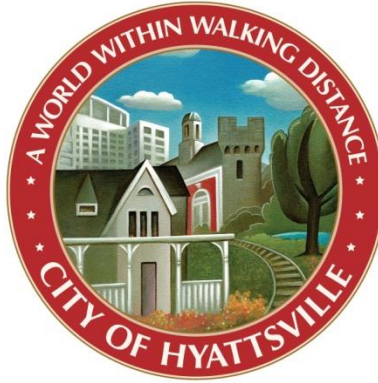




Hyattsville City Council Regular Meeting

Monday, May 4, 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 Gloria Cleopatra Yearwood

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

(1) 48-05-15 Motion to Close

I move that the Mayor and Council close the Council Meeting of May 4, 2015 in order to discuss contract negotiations with the City Attorney. - **Tartaro**

5. Approval of Agenda (8:15 p.m.)

(1) Motion to Approve the Agenda for the Council Meeting of May 4, 2015

6. Public Comment (8:15 p.m. - 8:25 p.m.)

7. Presentations (8:25 p.m. - 8:35 p.m.)

(1) FY-2013 Audit

(2) Children's Mental Health Awareness Week

(3) Unified Relay Across America

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

(1) 49-05-15 Proclamation in Recognition of 2015 Children's Mental Health Awareness Week

I move that the Mayor & Council adopt the following proclamation in honor of Children's Mental Health Awareness Week, May 3 - 9, 2015. – **Tartaro**

(2) 50-05-15 Hyattsville Education Advisory Committee Appointment

I move that the Mayor and Council appoint the following Hyattsville resident to serve as a member of the Hyattsville Education Advisory Committee for a two-year term expiring on December 31, 2016.

- Cynthia Totten - Ward 4, New Appointment – **Haba**

(3) **51-05-15 Hyattsville Environmental Committee Appointments**

I move that the Mayor and Council appoint the following Hyattsville residents to serve as members of the Hyattsville Environmental Committee for a two-year term expiring on December 31, 2016.

- Janet Nackoney - Ward 2, New Appointment
- Julie Wolf- Ward 2, New Appointment

– **Warner, Haba**

(4) **52-05-15 Community Legacy Grant Award: Accept and Appropriate**

I move that the Mayor & Council accept and appropriate a \$50,000 Community Legacy grant awarded by the Maryland Department of Housing and Community Development and authorize the City Administrator to execute the agreement, upon the review for legal sufficiency by the City Attorney. – **Tartaro**

(5) **61-05-15 Proclamation in Recognition of 2015 Municipal Clerks Week**

I move that the Mayor & Council adopt the following proclamation in honor of Municipal Clerks Week, May 3 - 9, 2015. – **Tartaro**

9. Action Items (8:40 p.m. - 9:50 p.m.)

(1) **53-05-15 Pyramid Atlantic Arts Center**

I move that the Mayor & Council authorize the City Administrator to execute agreements with Pyramid Atlantic Arts Center for the development, 25-year lease and option to purchase the Arcade @ 4318 Gallatin Street, upon the review by the City Attorney. – **Tartaro**

(2) **54-05-15 Authority to Proceed on Moving HPD to 3505 Hamilton Street**

I move that the Mayor & Council accept the recommendation of staff and approve the renovation of 3505 Hamilton Street for the purpose of relocating the Hyattsville Police Department to this facility, and further authorize the City Administrator to develop and issue a design/build solicitation for procurement of development services. – **Solomon, Perry, Haba, Hollingsworth, Lawrence**

(3) **55-05-15 Issuance of Solicitation for 4310 Gallatin Street Redevelopment**

I move that the Mayor and Council authorize the City Administrator to proceed with the development and issuance of a Request for Qualifications/Information (RFQ/I) for the purpose of soliciting proposals for the redevelopment of 4310 Gallatin Street. – **Hollingsworth, Lawrence, Solomon**

(4) **56-05-15 Authority to Evaluate Options for Relocation of City Administrative Offices**

I move that the Mayor & Council authorize the City Administrator to proceed with exploring options for the relocation of City Administrative offices, which may include the long-term lease, joint development, joint tenancy, or purchase of facilities. Consideration should also be given for suitable and accessible space for public meetings, including meetings of the full Council. – **Hollingsworth, Lawrence, Solomon**

(5) 57-05-15 Budget Amendment #1

I move that the Mayor & Council amend the 2015 revenue estimate in account 71-185-047-4181 Cable TV PEG fee to \$15,100 and amend the 2015 budget appropriations to \$15,100 in account 71-185-047-5660 Capital Outlay-Cable TV Equipment of Fund 71 Capital Projects to cover the costs of various equipment and supplies. The increase in appropriations is supported by the increase in estimated revenues noted above. – **Tartaro**

(6) 58-05-15 Budget Amendment #2

I move that the Mayor and Council amend the 2015 budget appropriations in the department of Human Resources by reducing account 01-160-190-5210 by \$115,000 and move \$79,000 of that amount to account 01-140-001-5352 Professional Services - Auditor, and the remaining \$36,000 to account 01-140-001-5399 Contracted Services. \$115,000 will be re-appropriated from the department of Human Resources to the Treasurer's office to cover audit costs for FY-2013 and FY-2014. – **Tartaro**

(7) 59-05-15 Budget Amendment #3

I move that the Mayor and Council amend the 2015 budget appropriations in the department of Human Resources by reducing account 01-160-190-5210 by \$189,800 and move \$100,000 of that amount to account 01-601-001-5399 Other Contracted Services Parks General Operations, \$25,000 to account 01-601-430-5399 Contracted Services Parks Urban Forestry and the remaining \$64,800 to account 71-381-900-5610 Capital Outlay Municipal Building for a total of \$189,800 to be re-appropriated from the department of Human Services to the Department of Public Works to cover the costs for expenditures in Park Operations, Urban Forestry and anticipated major repairs of the municipal building. – **Tartaro**

(8) 60-05-15 County Council Legislative Proposal

I move that the Council authorize the Mayor to send correspondence to the Prince George's County Planning, Zoning and Economic Development Committee in support of CB-14-2015 and CB-15-2015. – **Tartaro**

10. Discussion Items (9:50 p.m. - 10:00 p.m.)

- (1) Hyatt Park Community Garden Association MOU

11. Council Dialogue (10:00 p.m. - 10:10 p.m.)

12. Community Notices and Meetings

- (1) City Calendar: May 5 - May 18, 2015

13. Motion to Adjourn

- (1) Motion to Adjourn the Council Meeting of May 4, 2015



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

Meeting: 5/4/2015 8:00 PM
Department: Community & Econ Dev
Prepared by: Jim Chandler
Sponsors: Tartaro
DOC ID: (ID # 1149)

4.1

Motion to Close: MOTION #48-05-15 Motion to Close

SUBJECT: Motion to Close

SECTION: Motion to Close

RECOMMENDED ACTION:

Motion #48-05-15

I move that the Mayor & Council close the Council Meeting of May 4, 2015 in order to discuss contract negotiations with the City Attorney.

BACKGROUND:

The Council will enter closed session at 8 PM and will return to open session at approximately 8:15 p.m.

NEXT STEPS:

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 1 - Ensure Transparent and Accessible Governance

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

FISCAL IMPACT:

n/a


Tracey Nicholson, City Administrator

4/28/2015


Tracey Nicholson, City Administrator

4/28/2015

Tracey E. Nicholson, City Administrator



Presentations: FY-2013 Audit

SUBJECT: FY-2013 Audit

SECTION: Presentations

BACKGROUND:

The finance staff and auditors are in the testing stage of the 2013 audit. The testing stage involves randomly selecting documentation in every expenditure area of the City to determine whether the information is in compliance with Generally Accepted Accounting Principles "GAAP".

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 4/28/2015



Presentations: Children's Mental Health Awareness Week

SUBJECT: Children's Mental Health Awareness Week

SECTION: Presentations

BACKGROUND:

The City invited students, families and school staff from the three elementary to create gratitude quilts focusing on mental health. Each quilt contains an original piece of art work exploring what our student's are grateful for. The quilts are being presented to the Mayor and Council and will ultimately be displayed in the City building.

The City partnered with the Children's Mental Health Matters Campaign - a collaboration of the Mental Health Association of Maryland (MHAMD) and the Maryland Coalition of Families (MCF) with support from the Behavioral Health Administration and MD CARES for this initiative.

NEXT STEPS:

Hang quilts in the lobby of City building.

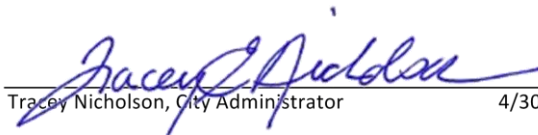
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS AND ACTIONS:

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

Action: 5.2 Support and foster volunteerism, creative arts, and learning within the commun


Tracey Nicholson, City Administrator 4/30/2015



Presentations: Unified Relay Across America

SUBJECT: Unified Relay Across America

SECTION: Presentations

BACKGROUND:

The Special Olympics Unified Relay Across America presented by Bank of America and ESPN, is a once in a lifetime opportunity for communities to demonstrate respect and inclusion. It is a 46 day hand to hand relay of the Special Olympics Flame of Hope crossing all 50 states and leading to the 2015 Special Olympics World Games in Los Angeles, California. The purpose is to raise awareness and funds for Special Olympics athletes. The run is divided into 1/2 mile segments that will be sold to relay teams. The central leg starts in Washington DC and will continue on U.S. Rt. 1 thru Hyattsville between 10 am and noon on May 26th.

NEXT STEPS:

The staff will support the relay by providing traffic control assistance, trash and debris removal and encouraging residents, officials and employees to participate in the event.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

