variance Process

Requests for zoning variances shall be processed by the Office of Code Enforcement and reviewed by the staff for technical issues. The Office of Code Enforcement shall determine if the request complies with all of the requirements of City of Hyattsville Zoning Variance Policy or to document a "non conforming lot". The Supervisor shall then issue a report for the City Administrator citing one of the following "Actions":

- A. The request for the City's support of the zoning variance does not comply with City's policy, Do Not Recommend Approval
- B. The request for the City's support of the zoning variance does comply with City's policy, Recommend Approval - Zoning Variance
- C. The request for the City's support of the zoning variance does comply with City's policy for "non conforming lots", Recommend Approval - Non Conforming Lot

The City Administrator shall review the Office of Code Enforcement Supervisor's Report and determine which of the following actions is applicable and execute accordingly:

- A. Do Not Recommend Approval - The City Administrator shall draft a letter detailing the City's opposition for the proposed request for a zoning variance for the Mayor's consideration and signature. The City letter opposing the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.
- B. Recommend Approval - Zoning Variance - The City Administrator shall forward the Office of Code Enforcement Supervisor's Report for the proposed request for a zoning variance to the (Planning Committee for review and comment along with any other City staff comments) the Mayor and City Council for action.
- C. Recommend Approval - Non Conforming Lot - The City Administrator shall draft a letter detailing the City's support for the proposed request for a zoning variance for a "non conforming lot" to the Mayor for his review and signature. The City letter supporting the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.

Adopted by the Mayor and Council on February 13, 2006

Amended by the Mayor and Council on October 3, 2011



Discussion Items: Banner, Buchanan, Crittenden, and 40th Avenue Project

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

SECTION: Discussion Items

BACKGROUND:

The Banner, Buchanan, Crittenden and 40th Avenue sidewalk and street repair project has been in the planning stages for several years. In March, 2103, the staff reviewed existing plans and site conditions to determine the feasibility of the project and recommendations.

The design plans for the project have been completed and the staff received a construction proposal from the contractor NZI. The staff reviewed the proposal and conducted an evaluation of the street condition, sidewalk, storm water, and green infrastructure within the project scope and is prepared to move forward with this project. The staff also met with residents on 26 May, 2015 to provide them with an update. We plan to conduct a follow-up on-site visit to ensure their full understanding of the scope of work.

NEXT STEPS:

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

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

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

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 3 – Promote a Safe and Vibrant Community

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



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

Administrator

Meeting: 6/1/2015 8:00 PM

Department: Public Works

Prepared by: Lesley Riddle

Sponsors: At the Request of the City

DOC ID: (ID # 1190)

9.3

Discussion Items: Banner. Buchanan. Crittenden. and 40Th Avenue Project


Tracey Nicholson, City Administrator 5/28/2015



MEMO

To: Tracey Nicholson, City Administrator

From: Lesley Riddle, Director of Public Works

Date: May 26, 2015

RE: Banner, Buchanan, Crittenden and 40th Place Project

Background:

The Banner, Buchanan, Crittenden and 40th Avenue has been in the planning stages for several years. In March of 2103 staff was requested to review the existing plans and site conditions to determine the feasibility of the project recommendations.

Staff conducted an evaluation of the street, sidewalk, storm water and green infrastructure within the project scope of work which includes Banner, Buchanan, Crittenden and 40th Avenue.

The following conclusions were made and acted on as needed.

- The existing tree canopy was reduced by a 5% live crown reduction and possible root reduction and/or residual nutrient supplements.
- The existing tree canopy was hazard pruned. This removed all dead or dying limbs from the canopy.
- The trees on Banner and Buchanan have been monitored monthly for any signs of stress during and after this project.
- The street and curb restoration work that was performed by WSSC during sewer renovation will be left in place. Sidewalk curb and gutter will be replaced as needed on 40th Avenue.
- Buchanan Street will be milled and overlaid.
- Banner Street will be milled and overlaid and include storm water mitigation as needed.
- Crittenden Street will be milled and overlaid.
- The cul-de-sac at the end of Crittenden will be left without sidewalk and gutter to maintain current storm water mitigation.

Next Steps:

The design plans for this project have been completed by Charles P. Johnson and Associates and we have received a construction proposal from the contractor NZI. Staff recommends that we approve the construction proposal for Banner, Buchanan, Crittenden and 40th Avenue sidewalk and street improvements, not to exceed \$350,000.00

Staff Resources:

Staff will be required to interact on a consistent basis for pre-construction and during construction of this streets project.