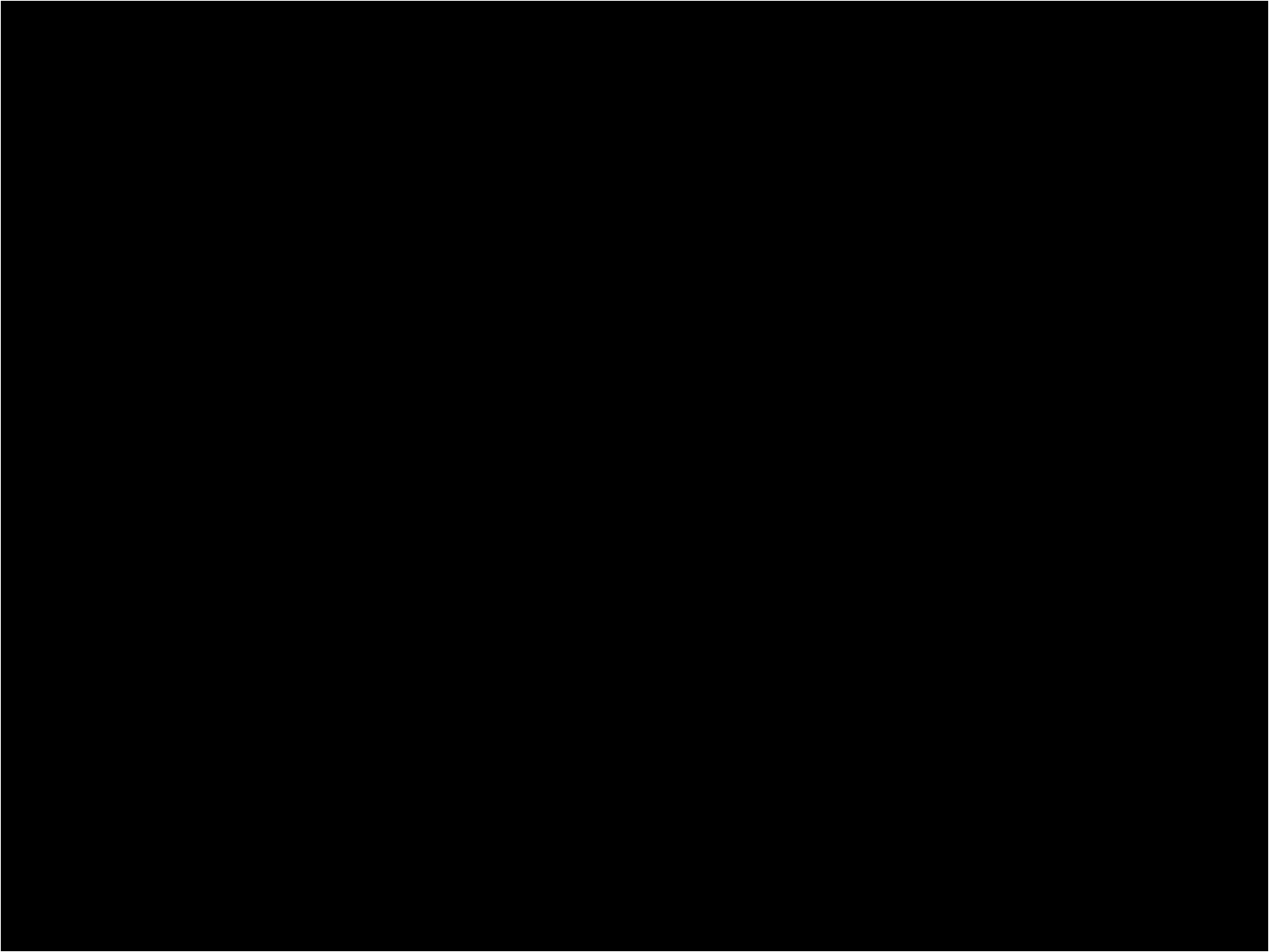
Police, Community Services, DPW

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 3 – Promote a Safe and Vibrant Community

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


Tracey Nicholson, City Administrator 4/30/2015



Attachment: URAA Presentation (1) [Revision 2] (1159 : Unified Relay Across America)

Leading to the
largest sports
and humanitarian
event in the world
in 2015
&
Coming through
Hyattsville



WHAT IS THE UNIFIED RELAY ACROSS AMERICA?

The Special Olympics Unified Relay Across America is presented by Bank of America.

Over the course of 46 days, in a hand-to-hand exchange, people throughout the nation will carry the Special Olympics Flame of Hope across the country and deliver it to Los Angeles for the Special Olympics World Games. The Unified Relay will be on will be led by celebrity and Special Olympics athlete co-captains and supported by law enforcement officers.

When: **May 26- July 10, 2015** **Where:** Three simultaneous routes hitting all 50 states, starting in Augusta, ME, Washington DC & Miami, FL ending in Los Angeles.

Who: **Anyone** can be a torchbearer. Over 20,000 runners, walkers, rollers and bikers will help deliver the Flame of Hope. By the Numbers: - 46 days - All 50 states - THREE simultaneous relays - 132 evening events - 20,000+ torchbearers taking part in either a ½ mile or 5 mile segment

How to get involved: - **www.unifiedrelayacrossamerica.org** - Teams of up to 15 people \$10 to sign up, per person Minimum fundraising of **\$1,000** per regular segment★ per team/**\$2,500** per premium segment, per team Reach \$1,500 and receive commemorative torch - **Participate in daily community★celebrations –**
Line the streets in support as the Flame of Hope passes

TRAVELING THROUGH MARYLAND

Tuesday May 26th

Colmar Manor thru HYATTSVILLE to College Park (White): Between 10:00 AM and 1:00 PM

Beltsville to Jessup (White): Between 1:00 PM and 4:00 PM

Hanover to Baltimore (White): Between 4:00 PM and 7:00 PM

Wednesday May 27th

Baltimore to Locust Point (White): Between 7:00 AM and 10:00 AM

Cherry Hill to Glen Burnie (White): Between 10:00 AM and 1:00 PM

South Gate to Arnold (White): Between 1:00 PM and 4:00 PM

Naval Academy to Annapolis (White): Between 4:00 PM and 7:00 PM

Thursday May 28th

Annapolis to Londontowne (White): Between 7:00 AM and 10:00 AM

Davidsonville to Lake Arbor (White): Between 10:00 AM and 1:00 PM

Largo to Barney Circle (White): Between 1:00 PM and 4:00 PM



Hyattsville
26 May, 2015
10AM -12PM

www.unifiedrelayacrossamerica.org





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

Meeting: 5/4/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Tartaro
DOC ID: (ID # 1164)

9.1

Consent Items: MOTION #49-05-15 Proclamation in Recognition of 2015 Children's Mental Health Awareness Week

SUBJECT: Proclamation in Recognition of 2015 Children's Mental Health Awareness Week

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #49-05-15

I move that the Mayor & Council adopt the following proclamation in honor of Children's Mental Health Awareness Week, May 3 - 9, 2015.

BACKGROUND:

n/a

NEXT STEPS:

n/a

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 3 - Promote a Safe and Vibrant Community

Action: 3.5 Promote health and wellness initiatives in the community and workplace.

FISCAL IMPACT:

None


Tracey Nicholson, City Administrator 4/30/2015



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

Meeting: 5/4/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Tartaro
DOC ID: (ID # 1164)

9.1

Consent Items: MOTION #49-05-15 Proclamation in Recognition of 2015 Children's Mental Health Awareness Week

Tracey E. Nicholson, City Administrator



**Proclamation in Recognition of
Children's Mental Health Awareness Week
May 3 through May 9, 2015**

Whereas, The Children's Mental Health Matters Campaign is a collaboration of the Mental Health Association of Maryland and the Maryland Coalition of Families with support from the Maryland Mental Hygiene Administration and MD CARES;

Whereas, families, educators, and communities must address the challenges of a host of mental health issues, ranging from depression to eating disorders to substance abuse;

Whereas, the Children's Mental Health Matters Campaign aims to raise awareness of the resources available for our children, and to encourage us to take an active role in promoting awareness about the importance of children's mental health and its role in a child's healthy development from birth;

NOW, THEREFORE BE IT PROCLAIMED, that the Mayor and Council of the City of Hyattsville recognize the week of May 3 through May 9, 2015 as Children's Mental Health Awareness Week and thank the many professionals who work to ensure our young people and their families have access to the resources they need to lead full and happy lives.

Marc Tartaro, Mayor

May 4, 2015



Consent Items: MOTION #50-05-15 Hyattsville Education Advisory Committee Appointment

SUBJECT: Hyattsville Education Advisory Committee Appointment

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #50-05-15

I move that the Mayor and Council appoint the following Hyattsville resident to serve as a member of the Hyattsville Education Advisory Committee for a two-year term expiring on December 31, 2016.

- Cynthia Totten - Ward 4, New Appointment

BACKGROUND:

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

NEXT STEPS:

The next meeting of the EAC is scheduled for May 28, 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

The Director of Community Services will continue to serve as Staff Liaison to the Committee. After the seating of the new Mayor and Council at the Council Meeting of May 18, 2015, the Council will have an opportunity to appoint Council Liaison's to the City's Committees, Commissions and Boards.

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 1 - Ensure Transparent and Accessible Governance

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

FISCAL IMPACT:

None



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

Meeting: 5/4/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Haba
DOC ID: (ID # 1152)

9.2

Consent Items: MOTION #50-05-15 Hyattsville Education Advisory Committee Appointment


Tracey Nicholson, City Administrator 4/28/2015

Tracey E. Nicholson, City Administrator



CITY OF HYATTSVILLE COMMITTEE / BOARD APPLICATION

APPLICANT INFORMATION

NAME OF COMMITTEE/BOARD:	
NAME OF APPOINTEE:	
ADDRESS:	
WARD #:	
EMAIL:	
PHONE NUMBER:	
REFERRED BY:	

BIOGRAPHICAL STATEMENT:

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

BIO STATEMENT (FOR POSTING ON CITY WEBSITE):	

For internal use:

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



Consent Items: MOTION #51-05-15 Hyattsville Environmental Committee Appointments

SUBJECT: Hyattsville Environmental Committee Appointments

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #51-05-15

I move that the Mayor and Council appoint the following Hyattsville residents to serve as members of the Hyattsville Environmental Committee for a two-year term expiring on December 31, 2016.

- Janet Nackoney - Ward 2, New Appointment
- Julie Wolf- Ward 2, New Appointment

BACKGROUND:

The general mission of the Environment Committee is to provide Council and staff recommendations regarding parks usage and maintenance, waste reduction, recycling, and sustainable practices.

NEXT STEPS:

The next scheduled meeting is in July 2015.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

The Director, Department of Public Works will continue to serve as Staff Liaison to the Committee. After the seating of the new Mayor and Council at the Council Meeting of May 18, 2015, the Council will have an opportunity to appoint Council Liaison's to the City's Committees, Commissions and Boards.

STRATEGIC GOALS AND ACTIONS:

Goal: Goal 1 - Ensure Transparent and Accessible Governance

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

FISCAL IMPACT:

None



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

Meeting: 5/4/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Warner, Haba
DOC ID: (ID # 1150)

9.3

Consent Items: MOTION #51-05-15 Hyattsville Environmental Committee Appointments


Tracey Nicholson, City Administrator 4/28/2015

Tracey E. Nicholson, City Administrator



CITY OF HYATTSVILLE COMMITTEE / BOARD APPLICATION

APPLICANT INFORMATION

NAME OF COMMITTEE/BOARD:	
NAME OF APPOINTEE:	
ADDRESS:	
WARD #:	
EMAIL:	
PHONE NUMBER:	
REFERRED BY:	

BIOGRAPHICAL STATEMENT:

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

BIO STATEMENT (FOR POSTING ON CITY WEBSITE):	

For internal use:

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



CITY OF HYATTSVILLE COMMITTEE / BOARD APPLICATION

APPLICANT INFORMATION

NAME OF COMMITTEE/BOARD:	
NAME OF APPOINTEE:	
ADDRESS:	
WARD #:	
EMAIL:	
PHONE NUMBER:	
REFERRED BY:	

BIOGRAPHICAL STATEMENT:

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

BIO STATEMENT (FOR POSTING ON CITY WEBSITE):	

For internal use:

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



Consent Items: MOTION #52-05-15 Community Legacy Grant Award: Accept and Appropriate

SUBJECT: Community Legacy Grant Award: Accept and Appropriate

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #52-05-15

I move that the Mayor & Council accept and appropriate a \$50,000 Community Legacy grant awarded by the Maryland Department of Housing and Community Development and authorize the City Administrator to execute the agreement, upon the review for legal sufficiency by the City Attorney.

BACKGROUND:

On June 4, 2014, the City Council authorized the City Administrator to proceed with an application to the Maryland Department of Housing and Community Development's Community Legacy program in an amount of \$250,000 for the purposes of funding of Capital Bikeshare stations within the City limits and securing funding for the City's Commercial Façade Improvement Program. The City was notified that we were awarded a \$50,000 Community Legacy grant for the purpose of continuing our commercial facade improvement program.

NEXT STEPS:

The City will prepare a grant application to be issue in June, with awards expected to be made by November 2015. Associated work is expected to commence in Spring 2016.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Staff will administer the funding per the terms of the agreement.

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 facilitat

FISCAL IMPACT:

Appropriation of \$50,000 in grant funding



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

Meeting: 5/4/2015 8:00 PM

9.4

Department: Community & Econ Dev

Prepared by: Jim Chandler

Sponsors: Tartaro

DOC ID: (ID # 1160)

Consent Items: MOTION #52-05-15 Community Legacy Grant Award: Accept and Appropriate


Tracey Nicholson, City Administrator 4/30/2015

Tracey E. Nicholson, City Administrator



MARTIN O'MALLEY
Governor

ANTHONY G. BROWN
Lt. Governor

CLARENCE J. SNUGGS
Acting Secretary

December 16, 2014

The Honorable Marc Tartaro
Mayor
City of Hyattsville
4310 Gallatin Street
Hyattsville, MD 20781

Re: Application # NR-CL-APP-2015-Hyattsvill-00143: Commercial Façade Improvement Program

Dear Mayor Tartaro:

On behalf of Governor Martin O'Malley and Lieutenant Governor Anthony G. Brown, it is my pleasure to inform you that your funding request for the FY 2015 Community Legacy (CL) Program has been approved in the amount of \$50,000.00. Specifically, these funds will be available to assist you with the Commercial Façade Improvement Program.

This funding is conditioned upon execution of a grant agreement between the Maryland Department of Housing and Community Development (DHCD) and the awardee. As you know, the CL Program is administered by the DHCD through the Division of Neighborhood Revitalization. Currently, staff is preparing the agreement and will be in contact with your office in the near future to discuss the specific terms of your agreement.

Again, congratulations on your award. If I may be of further assistance on this or any other matter, please do not hesitate to contact me or Mr. Kevin Baynes, Director of Community Programs, at 410-209-5823 or via email at kevin.baynes@maryland.gov.

Sincerely,

Clarence J. Snuggs
Acting Secretary

cc: Mr. Kevin N. Baynes, AICP, Director, Office of Community Programs, DHCD

CJS/kb





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

Meeting: 5/4/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Tartaro
DOC ID: (ID # 1163)

9.5

Consent Items: MOTION #61-05-15 Proclamation in Recognition of 2015 Municipal Clerks Week

SUBJECT: Proclamation in Recognition of 2015 Municipal Clerks Week

SECTION: Consent Items

RECOMMENDED ACTION:

Motion #61-05-15

I move that the Mayor & Council adopt the following proclamation in honor of Municipal Clerks Week, May 3 - 9, 2015.

BACKGROUND:

n/a

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: 4.1 Provide exceptional customer service

FISCAL IMPACT:

None


Tracey Nicholson, City Administrator 4/30/2015



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

Meeting: 5/4/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Tartaro
DOC ID: (ID # 1163)

9.5

Consent Items: MOTION #61-05-15 Proclamation in Recognition of 2015 Municipal Clerks Week

Tracey E. Nicholson, City Administrator



**Proclamation in Recognition of
Municipal Clerks Week
May 3 through May 9, 2015**

Whereas, The Office of the Municipal Clerk is a time honored and vital part of local government, existing throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and the agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, the fabric of our community is strengthened by inclusion, justice, and service

NOW, THEREFORE BE IT PROCLAIMED, that the Mayor and City Council of Hyattsville recognize the week of May 3 through May 9, 2015, as Municipal Clerks Week, and further extend appreciation to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Marc Tartaro, Mayor

May 4, 2015



Action Items: MOTION #53-05-15 Pyramid Atlantic Arts Center

SUBJECT: Pyramid Atlantic Arts Center

SECTION: Action Items

RECOMMENDED ACTION:

Motion #53-05-15

I move that the Mayor & Council authorize the City Administrator to execute agreements with Pyramid Atlantic Arts Center for the development, 25-year lease and option to purchase the Arcade @ 4318 Gallatin Street, upon the review by the City Attorney.

BACKGROUND:

Pyramid Atlantic is a 501(c)(3) non-profit contemporary arts center. Their organization, currently located in Silver Spring Maryland recently expressed an interest in becoming the newest occupants of the Arcade Building located at 4318 Gallatin Street. Pyramid Atlantic was founded in 1981 by noted artist and teacher Helen C. Frederick to provide a setting for artistic collaboration and dialogue.

Over the past few months, members of the City staff, Counsel, Pyramid Atlantic representatives and their Counsel have been conducting due diligence and exploring the condition of the Arcade, discussing long-term goals, programming opportunities and services that Pyramid Atlantic intends to provide. The due diligence period is complete, and the Staff firmly believes that the Pyramid Atlantic Art Center has the resources to redevelop the Arcade building and can successfully operate creative programs, services, and spaces that will fully compliment the City of Hyattsville.

The City Attorney has prepared three documents that are intended to be jointly executed and would allow Pyramid Atlantic Art Center the ability to redevelop, lease and ultimately acquire the Arcade Building at 4318 Gallatin Street.

NEXT STEPS:

Upon execution of the agreements, Pyramid Atlantic will redevelop the Arcade as their permanent home and once build-out is complete, will commence a 25-year lease of the facility.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

STRATEGIC GOALS AND ACTIONS:

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

Action: 5.4 Develop and/or strengthen partnerships with organizations and neighboring comm



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

Meeting: 5/4/2015 8:00 PM

10.1

Department: Community & Econ Dev

Prepared by: Jim Chandler

Sponsors: Tartaro

DOC ID: (ID # 1151)

Action Items: MOTION #53-05-15 Pyramid Atlantic Arts Center

FISCAL IMPACT:

See memo


Tracey Nicholson, City Administrator 4/28/2015

Tracey E. Nicholson, City Administrator



Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator
Ron Brooks, City Treasurer

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

Date: April 27, 2015

Re: Pyramid Atlantic for Lease of Arcade

Pyramid Atlantic is a 501(c)(3) non-profit contemporary arts center and was founded in 1981 by noted artist and teacher Helen C. Frederick to provide a setting for artistic collaboration and dialogue. In 2003, Pyramid relocated to the heart of the Arts & Entertainment District in downtown Silver Spring. The facility features a paper mill, print shop, letterpress studio, and bindery. The property was recently sold and Pyramid is looking for a new long-term home.

In December 2014, the City was contacted by Pyramid Atlantic Art Center regarding their proposed relocation from their current facility in Silver Spring to the City of Hyattsville and their interest in a long-term lease of the Arcade Building at 4318 Gallatin Street. Over the past month, representatives from both organizations have met to get familiar with one another, discuss long-term goals, programming opportunities, and attended tours of both the Arcade and Pyramid Atlantic's current facility.

On February 25, 2015, the City of Hyattsville and Pyramid Atlantic Arts Center entered into a Letter of Intent (LOI) for the purpose of establishing a due diligence period and framework for negotiate terms for the long-term lease of the Arcade.

Over the past several weeks, City staff members have met representatives of Pyramid Atlantic, its CPA and attorney to review the organizations financial statements, development pro forma, prospectus and negotiate terms of the lease.

Staff has concluded our due diligence and we firmly believe that Pyramid Atlantic Art Center has the resources to redevelop and operate the Arcade Building and will successfully fulfill its mission to "build communities that give life to printmaking, papermaking and the book of arts".

The City Attorney has prepared three documents that are intended to be jointly executed and would provide Pyramid Atlantic Art Center to redevelop, lease and ultimately acquire the Arcade

Building at 4318 Gallatin Street. Pyramid Atlantic's Board of Directors has approved and their Executive Director has signed each of the three agreements which are as follows:

- 1) **Development Agreement:** Provides for an 18-month build-out and occupancy schedule of the facility and \$200,000 structural improvements allowance, which is paid back to the City, with costs amortized with interest over the term of the lease.
- 2) **Lease Agreement:** 25-year lease agreement of the Arcade @ 4318 Gallatin Street with the City transferring to Pyramid Atlantic all other costs and expenses both of the build out of the building, and all exterior and interior maintenance during the lease of the building;
- 3) **Option and Real Estate Sales Contract:** Provides Pyramid Atlantic the option to acquire the Arcade @ 4318 Gallatin Street during the final 6-month period of the final year of the lease.

We are confident that a partnership between the City of Hyattsville and Pyramid Atlantic Arts Center will provides direct economic and cultural benefits to this community for the foreseeable future. Pyramid Atlantic offices and artists programming is the highest and best use to the Arcade @ 4318 Gallatin Street, a long-term vacant, and at times blighted, property within the central core of the Gateway Arts District. Pyramid Atlantic Art Center brings a diverse mix of unique high quality practicing artists to the Hyattsville community and making available to residents of the area a unique blend of arts facilities and programming.

Staff is recommending that the Mayor and Council authorize the City Administrator to execute each of the three agreements with Pyramid Atlantic Arts Center for the development, lease and option to purchase the Arcade @ 4318 Gallatin Street, upon the final review of the City Attorney.



Action Items: MOTION #54-05-15 Authority to Proceed on Moving HPD to 3505 Hamilton Street

SUBJECT: Authority to Proceed on Moving HPD to 3505 Hamilton Street

SECTION: Action Items

RECOMMENDED ACTION:

Motion #54-05-15

I move that the Mayor & Council accept the recommendation of staff and approve the renovation of 3505 Hamilton Street for the purpose of relocating the Hyattsville Police Department to this facility, and further authorize the City Administrator to develop and issue a design/build solicitation for procurement of development services.

BACKGROUND:

Please see attached motion form. This item was discussed during the Council Meeting of April 20, 2015. The Mayor and Council requested a milestone chart to determine feasibility of meeting timeline demands. A draft project schedule is attached.

NEXT STEPS:

Staff will proceed per the direction of the Mayor and Council.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Please see attached draft project schedule.

STRATEGIC GOALS AND ACTIONS:

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

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

FISCAL IMPACT:

TBD



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

Hollingsworth, Lawrence

Meeting: 5/4/2015 8:00 PM

Department: Clerk's Office

Prepared by: Laura Reams

Sponsors: Solomon, Perry, Haba,

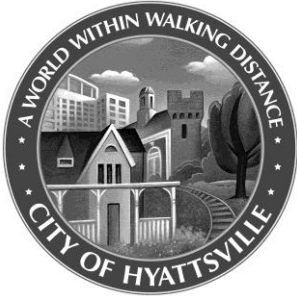
DOC ID: (ID # 1146)

10.2

Action Items: MOTION #54-05-15 Authority to Proceed on Moving HPD to 3505 Hamilton Street


Tracey Nicholson, City Administrator 4/30/2015

Tracey E. Nicholson, City Administrator



Council Agenda Form

MOTION # 54-05-15		DRAFT #
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: April 20, 2015 & May 4, 2015	
SUBMITTED BY: Solomon, Perry, Haba, Lawrence, Hollingsworth		
DEPARTMENT: Legislative		

TITLE OF MOTION: Authority to Proceed on Moving HPD to 3505 Hamilton Street

RECOMMENDATION:

I move that the Mayor and Council accept the recommendation of staff and approve the renovation of 3505 Hamilton Street for the purpose of relocating the Hyattsville Police Department to this facility, and further authorize the City Administrator to develop and issue a design/build solicitation for procurement of development services.