Discussion Items: University Hills Sidewalk and Street Improvements

SUBJECT: University Hills Sidewalk and Street Improvements

SECTION: Discussion Items

BACKGROUND:

The design plans to renovate and improve the sidewalk and street infrastructure within the boundaries of University Hills has been in the planning stages for several years. The scope of work for this project has changed several times which created a lag in the project reaching design completion. The engineering firm Charles P. Johnson and Associates (CPJ) has been working with the City on this project since 2009 and according to records, there was never a written scope of work for the project.

In 2014, upon arrival of the new DPW Director, the Staff and CPJ created a written scope of work with the original design elements, input from citizens and Council recommendations. With considerable change to the previously agreed upon verbal scope, the need for additional funding, and the numerous clarifying scope meetings, it became apparent that the project would be delayed. Additionally, construction funding for the project had to be acquired and that was not feasible until FY2016.

NEXT STEPS:

The design plans are currently 70% complete. The City has requested that CPJ continue working to design completion. Our contractor, NZI, has identified phases of the project that could begin this season. We are calling that phase one, and expect it to begin late summer. The total cost for phase one of the University Hills Sidewalk and Street Renovation is \$1,081, 272.95. The work will begin in areas that do not need additional design input. Those areas include the following streets: Notre Dame, Stanford, Gumwood, Rosemary and Calverton.

We expect the final design to be completed in January 2016, and the second phase of the construction project to begin in Spring, 2016. The second phase of design will include areas that may need County permits and may have trees impacted due to new sidewalk installation. Overall the project will last 3.5 to 4 years and the estimated total cost should be \$3,054,641.00.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Staff will coordinate with the contractor throughout the pre-construction and construction phases of this project.

STRATEGIC GOALS AND ACTIONS:



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

Administrator

Goal: Goal 3 – Promote a Safe and Vibrant Community

Action: 2.2 Invest in and manage City infrastructure including streets, sidewalks and public spaces
~~Discussion Item: Universal Hills Sidewalk and Street Improvement~~

Meeting: 6/1/2015 8:00 PM

Department: Public Works

Prepared by: Lesley Riddle

Sponsors: At the Request of the City

9.4

DOC ID: (ID # 1191)


Tracey Nicholson, City Administrator 5/28/2015



Memo

To: Tracey Nicholson, City Administrator
 From: Lesley Riddle, Director of Public Works
 Date: 6/1/2015
 Re: University Hills Project – Request for Funding

The design plans to renovate and improve the sidewalk and street infrastructure within the boundaries of University Hills has been in the planning stages for several years. The engineering firm Charles P. Johnson and Associates (CPJ) has been working with the City on this project since 2009. The scope of work for this project has been changed several times which resulted in a lag in the project reaching design completion. In addition, and according to records there was never a written scope of work for this project.

In 2014 Staff and CPJ created a written scope of work using the original design elements, input from citizens and Council recommendations. With changes to the scope of work, the need for additional funding, and numerous meetings with CPJ, it became apparent that there would be a further delay this project. Additionally, construction funding for the project was projected for FY 2016.

Currently the design plans are 70% complete. The City has requested that CPJ bring the design to full completion. NZI Construction provided a proposal for phase one of the project that could begin this season. The work will begin in areas that do not require additional design. Those areas include the following streets: Notre Dame, Stanford, Gumwood, Rosemary and Calverton. The total cost for phase one of the University Hills Sidewalk and Street Renovation is \$1,081, 272.95. Construction should commence in late July, early August, and continue throughout the summer and fall.

We expect the final design to be completed in January of 2016, and the second phase of the project construction should begin in the spring of 2016. The second phase will include areas that may need County permits and/or may have tree impact due to new sidewalk installation. Overall the project will last 3.5 to 4 years and the estimated total cost should be \$3,054,641.00.



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

Administrator

Meeting: 6/1/2015 8:00 PM

9.5

Department: Community & Econ Dev

Prepared by: Jim Chandler

Sponsors: At the Request of the City

DOC ID: (ID # 1182)

Discussion Items: Community Legacy Grant Application & Resolution

SUBJECT: Community Legacy Grant Application & Resolution

SECTION: Discussion Items

BACKGROUND:

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

The attached memo details the program requirements, funding history and recommendations for funding during the upcoming funding cycle.