BACKGROUND:

- City staff have recommended use of 3505 Hamilton as a police department with possible public meeting space, emergency operations center, and short-term uses including auxiliary administrative offices/services
- Community meetings in the impacted area have received positive responses from residents
- Design is included in proposed FY2016 Capital Improvement Plan

Related Milestones

- Solicitation issued in July 2015 with selection of firm(s) by November 2015
- Design to be developed and completed by December 2016
- Likely to require Detailed Site Plan approval from M-NCPPC Planning Board
- Construction planned to take place during FY2017 & FY2018
- Goal of Department relocation no later than October 2018 (FY2019)

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: (must be approved by City Administrator):

Tracey E. Nicholson, City Administrator

STRATEGIC GOALS AND ACTIONS:

SUPPORTING DOCUMENTATION:

CURRENT YEAR BUDGET IMPACT:

Attachment: 3505 Hamilton - 041315 (1146 : Authority to Proceed on Moving HPD to 3505 Hamilton Street)

MIC. PRO. - Building & Grounds - 3505 Hamilton Street - JR						
ID		Task Mode	Task Name	Duration	Start	Finish
1			3505 Hamilton Street			
2			Council Approval	2 days	Mon 5/4/15	Tue 5/5/15
3			RFQ Draft and Review Consultant/Vendor	58 days	Tue 5/5/15	Thu 7/23/15
4			RFQ Release	28 days	Fri 7/24/15	Tue 9/1/15
5			Selection of Vendors	10 days	Wed 9/2/15	Tue 9/15/15
6			Interviews with Vendors	20 days	Wed 9/16/15	Tue 10/13/15
7			Final Award of RFQ	10 days	Wed 10/14/15	Tue 10/27/15
8			RFP Draft and Review	50 days	Fri 10/16/15	Thu 12/24/15
9			Release RFP	28 days	Tue 1/5/16	Thu 2/11/16
10			Site Visit	2 days	Mon 1/11/16	Tue 1/12/16
11			Cost Proposals Due	20 days	Mon 1/18/16	Fri 2/12/16
12			Final Vendor Selection	15 days	Fri 2/19/16	Thu 3/10/16
13			Award of Design/Build	2 days	Mon 3/14/16	Tue 3/15/16
14			Design Phase	207 days	Wed 3/16/16	Thu 12/29/16
15			Permit Identification and processing	100 days	Wed 3/16/16	Tue 8/2/16
16			Planning, Design Phased Approvals	207 days	Wed 3/16/16	Thu 12/29/16
17			Construction Phase	400 days	Mon 5/1/17	Fri 11/9/18
18			Interior Renovation	365 days	Mon 5/1/17	Fri 9/21/18
19			Exterior Renovation	114 days	Tue 4/17/18	Fri 9/21/18
20			Site Stormwater BMP	90 days	Mon 5/14/18	Fri 9/14/18
21			Landscaping	11 days	Fri 5/11/18	Fri 5/25/18
22			Punch List	20 days	Mon 10/1/18	Fri 10/26/18
23			Systems Tests	14 days	Fri 9/21/18	Wed 10/10/18
24			Systems Training	6 days	Wed 10/10/18	Wed 10/17/18
25			Final Cleaning	6 days	Wed 10/10/18	Wed 10/17/18
26			Final Inspections	11 days	Mon 10/15/18	Mon 10/29/18
27			Final Acceptance	1 day	Tue 10/30/18	Tue 10/30/18



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

Solomon

Meeting: 5/4/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Hollingsworth, Lawrence,
DOC ID: (ID # 1147)

10.3

Action Items: MOTION #55-05-15 Issuance of Solicitation for 4310 Gallatin Street Redevelopment

SUBJECT: Issuance of Solicitation for 4310 Gallatin Street Redevelopment

SECTION: Action Items

RECOMMENDED ACTION:

Motion #55-05-15

I move that the Mayor and Council authorize the City Administrator to proceed with the development and issuance of a Request for Qualifications/Information (RFQ/I) for the purpose of soliciting proposals for the redevelopment of 4310 Gallatin Street.

BACKGROUND:

Please see attached motion form. This item was discussed during the Council Meeting of April 20, 2015. A draft project schedule is attached.

NEXT STEPS:

Staff will proceed per the direction of the Mayor and Council.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Please see attached draft project schedule.

STRATEGIC GOALS AND ACTIONS:

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

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

FISCAL IMPACT:

TBD


Tracey Nicholson, City Administrator 4/28/2015



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

Solomon

Meeting: 5/4/2015 8:00 PM

Department: Clerk's Office

Prepared by: Laura Reams

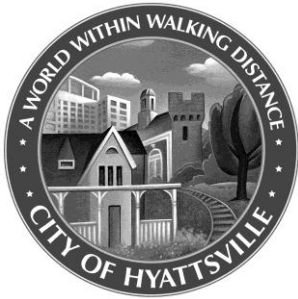
Sponsors: Hollingsworth, Lawrence,

DOC ID: (ID # 1147)

10.3

Action Items: MOTION #55-05-15 Issuance of Solicitation for 4310 Gallatin Street Redevelopment

Tracey E. Nicholson, City Administrator



Council Agenda Form

MOTION # 55-05-15		DRAFT #
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: April 20, 2015 & May 4, 2015	
SUBMITTED BY: Hollingsworth, Lawrence, Solomon		
DEPARTMENT:		

TITLE OF MOTION: Issuance of Solicitation for 4310 Gallatin Street Redevelopment
RECOMMENDATION:

I move that the Mayor and Council authorize the City Administrator to proceed with the development and issuance of a Request for Qualifications/Information (RFQ/I) for the purpose of soliciting proposals for the redevelopment of 4310 Gallatin Street.

BACKGROUND:

As staff explore and evaluate options available for the relocation of city administrative functions, this motion will allow the Council to gauge private sector interest in the redevelopment of 4310 Gallatin Street. The RFQ/I will be non-binding and initiated with the intent to uncover redevelopment options that will meet community interests as identified in the City's adopted community sustainability plan (2010-15).

Related Milestones

- Solicitation to be issued by the end of July 2015
- Proposals evaluated during October – November 2015
- City Council to select top 3-4 concepts to perform a more thorough and detailed proposal and information to conduct preliminary due diligence.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: (must be approved by City Administrator):

Tracey E. Nicholson, City Administrator

STRATEGIC GOALS AND ACTIONS:
SUPPORTING DOCUMENTATION:
CURRENT YEAR BUDGET IMPACT:

Attachment: 4310 Gallatin RFQ - 041315 [Revision 1] (1147 : Issuance of Solicitation for 4310 Gallatin Street Redevelopment)

4310 Gallatin - Project Schedule MT edits

ID	Task Mode	Task Name	Duration	Start	Finish
0		4310 Gallatin - Project Schedule MT edits	365 days	Wed 4/22/15	Wed 9/14/16
1		4310 Gallatin Redevelopment/Reuse	365 days	Wed 4/22/15	Wed 9/14/16
2		Council Action/Authorization	1 day	Wed 4/22/15	Wed 4/22/15
3		RFQ/I Solicitation	157 days	Thu 4/30/15	Mon 12/7/15
4		RFQ/I Development and Review	60 days	Thu 4/30/15	Wed 7/22/15
5		Solicitation Period	59 days	Thu 7/23/15	Tue 10/13/15
6		Solicitation Posting	1 day	Thu 7/23/15	Thu 7/23/15
7		Pre-bid site tour #1	1 day	Tue 8/18/15	Tue 8/18/15
8		Pre-bid site tour #2	1 day	Thu 8/20/15	Thu 8/20/15
9		Final written inquiries	1 day	Tue 9/22/15	Tue 9/22/15
10		Solicitation Period Concludes	1 day	Tue 10/13/15	Tue 10/13/15
11		Proposal Opening & Commence Evaluation Period	25 days	Wed 10/14/15	Tue 11/17/15
12		Proposal Opening	1 day	Wed 10/14/15	Wed 10/14/15
13		Proposal Distribution	0 days	Wed 10/14/15	Wed 10/14/15
14		Initial Evaluations Complete	14 days	Thu 10/15/15	Tue 11/3/15
15		Interviews & Presentations	4 days	Wed 11/4/15	Mon 11/9/15
16		Recommendations to Council	6 days	Tue 11/10/15	Tue 11/17/15
17		Schedule for Council Review	0 days	Tue 11/17/15	Tue 11/17/15
18		Council Action	13 days	Tue 11/17/15	Mon 12/7/15
19		Discussion	0 days	Tue 11/17/15	Tue 11/17/15
20		Action	0 days	Mon 12/7/15	Mon 12/7/15
21		RFP Solicitation	200 days	Tue 12/8/15	Mon 9/12/16
22		RFP Development and Review	45 days	Tue 12/8/15	Mon 2/8/16
23		RFP Period	61 days	Tue 2/9/16	Tue 5/3/16
24		RFP Issuance to Finalists	1 day	Tue 2/9/16	Tue 2/9/16
25		Written inquiries due	1 day	Wed 3/23/16	Wed 3/23/16
26		Solicitation Period Concludes	60 days	Wed 2/10/16	Tue 5/3/16
27		Proposal Opening & Evaluation Period	39 days	Wed 5/4/16	Mon 6/27/16
28		Proposal Opening	1 day	Wed 5/4/16	Wed 5/4/16
29		Proposal Distribution	0 days	Wed 5/4/16	Wed 5/4/16

4310 Gallatin - Project Schedule MT edits

ID		Task Mode	Task Name	Duration	Start	Finish
30			Initial Evaluations Complete	21 days	Thu 5/5/16	Thu 6/2/16
31			Interviews & Presentations	14 days	Fri 6/3/16	Wed 6/22/16
32			Recommendations to Council	3 days	Thu 6/23/16	Mon 6/27/16
33			Schedule for Council Review	0 days	Fri 6/24/16	Fri 6/24/16
34			Council Action	17 days	Mon 7/11/16	Tue 8/2/16
35			Presentation	1 day	Mon 7/11/16	Mon 7/11/16
36			Discussion	1 day	Mon 8/1/16	Mon 8/1/16
37			Selection & Authorization to Negotiate Terms	1 day	Tue 8/2/16	Tue 8/2/16
38			Negotiate Contract	30 days	Wed 8/3/16	Tue 9/13/16
39			Notice to Proceed	0 days	Wed 9/14/16	Wed 9/14/16



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

Solomon

Meeting: 5/4/2015 8:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: Hollingsworth, Lawrence,

DOC ID: (ID # 1148)

10.4

Action Items: MOTION #56-05-15 Authority to Evaluate Options for Relocation of City

SUBJECT: Authority to Evaluate Options for Relocation of City Administrative Offices

SECTION: Action Items

RECOMMENDED ACTION:

Motion #56-05-15

I move that the Mayor & Council authorize the City Administrator to proceed with exploring options for the relocation of City Administrative offices, which may include the long-term lease, joint development, joint tenancy, or purchase of facilities. Consideration should also be given for suitable and accessible space for public meetings, including meetings of the full Council.

BACKGROUND:

Please see attached motion form. This item was discussed during the Council Meeting of April 20, 2015.

NEXT STEPS:

Staff will proceed per the direction of the Mayor and Council.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Please see attached draft project schedule.

STRATEGIC GOALS AND ACTIONS:

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

Action: 2.1 Maintain a responsible level of investment in capital assets, operations and

FISCAL IMPACT:

TBD


Tracey Nicholson, City Administrator 4/28/2015



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

Solomon

Meeting: 5/4/2015 8:00 PM

Department: Clerk's Office

Prepared by: Laura Reams

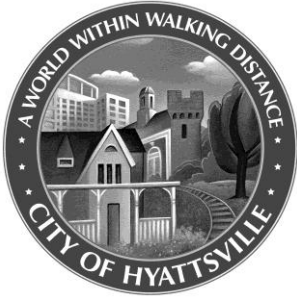
Sponsors: Hollingsworth, Lawrence,

DOC ID: (ID # 1148)

10.4

Action Items: MOTION #56-05-15 Authority to Evaluate Options for Relocation of City

Tracey E. Nicholson, City Administrator



Council Agenda Form

MOTION # 56-05-15		DRAFT #
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: April 20, 2015 & May 4, 2015	
SUBMITTED BY: Hollingsworth, Lawrence, Solomon		
DEPARTMENT: Legislative		

TITLE OF MOTION: Authority to Evaluate Options for Relocation of City Administrative Offices

RECOMMENDATION:

I move that the Mayor and Council authorize the City Administrator to proceed with exploring options for the relocation of City Administrative offices, which may include the long-term lease, joint development, joint tenancy, or purchase of facilities. Consideration should also be given for suitable and accessible space for public meetings, including meetings of the full council.

BACKGROUND:

The impending move of the Hyattsville Police Department to 3505 Hamilton will create additional unused space in current administrative facility. This motion will give staff the latitude necessary to identify viable locations for city administrative functions to present options and pertinent action timeline for the Council's consideration.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: (must be approved by City Administrator):

Tracey E. Nicholson, City Administrator

STRATEGIC GOALS AND ACTIONS:

SUPPORTING DOCUMENTATION:

CURRENT YEAR BUDGET IMPACT:

Attachment: City Administration Reloc - 041315 (1148 : Authority to Evaluate Options for Relocation of City Administrative Offices)



Action Items: MOTION #57-05-15 Budget Amendment #1

SUBJECT: Budget Amendment #1

SECTION: Action Items

RECOMMENDED ACTION:

Motion #57-05-15

I move that the Mayor & Council amend the 2015 revenue estimate in account 71-185-047-4181 Cable TV PEG fee to \$15,100 and amend the 2015 budget appropriations to \$15,100 in account 71-185-047-5660 Capital Outlay-Cable TV Equipment of Fund 71 Capital Projects to cover the costs of various equipment and supplies. The increase in appropriations is supported by the increase in estimated revenues noted above.

BACKGROUND:

The City's Cable Franchise Agreement between Hyattsville and Verizon Incorporated provides for revenues generated by a "PEG (Public, Education, Government)Fee". These revenues are used to cover PEG costs and/or for Institutional Network-related purposes including costs for studio facilities, computers, maintenance, capital equipment, and other related costs.

NEXT STEPS:

Continue to upgrade our Cable TV studio equipment, infrastructure, and environment to provide the citizens with quality programming related to Public Education in Government.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Cable TV staff members produce, transmit and create the appropriate programming as required.

STRATEGIC GOALS AND ACTIONS:

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

Action: 2.1 Maintain a responsible level of investment in capital assets, operations and

FISCAL IMPACT:

This action will revise estimated revenue and increase budget appropriations.



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

Meeting: 5/4/2015 8:00 PM

10.5

Department: Finance Department

Prepared by: Ron Brooks

Sponsors: Tartaro

DOC ID: (ID # 1155)

Action Items: MOTION #57-05-15 Budget Amendment #1


Tracey Nicholson, City Administrator 4/29/2015

Tracey E. Nicholson, City Administrator



Action Items: MOTION #58-05-15 Budget Amendment #2

SUBJECT: Budget Amendment #2

SECTION: Action Items

RECOMMENDED ACTION:

Motion #58-05-15

I move that the Mayor and Council amend the 2015 budget appropriations in the department of Human Resources by reducing account 01-160-190-5210 by \$115,000 and move \$79,000 of that amount to account 01-140-001-5352 Professional Services - Auditor, and the remaining \$36,000 to account 01-140-001-5399 Contracted Services. \$115,000 will be re-appropriated from the department of Human Resources to the Treasurer's office to cover audit costs for FY-2013 and FY-2014.

BACKGROUND:

The administration is planning to complete the audits for FY-2013 and FY-2014 by the end of this calendar year. After a recent discussion with the City's entire audit team regarding the aggressive schedule we set to closed out multiple fiscal years, it was determined that the funds needed to cover the projected audit costs for these fiscal years should be encumbered now if available. By taking this action now the City may be able to begin the FY-2015 audit late December 2015 or early January 2016 and the funds requested in FY-2016 budget would be available to cover most of these costs.

NEXT STEPS:

Continue our efforts to complete the FY-2013 audit by mid May and move into the FY-2014 audit by late June early July for completion by mid December of this year.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Treasurer will be providing a verbal and public presentation.

STRATEGIC GOALS AND ACTIONS:

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

Action: 2.1 Maintain a responsible level of investment in capital assets, operations and

FISCAL IMPACT:

This action amends the 2015 budget appropriations by reducing appropriations in the Human Resources Department and increasing the appropriations in the Treasurer's Office.



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

Meeting: 5/4/2015 8:00 PM

10.6

Department: Finance Department

Prepared by: Ron Brooks

Sponsors: Tartaro

DOC ID: (ID # 1156)

Action Items: MOTION #58-05-15 Budget Amendment #2


Tracey Nicholson, City Administrator 4/28/2015

Tracey E. Nicholson, City Administrator



Action Items: MOTION #59-05-15 Budget Amendment #3

SUBJECT: Budget Amendment #3

SECTION: Action Items

RECOMMENDED ACTION:

Motion #59-05-15

I move that the Mayor and Council amend the 2015 budget appropriations in the department of Human Resources by reducing account 01-160-190-5210 by \$189,800 and move \$100,000 of that amount to account 01-601-001-5399 Other Contracted Services Parks General Operations, \$25,000 to account 01-601-430-5399 Contracted Services Parks Urban Forestry and the remaining \$64,800 to account 71-381-900-5610 Capital Outlay Municipal Building for a total of \$189,800 to be re-appropriated from the department of Human Services to the Department of Public Works to cover the costs for expenditures in Park Operations, Urban Forestry and anticipated major repairs of the municipal building.

BACKGROUND:

During a review of the FY-2016 operating budget for DPW the account "Other Contracted Services Parks General Operations" noted above was short by \$100,000. These funds are used to cover contracted costs associated with park operations to include landscaping. The other \$89,800 noted above will be used to cover the costs associated maintaining trees and perform unexpected repairs to the municipal building.

NEXT STEPS:

Continue the City's efforts to maintain our parks, tress, landscaping and perform maintenance on our municipal buildings.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

DPW staff to coordinate requirements.

STRATEGIC GOALS AND ACTIONS:

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

Action: 2.1 Maintain a responsible level of investment in capital assets, operations and

FISCAL IMPACT:

This action amends FY-2015 budget appropriations by reducing appropriations in the Department of Human Resources and increasing appropriations in various accounts in the Department of Public Works.



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

Meeting: 5/4/2015 8:00 PM

10.7

Department: Finance Department

Prepared by: Ron Brooks

Sponsors: Tartaro

DOC ID: (ID # 1157)

Action Items: MOTION #59-05-15 Budget Amendment #3


Tracey Nicholson, City Administrator 4/28/2015

Tracey E. Nicholson, City Administrator



Action Items: MOTION #60-05-15 County Council Legislative Proposal

SUBJECT: County Council Legislative Proposal

SECTION: Action Items

RECOMMENDED ACTION:

Motion #60-05-15

I move that the Council authorize the Mayor to send correspondence to the Prince George's County Planning, Zoning and Economic Development Committee in support of CB-14-2015 and CB-15-2015.

BACKGROUND:

As discussed during the Council meeting on April 20th, Prince George's County Council Member Deni Taveras is proposing legislation (CB-15-2015) that would eliminate conversion of one-family detached dwelling to a building containing up to three dwelling units (not considered as a two-family, three-family, or multifamily dwelling) use that is currently allowed by special permit within the Traditional Residential Neighborhood character area of the Gateway Arts Development District Overlay Zone (DDOZ). She is also proposing (CB-14-2015) an enabling procedure that would authorize the District Council to amend the "uses" allowed on property within the Development District Standards. We attached a draft letter of support with minor change that would authorize the District Council the authority to modify the "Table of Uses" through amendments to zoning plans. The bills have been renumbered CB-14-2015 & CB-15-2015 and were previously CB-33-2015 and CB-33A-2014 respectively.

A memorandum, draft letter and proposed edits to include Table of Uses to CB-14-2015 are attached to this item.

NEXT STEPS:

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

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:



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

Meeting: 5/4/2015 8:00 PM

10.8

Department: Community & Econ Dev

Prepared by: Jim Chandler

Sponsors: Tartaro

DOC ID: (ID # 1158)

Action Items: MOTION #60-05-15 County Council Legislative Proposal


Tracey Nicholson, City Administrator 4/29/2015

Tracey E. Nicholson, City Administrator



Memo

To: Mayor and Council
 From: Jim Chandler, Assistant CA, Director, Community & Economic Development
 CC: Tracey Nicholson, City Administrator
 Date: April 15, 2015
 Re: County Bill: CB-14-2015 & CB-15-2015

Summary

As discussed during the Council meeting on April 20th, Prince George's County Council Member Deni Taveras is proposing legislation that would eliminate conversion of one-family detached dwelling to a building containing up to three dwelling unit (not considered as a two-family, three-family, or multifamily dwelling) use that is currently allowed by special permit within the Traditional Residential Neighborhood character area of the Gateway Arts Development District Overlay Zone (DDOZ). The bills have been renumbered CB-14-2015 & CB-15-2015 and were previously CB-33-2015 and CB-33A-2014 respectively.

Councilmember Taveras is seeking support for this legislation and has asked each of the four Gateway communities to provide written comment on the proposed legislation no later than Wednesday, May 6, 2015.

Details

As discussed, CB-14-2015, is enabling legislation that would amend Section 27 (Zoning Ordinance) of the Prince George's County Code to allow the County Council to enact specific bills to restrict uses within a Development District Overlay Zone.

The second bill is CB-15-2015, which would prohibit the conversion of single-family properties into multi-family dwelling specifically within the Traditional Residential Neighborhood character area of the Gateway Arts Development District Overlay Zone (DDOZ). The conversion of a single-family dwelling to a three-family is currently permitted only through the approval of a Special Permit.

This legislation is to be considered by the Council Committee on Planning, Zoning and Economic Development (PZED) on May 6th, therefore any written testimony from the City of Hyattsville would need to be approved at or prior to the Council meeting on May 4th.

Staff Comments

As was described to me by the City Attorney, he discussed the enabling legislation with the County Council's Attorney, Karen Zavakos, in order to receive clarification on the intent of the amended language. According to Ms. Zavakos, the County (sitting as the District) Council does not currently have the specified authority to amend uses and needs the additional language in order to amend uses within the DDOZ. It is Staff's position that the District Council already has the authority as a policy making body and the additional language is unnecessary. We believe that District Council's avenue for addressing uses already exists through their authority to make amendments to comprehensive plans. An alternative approach that would maintain the policy-making of the District Council and administrative authority of the M-NCPPC Planning Board would be a revision to the legislation which clarifies that the District Council may, by law, amend the **Table of Uses**. We believe that this minor revision to the legislation addresses our initial concern with respect to the administration of zoning authority.

With respect to CB-15-2015, it is the opinion of Staff that the conversion of a single family dwelling to a multifamily dwelling introduces an incompatible use and is contrary to the adopted land-use goals of the Gateway Arts TRN. These types of conversions are generally not permitted in the underlying zones for parcels located in the TRN character area which comprise 808-acres of the land area in the City, and is inconsistent with the adopted intent of the area.