NEXT STEPS:

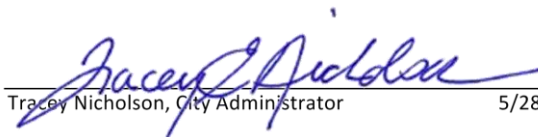
The next Community Legacy grant application cycle is scheduled for August. To ensure that the City meets the application deadline, the City Council will be required to approve the application for funding through Resolution at the meeting scheduled for July 20, 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS AND ACTIONS:

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

Action: 2.5 Leverage funding and resource opportunities to support projects, programs and


Tracey Nicholson, City Administrator 5/28/2015

City of Hyattsville



Memo

To: Mayor and Council
Tracey Nicholson, City Administrator

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

Date: May 22, 2015

Re: Community Legacy Grant Resolution

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

Program Details

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

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

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

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

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

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

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

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

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

Recommendation

We are nearing the end of shelf life of the City's 2011 – 2015 Community Sustainability Plan and the majority of our adopted Implementation Action Items have been completed. There are however, a few remaining Action items consistent with the funding priorities of the Community Legacy program. The City's recent applications for bicycle infrastructure and the update to the West Hyattsville Development Feasibility Study were not funded by the program.

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

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

1. **Commercial Façade Improvements:** In June, the City is scheduled to commence its third round of commercial façade improvement grants with a \$50,000 Community Legacy grant awarded early this year and authorized as of July 1, 2015. Additionally, of the 67 Community Legacy awarded to communities throughout the State of Maryland during the most recent cycle, 22 were commercial façade revitalization programs. The City has already received multiple inquiries from businesses and property owners interested in submitting applications for funding. It is my opinion that we will receive more viable project applications that can be funded with the existing grant and there will be an opportunity to fund additional high quality façade improvement projects if awarded additional funds. I am recommending a grant request of \$150,000 to continue this effort.
2. **Public Space Placemaking Project:** A second program and/or project is to seek funding for community placemaking efforts that may incorporate public art and creating a sense of place in non-traditional public spaces. In December, the City was presented a concept by local business owners for transforming Church Place into a vibrant gathering space to host public events. It is unlikely that DHCD would fully fund this type of effort; however the City could leverage a small Community Legacy funding award and partner it with other placemaking funding opportunities to transform inadequate public right of way into unique public gathering places. Due to this type of effort not being explicitly included in our existing Community Sustainability Plan, it may be considered a long-shot to receive funding, but may open the door to future funding opportunities. If the Mayor & Council are supportive of pursuing funding for this effort, I recommending a grant request of \$100,000 with an expectation that any awarded funds would fall into the range of \$25,000 - \$50,000.

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

Any funding awarded to the City would be available July 1, 2016 and would be required to be 50% expended by June 30, 2017 and completely expended by June 30, 2018. This item is intended to be included on the July 20, 2015 Council agenda.

Main City Calendar for June 2 – July 20, 2015

Farmer's Market

Tuesday's, June 2 – Sept 29, 3:00 PM - 7:00 PM @ 3779 East West Highway (At the corner of East West Highway and Queens Chapel Road, in the parking lot of Redeemer Lutheran Church)

Join us for a Start of Season Strawberry Soiree on June 2nd!

Dogs for the Arts

June 6, 9:30 AM - 11:00 AM @ Magruder Park

Summer Jam

June 12, 6:30 PM - 8:30 PM @ City Municipal Building

Musical Guests: The Roustabouts

Planning Committee

June 16, 7:30 PM - 9:30 PM @ 4310 Gallatin Street

Code Compliance Advisory Meeting

June 17, 7:00 PM - 8:30 PM @ City Municipal Building, 1st Floor Multipurpose Room

Education Advisory Committee

June 25, 6:30 PM - 8:00 PM @ 4310 Gallatin Street

Environmental Committee Meeting

July 8, 7:30 PM - 8:30 PM @ City Municipal Building - 2nd Floor Prangley Room

Summer Jam

July 10, 6:30 PM - 8:30 PM @ City Municipal Building

Musical Guests: N2N Band

Code Compliance Advisory Meeting

July 15, 7:00 PM - 8:30 PM @ City Municipal Building, 1st Floor Multipurpose Room

City Council Meeting

July 20, 8:00 PM - 10:00 PM @ Third Floor, Council Chambers