This legislation appears to recognize that converting one-family detached dwellings into three dwelling units has, at times, adversely affected the character of our residential neighborhoods, can impact parking, and public safety within our City. We recommend the City Council support CB-15-2015

Marc Tartaro
Mayor

Tracey Nicholson
City Administrator



May 5, 2015

The Honorable Andrea C. Harrison
Chair, Planning, Zoning and Economic Development Committee
Prince George's County Council
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

CITY COUNCIL

WARD 1
Candace B. Hollingsworth
Bart Lawrence

WARD 2
Robert Croslin
Shani N. Warner

WARD 3
Timothy P. Hunt
Patrick Paschall

WARD 4
Paula J. Perry
Edouard Haba

WARD 5
Clay Williams
Joseph Solomon

POLICE DEPARTMENT
Non-Emergency
301/985-5060
Emergency
301/985-5050

PUBLIC WORKS
301/985-5032

COMMUNITY & ECONOMIC
DEVELOPMENT
301/985-5013

COMMUNITY SERVICES
301/985-5021

Dear Chair Harrison:

I am writing to express our support for CB-15-2015 and CB-14-2015, subject to a minor revision.

We believe that CB-15-2015 adequately addresses an unintended consequence throughout the Gateway Arts District communities that allows for the conversion of a one-family detached dwelling located in the Traditional Residential Neighborhood (TRN) character area, into three dwelling units.

CB-15-2015 recognizes that converting one-family detached dwellings into three dwelling units has, at times, adversely affected the character of our residential neighborhoods, can impact parking, and public safety within our City. Such conversions are generally not permitted in the underlying zones for parcels located in the TRN character area which comprise 808-acres of the land area in the City, and is inconsistent with the adopted intent of the area.

We acknowledge that the District Council has the authority to modify uses through amendments to comprehensive zoning plans, and recognize the need to periodically adjust the development district standards outside of the established process to reflect the immediate needs of our community. The City of Hyattsville supports CB-14-2015 subject to the condition that the legislation is revised to specify that the authority is limited to amending the Table of Uses.

We respectfully request your consideration of CB-15-2015 and appreciate the opportunity to provide input.

Sincerely,

Marc Tartaro
Mayor

Attachment: LOS CB-15-2015-1 v2 FINAL [Revision 1] (1158 : County Council Legislative Proposal)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2015 Legislative Session

Bill No. _____ CB- -2015
 Chapter No. _____
 Proposed and Presented by _____ Council Members Taveras and Glaros
 Introduced by _____
 Co-Sponsors _____
 Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning

2 Development District Overlay Zone

3 For the purpose of establishing a procedure in the Zoning Ordinance to limit, by law, the uses
 4 permitted pursuant to Development District Standards in a Development District Overlay
 5 (D-D-O) Zone under certain specific circumstances, in order to safeguard the public safety,
 6 health, and general welfare of the citizens and residents within a D-D-O Zone in Prince George's
 7 County.

8 BY repealing and reenacting with amendments:

9 Section 27-548.22,

10 The Zoning Ordinance of Prince George's County, Maryland,

11 being also

12 SUBTITLE 27. ZONING.

13 The Prince George's County Code

14 (2011 Edition; 2014 Supplement).

15 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 16 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 17 District in Prince George's County, Maryland, that Section 27-548.22 of the Zoning Ordinance of
 18 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
 19 be and the same is hereby repealed and reenacted with the following amendments:
 20

SUBTITLE 27. ZONING.**PART 10A. OVERLAY ZONES.****DIVISION 3. D-D-O (DEVELOPMENT DISTRICT OVERLAY) ZONE.****Sec. 27-548.22. Uses.**

(a) [The] Except as provided in subsection (b) of this Section, the uses allowed on property in a Development District Overlay Zone shall be the same as those allowed in the underlying zone in which the property is classified, except as modified by Development District Standards approved by the District Council.

(b) Development District Standards may limit land uses or general use types allowed in the underlying zone where the uses are incompatible with, or detrimental to, the goals of the Development District and purposes of the D-D-O Zone. Development District Standards may allow uses prohibited in the underlying zone where the uses are compatible with the goals of the Development District and purposes of the D-D-O Zone. Notwithstanding any other provision of this Code, the District Council may, by law, amend the ~~Table of uses~~ ~~Uses~~ allowed on property within the Development District Standards of an approved D-D-O Zone to eliminate an incompatible, detrimental, or erroneous use that is permitted in the D-D-O Zone but prohibited in the underlying zoning classification for the property, upon finding that such amendment necessary to safeguard the public safety, health, and welfare of the citizens and residents within an approved D-D-O Zone. If all or a portion of the underlying zone within the D-D-O Zone lies within the corporate boundaries of a municipality, any amendment enacted by the District Council pursuant to this Section shall require concurrence of the affected municipality.

(c) A table of uses shall be incorporated within each Development District Overlay Zone clearly showing all uses in the underlying zone that will be permitted, prohibited, or otherwise restricted pursuant to Section 27-548.25 of this Division.

1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect on the
2 date of its adoption.

Adopted this _____ day of _____, 2015.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2015 Legislative Session

Bill No. _____ CB-15-2015
 Chapter No. _____
 Proposed and Presented by _____ Council Members Taveras and Glaros
 Introduced by _____
 Co-Sponsors _____
 Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning
 2 2004 Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts
 3 District Development District Overlay (D-D-O) Zone
 4 For the purpose of amending, pursuant to Section 27-548.22 of the Zoning Ordinance, the uses
 5 permitted within the Traditional Residential Neighborhood (TRN) character area within the
 6 Development District Standards set forth in the 2004 *Sector Plan and Sectional Map Amendment*
 7 *for the Prince George's County Gateway Arts District Sectional Map Amendment* Development
 8 District Overlay (D-D-O) Zone to prohibit the use, "conversion of a one-family detached
 9 dwelling to a building containing up to three dwelling units (not considered as a two-family,
 10 three-family, or multifamily dwelling)" where it is prohibited in the underlying zoning
 11 classification for the property within the character area, upon finding herein that such
 12 amendment is necessary for the protection of the public safety, health, and welfare of citizens
 13 and residents in the 2004 *Sectional Map Amendment for the Prince George's County Gateway*
 14 *Arts District D-D-O Zone*.

15 WHEREAS, on November 30, 2004, the District Council adopted CR-78-2004, to approve
 16 the 2004 *Sector Plan and Sectional Map Amendment for the Prince Georges' County Gateway*
 17 *Arts District* (Arts District); and

18 WHEREAS, the Sectional Map Amendment (SMA) approved by the District Council
 19 imposed a Development District Overlay (D-D-O) Zone within the area boundaries of the Arts
 20 District; and
 21

1 WHEREAS, the Arts District D-D-O Zone established character areas that identify the
2 distinctive features of the existing development within the District in order to provide specific
3 standards for development within each area of the Development District; and

4 WHEREAS, the Council approved a specific designation within the Development District
5 to establish a Traditional Residential Neighborhood (TRN) character area, consisting of property
6 with zoning classifications in the R-55, R-35, R-20, and R-T Zones, and for which the stated
7 sector plan goal of the TRN in the Arts District is to “preserve the single-family residential
8 neighborhood character as the anchor of the Arts District, while supporting artists who produce
9 and teach from their homes”; and

10 WHEREAS, the stated land use characteristics for the TRN character area within the Arts
11 District are that “historic houses and streetcar suburban pattern of interconnecting narrow streets
12 with shaded sidewalks and easy access to town centers and Metro are to be protected from
13 encroachment or significant loss of integrity”; and

14 WHEREAS, the plain language in the Land Use Characteristics within the Development
15 District Standards for the TRN character area of the Arts District states that “this development
16 character reinforces the existing single-family detached residential neighborhoods as calm, low-
17 traffic, and child-safe,” with “fine arts and handcraft home occupations,” and “development
18 district standards that rain the black face and scale of residential streets, as well as prohibit the
19 paving over of front yards and the construction of overly wide driveway aprons”; and

20 WHEREAS, Section 27-441(b) of the Zoning Ordinance provides that “conversion of a
21 one-family detached dwelling to a building containing up to three dwelling units (not considered
22 as a two-family, three-family, or multifamily dwelling)” is a prohibited use in the R-55, R-35, R-
23 20, and R-T Zones of the County; and

24 WHEREAS, Section 27-548.22(a) of the Zoning Ordinance provides that the “uses allowed
25 on property in a Development District Overlay Zone shall be the same as those allowed in the
26 underlying zone in which the property is classified, except as modified by Development District
27 Standards approved by the District Council”; and

28 WHEREAS, notwithstanding the specific text of the Arts District Sector Plan and SMA for
29 the TRN character area, as well as the provisions of Section 27-441 of the Zoning Ordinance, the
30 Table of Uses for the TRN character area within the Development District Standards for the Arts
31 District D-D-O Zone provides that the “conversion of a one-family detached dwelling to a

1 building containing up to three dwelling units (not considered as a two-family, three-family, or
2 multifamily dwelling)” is allowed with an approved Special Permit (“SP”) and detailed site plan
3 process within the TRN Character Area of the Arts District; and

4 WHEREAS, Section 27-548.22(b) of the Zoning Ordinance provides that
5 “[n]otwithstanding any other provision of this Code, the District Council may, by law, amend the
6 uses allowed on property within the Development District Standards of an approved D-D-O
7 Zone to eliminate an incompatible, detrimental, or erroneous use that is permitted in the D-D-O
8 Zone but prohibited in the underlying zoning classification for the property, upon finding that
9 such amendment necessary to safeguard the public safety, health, and welfare of the citizens and
10 residents within an approved D-D-O Zone”; and

11 WHEREAS, the District Council hereby finds that the use known as “conversion of a one-
12 family detached dwelling to a building containing up to three dwelling units (not considered as a
13 two-family, three-family, or multifamily dwelling)” is incompatible with and contrary to the Arts
14 District TRN character area designation because it impairs the purpose of the Development
15 District TRN character area to protect “historic houses and streetcar suburban pattern of
16 interconnecting narrow streets with shaded sidewalks and easy access to town centers and
17 Metro” from “encroachment or significant loss of integrity,” frustrate efforts to realize land use
18 and development prescriptions of the Arts District, and erodes the TRN character area in a
19 manner detrimental to the public safety, health, and welfare of the citizens and residents in the D-
20 D-O Zone; now, therefore,

21 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
22 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
23 District in Prince George's County, Maryland, that, in accordance with the provisions of Section
24 27-548.22 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27
25 of the Prince George's County Code, the District Council hereby finds and declares that, within
26 the 2004 *Sector Plan and Sectional Map Amendment for the Prince George's County Gateway*
27 *Arts District* Development District Overlay (D-D-O) Zone Development District Standards for
28 the Traditional Residential Neighborhood Character Area in the R-55, R-35, R-20, and R-T
29 Zones, the use, “conversion of a one-family detached dwelling to a building containing up to
30 three dwelling units (not considered as a two-family, three-family, or multifamily dwelling)” is
31 contrary to the public safety, health, and welfare.

1 SECTION 2. BE IT FURTHER ENACTED that, based on the findings set forth in Section
2 1, above, and pursuant to Section 27-548.22(b) of the Zoning Ordinance, the District Council
3 hereby amends the allowed uses set forth in the Table of Uses for the Traditional Residential
4 Neighborhood character area within the Development District Standards of the 2004 *Sector Plan*
5 *and Sectional Map Amendment for the Prince George's County Gateway Arts District* to
6 eliminate the incompatible, detrimental, or erroneous use, namely conversion of a one-family
7 detached dwelling to a building containing up to to three dwelling units (not considered as a two-
8 family, three-family, or multifamily dwelling), in the Traditional Residential Neighborhood
9 character area where that use is prohibited in an underlying R-55, R-35, R-20, or R-T Zone.

10 SECTION 3. BE IT FURTHER ENACTED that the District Council hereby further
11 amends the Use Table for the TRN Character Area within the Development District Standards of
12 the Arts District to add a clarifying footnote at page 194 of the Arts District plan to state,
13 “Conversion of a one-family detached dwelling to a building with two dwelling units is
14 permitted with an approved special permit and detailed site plan process.”

15 SECTION 4. BE IT FURTHER ENACTED that, upon enactment, a copy of this Ordinance
16 be transmitted to the Maryland-National Capital Park and Planning Commission in order for staff
17 to make appropriate text revisions, and any necessary map revisions, to incorporate the changes
18 imposed by this Ordinance within the 2004 *Sector Plan and Sectional Map Amendment for the*
19 *Prince George's County Gateway Arts District*, and to provide notice to property owners in
20 accordance with the Zoning Ordinance, including any affected property owners.
21

1 SECTION 5. BE IT FURTHER ENACTED that this Ordinance shall take effect on the
2 date of its adoption.

Adopted this _____ day of _____, 2015.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.



Discussion Items: Hyatt Park Community Garden Association MOU

SUBJECT: Hyatt Park Community Garden Association MOU

SECTION: Discussion Items

BACKGROUND:

The Memorandum of Understanding with the Hyatt Park Community Garden Association should be updated every 2 years in accordance with the MOU. The Community Garden was established and approved by Council in 2010. It was designated for residents to use for small crop gardening. The Association had its first growing season in the spring of 2011 and the gardens have been maintained in a well ordered and aesthetic manner since that time. The gardens are a source of pride for the community and the City fully supports the continued relationship with the Hyatt Park Community Garden Association.

NEXT STEPS:

The City Administrator will approve the Memorandum of Understanding with the Hyatt Park Community Garden Association.

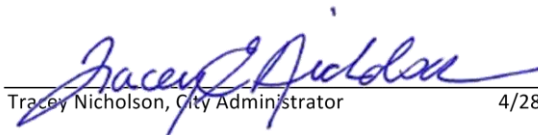
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Meet periodically with representatives of Hyatt Park Community Garden Association

STRATEGIC GOALS AND ACTIONS:

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

Action: 3.2 Enhance the quality of programs and the profile of parks, recreational service


Tracey Nicholson, City Administrator 4/28/2015

THE HYATT PARK COMMUNITY GARDEN ASSOCIATION BY-LAWS

PROMULGATED BY

THE HYATT PARK COMMUNITY GARDEN EXECUTIVE COMMITTEE

The Name of the Association:

THE HYATT PARK COMMUNITY GARDEN ASSOCIATION.

The Objective of the Association:

Provide and maintain garden organic vegetable garden plots within Hyatt Park, within the city of Hyattsville, MD at the corner Hamilton Street and 36th Avenue for its nutritional, recreational, educational, cultural and community development values.

Association Membership in Good Standing:

Members of the garden considered to be in "Good Standing" are those individuals and/or families who:

- Have plots assigned to them by the Co-leaders, in concurrence with the Executive Committee,
- Keep their garden plots free from weeds, and rotting vegetables
- Keep paths adjacent to the gardeners' plots mulched with woodchips and free of obstructions, debris and weeds,
- Follow all garden rules.
- Water sensibly, coil hoses in designated areas on completion of use,
- Clean and return tools to their proper storage location after use,
- Pay annual dues no later than February 15th (returning members) and March 1st (new members) and provide, in writing to the co-leaders, their intention to garden during that gardening year,
- Have access to an internet email account that is checked at a minimum of twice per week, for garden notices,
- Vote to elect officers and to amend or ratify the by-laws, and
- Are also referred to as "Garden Members", or "members."
- Follows a community "code of conduct", which includes participation with the garden as a whole and behaves appropriately, with respect and consideration towards other gardeners as well as the leaders of the garden.

Membership shall cease when:

- The member's assigned garden plot is terminated by the co-lead(s) with consent of the Executive Committee,
- The member voluntarily relinquishes his/her assigned garden plot.
- The member abandons their assigned plot without notification
- Fails to follow the basic tenants of a community's "code of conduct"

Association Meetings:

There shall be 2 semi-annual meetings of the Hyatt Park Community Garden Association:

- In November, for election of Association officers
- In March, to discuss gardening technique and garden business.

The Executive Committee may call a Special Meeting at any time. Garden members shall be given seven (7) days written notice (either by post or email) of the time and place of all meetings.

Voting

In addition to the regularly scheduled election of officers, members in good standing shall periodically be required to vote on issues of business related to the community garden. These issues include, but are not limited to changes in rules, the expenditure of garden funds, and the scheduling and performing of activities being conducted in the name of the Hyatt Park Community Garden Association.

Quorum

A quorum of gardeners shall constitute 25% of garden membership in good standing. The member must be present at the meeting to vote. Voting by proxy or in absentia will not be allowed.

Cultural Accommodation:

The Hyatt Park Community Garden will make every effort to be inclusive of all cultures and will be inviting of diversity, providing, as practicable, translations of rules and garden information to ensure the most diverse representation of cultures, reflecting the demographics of the community of Hyattsville.

The Assignment of Garden Plots:

The Plot Coordinator will assign garden plots annually, in concurrence with the Executive Committee. Blank garden applications are available on-line, from the Plot Coordinator, or from the Co-leaders of the garden. Garden plots will be initially assigned chronologically, based on the date on the garden application. The plot coordinator shall create a garden waiting list for individuals wishing to have a plot in the Hyatt Park Community Garden in the event that all available garden plots have been filled. New gardeners will be selected from this waiting list based on the date of their application to the garden. Refer to the garden rules for more information.

Elected Officers (Executive Committee):

Two Co-leaders
Secretary
Treasurer
Plot Coordinator

Terms of Office:

All officers will be elected for 2-year terms.

Garden Officer Elections:

Garden members at the November Hyatt Community Garden meeting shall elect officers through a majority show of hands.

Officer Duties:

All garden officers retain voting privileges in all matters relating to the garden community as a whole, and voting decisions of the Executive Committee.

Co-leaders

The Co-leader will serve as the senior leader, selecting the chairs for the crews and committees, and will, at their discretion, delegate leadership responsibilities to the junior co-leader. These responsibilities include:

- a. Call and reside over scheduled and called meetings of the community garden membership and the Executive Committee.
- b. Carry out the policies and operation of the Association.
- c. Use Association funds (reflected in a majority vote of the garden membership) for the purchase of equipment, materials and labor necessary for the operation and maintenance of the Hyatt Park Garden.
- d. Act as liaison for the Association with the City of Hyattsville in matters relating to the garden.
- e. Bring to the attention of the members such matters of business as are in the interest of the Association.
- f. Draft and send all notices of meetings and conduct such other correspondence as may be required.
- g. Audit quarterly the fiscal accounts of the Association
- h. Discuss and coordinate a plan with the Plot Coordinator and Landscape and Maintenance Team Lead regarding any abandoned plot(s).

Secretary

1. Records the minutes of the meetings of the Association
2. Update and maintain the Garden website (or appoint an assistant to complete this)

Treasurer

1. Receive all dues and monies; Do banking and make payments as required and authorized. Make reports as required.
2. Maintain records of the Association's money to include:
 - a. Annual dues paid by gardeners.
 - b. Expenditures, disbursements and encumbrances derived from garden dues.

Plot Coordinator

1. Maintain a list of applicants and assigned garden plots
2. Advise the co-leaders of garden plots not in use and available for reassignment.
3. Update and maintain the Community Garden database

Executive Committee

The Executive Committee shall consist of five (5) elected officers.

The duties of the Executive Committee shall be to:

1. Draft, adopt, and periodically amend the rules for garden plots and paths, their use and their maintenance to be observed by members.
2. Assign garden plots for the garden season to members in good standing and approve new members.
3. Terminate garden membership as a result of the member's failure to comply with the official garden rules, in accordance with the following actions:
 - a. Written notice of the nature of the infraction(s) of the rules (either by post or email) will be provided to the gardener by the Executive Committee.
 - b. This notification shall include a description of the actions necessary to remedy the violation.
 - c. Should the gardener fail to follow the actions necessary to resolve the rule violation within 2 weeks of the posting and/or emailing of the notice of violation, the gardener shall forfeit all of their garden

privileges. This plot shall then be offered, first, to a gardener in good standing (requiring the gardener to relinquishing their current plot, and returning it to the garden inventory.)

d. Should no current gardener request the newly vacated plot, it will then be offered to the first prospective gardener on the waiting list.

4. Determine the amount of the members' annual dues and fees based on the Association's annual operating expenses, equipment costs, general garden maintenance, and the cost of community services.
5. Approve and authorize payment from Association funds for all disbursements.
6. Administer any other business of the Association, as it may, from time to time, deem necessary for the good working order of the Association and the Garden.

Garden Teams

The Executive Committee will request gardeners at the beginning of each year to consider volunteering for leading any of the Garden Teams.

- Plot Monitor(s) - ensure the all plots meet the standards as stated in the garden rules & bylaws.
- Composting - lead & coordinate composting work in the garden and ensure that composting rules are enforced.
- Landscape and Maintenance - coordinate tasks for garden work days.
- Perimeter - maintain all perimeter paths of the garden.
- Pest Control - maintain pest maintenance plan.

Garden Support Leads

The Executive Committee will request gardeners at the beginning of each year to consider volunteering for leading any of the Garden Support Leads.

- Communications and Outreach - lead efforts for garden recruitment.
- Events - coordinate annual picnic and other garden events.

Draft

January 25, 2011

Memorandum of Understanding

THIS Memorandum of Understanding ("MOU") dated this __6th__ day of __June__, 2011, by and between THE CITY OF HYATTSVILLE, a municipal corporation of the State of Maryland, hereinafter referred to as the "City," and THE HYATT PARK COMMUNITY GARDEN ASSOCIATION, hereinafter referred to as "HPCGA."

RECITALS

WHEREAS, The City desires to permit HPCGA reasonable use of Hyatt Park for a community garden lot; and

WHEREAS, HPCGA is a local community organization which desires to have access to Hyatt Park for the purpose of organizing and encouraging members of the public to cultivate garden plots within the parks as specified by the City; and

WHEREAS, on December 13, 2010, the City Council authorized the establishment of an MOU between the HPCGA and the City; and

WHEREAS, the City has attached as exhibits hereto the HPCGA bylaws, community garden job descriptions, overview, community garden sample application, community garden rules which contain the organizational mission and goals, description of officers, members and their responsibilities, membership requirements, process by which plots are allocated and the duration of the allocation, requirements for maintaining plots and removal of plots.

TERMS

NOW, THEREFORE, in consideration of the mutual covenants, benefits and obligations contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, the City and HPCGA agree to the MOU as follows:

ARTICLE 1. GENERAL PROVISIONS

- A. The above Recitals are hereby incorporated into this MOU; and
- B. The City by this MOU grants HPCGA non-exclusive and reasonable access and use of the community garden lot at Hyatt Park, as further specified by the City and this MOU so as to provide for the residents of Hyattsville garden plots for nutritional, recreational, educational, cultural and community development values and for no other purpose.

ARTICLE 2. HPCGA'S RESPONSIBILITY

1. HPCGA will submit to the City prior to commencing any assignment of garden plots the following and shall do so every two (2) years thereafter:
 - A. Organizational mission and goals.
 - B. Organizational description of officers, members and their responsibilities.
 - C. Membership requirements.
 - D. Process by which plots are allocated and the duration of allocation.
 - E. Requirements for maintaining plots and removal of plots.
 - F. Budget of operational costs and sources of financing.
 - G. A plan to address responsibilities for year round maintenance and upkeep of the garden area.

H. The process for the City to review the community garden use every two (2) years.

2. HPCGA will assume all liability and responsibility, at HPCGA's cost, for the maintenance and repair of the Community Garden lot at Hyatt Park and any storage structure.
3. If HPCGA wishes to establish a storage structure on or near the site, this must be done in conformance with any and all applicable City, County or State Codes and Regulations, and with the further proviso that any such plan must be approved by the City Administrator or designee as outlined below.
4. HPCGA will submit to the City a scale site plan locating all of the existing features including trees, hardscape garden plots, water service and other associated elements; photographs with views of all the adjacent properties from the garden site as well as photographs from each of the properties adjacent to the garden site (a key indicating the location of each of the photographs shall be included with the site plan); a fencing and screening plan for the garden and possible accessory structures in order to accommodate surrounding properties; a soil sampling protocol in plan for the whole site indicating locations to ensure that the soil is not contaminated with heavy metals or other hazardous materials that could affect food stuffs grown in the garden; a schedule of project activities for the garden by City staff and HPCGA. This above scale site plan and accompanying documents shall be presented along with this MOU to the Mayor and Council for approval before there can be any development of the garden plots. All installations shall be

coordinated so that the City can provide water services and so that Maryland National Capital Park and Planning Commission can provide and install an irrigation system on the site upon installation of water service by the City.

5. HPCGA will hold harmless and indemnify the City from any causes, from any and all damages and costs except as provided herein in this MOU, expenses and fees caused by HPCGA's use of the community garden lot at Hyatt Park.
6. HPCGA is responsible to ensure that no hazardous or combustible material shall be stored at or near the site. HPCGA will ensure that its members, staff, employees, contractors or licensees will not drive or allow to be driven any motorized vehicle on the park property unless with written prior approval of the city and along a designated approved route for each occasion and that they will conduct themselves and their operations in a responsible and workmanlike manner when present at the community garden.
7. HPCGA acknowledges that the City has no responsibility for any damage suffered by any of the gardeners or by HPCGA as to theft or damage to the gardens by third parties or by the City.
8. HPCGA shall not discriminate on the basis of race, sex, national origin, creed, disability or any other unlawful basis for such discrimination, and will take all reasonable steps to accommodate those with disabilities.

ARTICLE 3. THE CITY'S RESPONSIBILITY

The City will:

1. Provide oversight inspection and review quarterly to ensure the grounds are being adequately maintained and that all guidelines contained within this MOU are being followed.
2. Provide water service to the site, in partnership with Maryland National Capital Park and Planning Commission.
3. Keep on file and update every two (2) years with the assistance of HPCGA the documentation as provided in Article 2.
4. The City reserves the right in its discretion to allow the use of portions of Hyatt Park to other parties at any time.

ARTICLE 4. LENGTH OF MOU

This MOU shall remain in effect for (2) years or until terminated pursuant to the terms herein or revised upon such terms as may be agreed upon in writing and signed by the parties.

ARTICLE 5. RIGHT OF ACCESS

The HPCGA will provide to the City a useable key to any storage facility or locked facility on the premises and the City will have the right of access to such facility.

ARTICLE 6. TERMINATION

This MOU may be terminated by either party upon not less than thirty (60) days written notice to the other party. HPCGA waives any claim for damages if the City terminates the Agreement as to produce in the ground and will hold harmless and defend the City from any liability if any of its members/participants attempt to seek damages from the City for such termination.

ARTICLE 7. APPLICABLE LAW

This MOU shall be governed by the laws of the State of Maryland. Any suit to enforce the terms hereof and for damages or other relief as a consequence of the breach or alleged breach hereof shall be brought exclusively in the courts of the State of Maryland in Prince George's County and the parties expressly consent to the jurisdiction thereof and waive any right which they have or may have to bring any such suit elsewhere.

ARTICLE 8. SUCCESSORS AND ASSIGNS

Each of the parties binds itself, its partners, successors, assigns and legal representatives to this MOU and to the partners, successors, assigns and legal representatives of the other party with respect to all covenants of this MOU. Neither party shall assign, sublet or transfer its interest in this MOU without the written consent of the other party. The HPCGA specifically agrees that any of the gardeners that are allowed to cultivate the plots are members of the HPCGA and as such are governed by the terms of this Agreement.

ARTICLE 9. MISCELLANEOUS

1. The person executing this MOU on behalf of HPCGA hereby covenants, represents and warrants that he/she is duly authorized to execute and deliver this MOU on behalf of HPCGA.
2. Any modification or revision of this MOU shall be in writing and signed by both parties.

The parties hereby agree and covenant by their signatures below that they have read and agree with the terms and conditions of this MOU in its entirety.

The City of Hyattsville

**Hyatt Park Community Garden
Association**

By: _____
Signature

By: Maggie Mills
Signature

Gregory E. Rose
Printed Name

Maggie Mills
Printed Name

Hyatt Park Community Garden Rules

The Hyatt Park Community Garden is within the jurisdiction of the City of Hyattsville and the Maryland-National Capital Park and Planning Commission. As such, all rules governing this garden will conform to existing rules of park use.

Garden Space Allocation

1. Gardeners are required to complete an application form.
2. Garden plots will be 15 feet by 15 feet in area, with a path adjacent to two sides of each plot.
3. Applications and plot fees (\$30 full plot, \$15 half plot) are due for returning gardeners in good standing by February 15th of each year. All returning gardeners should notify the plot coordinator if they would like to change plots otherwise they will maintain their current plot. New applicants have until March 1st to submit their fees.
4. Only one plot will be allowed per extended family and/or household.
5. Gardeners in good standing at the conclusion of a garden year can expect to return to the same plot each subsequent year. Gardeners who fail to meet the standards of “good standing” (above) from the previous year will forfeit their garden privilege in the subsequent year. These individuals may reapply for a garden plot, following a one-year absence from the garden, and no special consideration will be extended regarding plot allocation.
6. New plots are allocated on a first come first served basis based on the date the application was received. If no plots are available, applicants will be added to a waiting list.

Garden Maintenance

7. Gardeners are responsible for following all garden rules. If you are unsure of the meaning of a garden rule or need additional information regarding the rules you are responsible to get clarification from a co-leader. Questions should be e-mailed to the co-leads.
8. Gardeners are required to keep plot and the adjoining pathways tended. If you will be out of town or unable to make it to the garden for an extended time PLEASE contact a gardener or co-leader for help in maintaining your plot in accordance with the plot maintenance rules.
9. For soil amendments as well as fertilizers, gardeners will only be allowed to use organic materials and sustainable techniques
10. Grass/weeds should not be over 6 inches high.
11. Vegetables and flowers should not hang over into the path by more than 1 ft.
12. Grass/weeds should not be creeping into other neighboring plots
13. (Plastic) covering of plot should not exceed 2 months during the growing season (March – September) and should have holes for drainage.
14. Plots should not have rotting vegetables for more than two weeks.
15. Tall plants should only be in the middle of the plot or on the edge adjacent to the pathways so not to block sunlight or interfere with your neighbor’s plots.
16. Gardeners will not create permanent structures, such as raised beds, arbors, or trellises (with the exception of seasonal string and pole structures) in the garden.

17. Temporary pole structures, fences and any other temporary structures shall not block sunlight from your neighbor's plot
18. A maximum of 10 percent of any given plot shall be used for the production of flowers with the exception of flowers that attract pollinators and/or beneficial insects.
19. Do not plant perennial plants that are difficult to remove such as mint, blueberry, berry vines, or fruit trees. An exception is made for strawberries and herbs other than mint.
20. Garden members will not place large stones and/or broken concrete chunks in the garden.

Garden Decorum

21. Gardeners are required to attend both bi-annual garden meetings and work the minimum number of hours stated on the Community Garden Application for one or multiple Garden Teams. Failure to attend garden meetings and/or work less than the hours required during a season will result in the forfeiture of garden membership.
22. Do not apply anything to or pick anything from another person's plot without their express approval.
23. Do not leave the water on unattended. When finished gardening for the day turn off the water at the pump, roll up the hose at the faucet area, return tools to the shed and lock the shed before leaving the garden. Please water judiciously.
24. Smoking and chewing tobacco is not allowed.
25. Pets, drugs (including alcohol), radios, boom boxes and fires (except in areas designated by the City of Hyattsville) are not allowed.
26. Children in the garden must be supervised at all times.
27. The garden will be open only during daylight hours. For safety, consider gardening in pairs or keeping a cell phone nearby if it makes you feel more comfortable.
28. Report theft, vandalism and unusual activities to the garden co-leaders and police.
29. Gardeners should attempt to resolve any issues with neighboring gardeners before bringing it to the attention of the co-leads. Issues stated to the co-leads should be sent via e-mail **ONLY**.
30. If you plan to discontinue use of your space, please let the Co-Leaders and Plot Coordinator know as soon as possible so that your plot can be assigned to another gardener.
31. Please be mindful of a community's "code of conduct"; this consists of common courtesy, respect and consideration of other gardeners as well as the Leadership group. Inappropriate behavior to any of the gardeners (including those holding lead positions) may result in you losing your gardening privileges.

End of Season Cleaning

32. At the end of the gardening season, all dead plants and non-plant materials (string, wire, wood, metal, plastic, etc.) that are not being used must be removed and disposed of properly and all gardens left neat and tidy. If your garden is not cleaned-up by December 15th, you could lose your gardening privileges.

33. Please put weeds and cut up dead plants into the compost bin provided (except tomato, okra or any other woody plants that will not break down quickly). These items will be chipped or hauled off the garden premises. If you have any questions please contact the Compost Team lead.
34. Any diseased plants or seedy or invasive weeds are to be put in the trash so it will not contaminate the compost, and spread disease to other gardens.

IMPORTANT: If any of the guidelines are violated that require corrective action you will be contacted by phone or e-mail and have one week to address the violation. If the violation has not been remedied by the end of 2 weeks, you may lose your gardening privileges.

HAPPY GARDENING!!

Main City Calendar for May 5 – May 18, 2015

City Election

May 5, 7:00 AM - 8:00 PM

The City Election will be held on Tuesday, May 5, 2015. The Election is to fill the Office of Mayor and five (5) City Council seats, one seat for each of the five wards, serving four (4) year terms. For election information and to find your polling location please visit www.hyattsville.org/election or call 301-985-5009.

Summer Jam

May 8, 6:30 PM - 8:30 PM @ City Municipal Building

Musical Guests - The Crowdaddies!

Deadline for Candidates to file Final Campaign Finance Reports

May 12, 5:00 PM, Candidates must file final campaign finance reports with the Board of Supervisors of Elections no later than 5:00 p.m.

City Council Special Meeting

May 13, 8:00 PM - 10:00 PM @ Third Floor, Council Chambers, TENTATIVE AGENDA, ADOPTION OF FISCAL YEAR 2016 BUDGET

City Council Meeting: Seating of Mayor and Council

May 18, 7:00 PM - 9:00 PM @ Third Floor, Council Chambers

Reception in Honor of the City's Elected Officials

May 18, 9:00 PM – 10:00 PM @ City Municipal Building, First Floor, Multipurpose Room

Please join us for a reception to welcome the newly elected Mayor and City Council and to honor the outgoing Mayor and Council. Light refreshments will be served.

Special Olympics Unified Relay across America, May 26 – July 10, 2015

The Special Olympics Unified Relay across America, presented by Bank of America, is a once in a lifetime opportunity for America to unite to build communities of respect and inclusion. Over the course of 46 days, in a hand-to-hand exchange, people throughout the nation will carry the Special Olympics Flame of Hope across the country and deliver it to Los Angeles for the Special Olympics World Games. **On May 26, 2015, the City of Hyattsville is pleased to announce that a portion of the race will be held in the City and invites participation from residents or businesses. For more information, please contact Tyler Buck at Special Olympics Maryland, 410-242-1515 ext 11 or email: tbuck@somd.org**