City Council of Hyattsville, Maryland

AGENDA
City Council Regular Meeting
Tuesday, February 16, 2016
8:00 PM

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

CITY COUNCIL
Mayor Candace B. Hollingsworth
Edouard Haba, Council President, Ward 4
Bart Lawrence, Council Vice President, Ward 1
Kevin Ward, Ward 1
Robert S. Croslin, Ward 2
Shani N. Warner, Ward 2
Patrick A. Paschall, Ward 3
Thomas Wright, Ward 3
Paula J. Perry, Ward 4
Ruth Ann Frazier, Ward 5
Joseph Solomon, Ward 5

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

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

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

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

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

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

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

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

3. **Approval of Agenda**

4. **Approval of the Minutes**
4.a) City Council Meeting Minutes of January 4, 2016

Jan 4 Minutes_final_amended.pdf

4.b) City Council Meeting Minutes of January 19, 2016

011916_Minutes_final.pdf

4.c) City Council Public Hearing Minutes of February 1, 2016

020116_Public Hearing Minutes_final.pdf

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

6. **Presentations (8:20 p.m. – 8:35 p.m.)**
6.a) FY-2014 Audit Update

Audit Cover Page.docx

6.b) UMD Bicycle Race in Hyattsville

UMD Bike Race cover.docx

7. **Consent Items (8:35 p.m. – 8:40 p.m.)**
7.a) Black History Month Proclamation
23-02-16
I move that the Mayor & Council proclaim February Black History Month.
- At the Request of the City Administrator
Black History Month_2016.pdf

7.b) NZI Emergency Snow Removal
24-02-16
I move that the Mayor & Council approve the expenditure of up to $30,000 for emergency snow removal services to be paid to NZI Construction for services performed during the blizzard of 2016 (January 24-30, 2016).
- At the Request of the City Administrator

7.c) Approval of Carnival Vendor Contract

25-02-16
I move that the Mayor & Council approve the attached contract with M&M Attractions to provide carnival services at the City's 130th anniversary celebration.
- At the Request of the City Administrator

7.d) Level Green Landscape Contract Renewal
26-02-16
I move that the Mayor and Council authorize the City Administrator to extend the existing landscaping contract with Level Green Landscaping, LLC not to exceed $54,000.00, with the review and approval of the City Attorney.
- At the Request of the City Administrator

7.e) Purchase of Pickup Truck
27-02-16
I move that the Mayor & Council approve the purchase of one (1) replacement vehicle for the Department of Public Works- Streets Division, not to exceed $60,000.00.
- At the Request of the City Administrator

7.f) Appointment to Residential Parking Zone Committee
28-02-16
I move that the Mayor & Council appoint Brian Minter (Ward 2) to the City's Ad Hoc Residential Parking Zone Committee for a term to expire 120 days after the first meeting of the committee. With the approval of this appointment, the Residential Parking Zone Committee is fully appointed.
- Lawrence

8. Action Items (8:40 p.m. – 9:15 p.m.)

8.a) Amendment of Police FY2016 - FY2020 CIP
29-02-16
I move that the Mayor & Council amend the Police FY2016 - FY2020 CIP by increasing the FY2016 budget by $13,000 and reducing the FY2017 request by $13,000 to fund and purchase a K-9 and kennel in the current fiscal year.
- At the Request of the City Administrator

Police CIP Amendment.pdf

Police CIP Amendment Cover.docx

8.b) Enterprise Resource Planning (ERP) System Procurement: Contracted Services
30-02-16
I move that the Mayor & Council authorize the City Administrator to execute a work order with Dataprise Inc. for the purpose of providing information technology services to the City necessary for the procurement of an Enterprise Resource Planning system, for a fee in an amount not to exceed $20,000.
- At the Request of the City Administrator

ERP Cover.docx

Memo - ERP.docx

2016-CQK-P01 - Fixed Price RFP Preparation Project.pdf

8.c) Maryland DHCD FY17 Budget Request: Letter of Support
31-02-16
I move that the Council authorize the Mayor to provide a letter in support of the Governor's FY2017 Maryland DHCD capital budget request for the Neighborhood BusinessWorks and Community Legacy programs and an additional letter requesting the Governor's, and Hyattsville Delegation's support funding the Strategic Demolition & Smart Growth Impact Fund at $5 million for FY2017.
- At the Request of the City Administrator

DHCD Cover.docx

Memo - Letter fo Support Maryland DHCD FY17.docx

FY 2017 NR Budget Alert.docx

9. Discussion Items (9:15 p.m. – 9:25 p.m.)

9.a) Pyramid Atlantic Arts Center: Agreement Amendments
Discussion Only
- At the Request of the City Administrator

Pyramid Atlantic Cover.docx

Memo - Pyramid Atlantic Arts Center - Discussion - 2.16.2016.docx

10. Council Dialogue (9:25 p.m. – 9:35 p.m.)

11. Community Notices and Meetings

12. Motion to Adjourn

CALL TO ORDER AND COUNCIL ROLL CALL:

Mayor Candace Hollingsworth called the meeting to order 7:08 pm.

Attendee Name	Title	Status	Arrived/Left
Candace Hollingsworth	Mayor	Present	
Edouard Haba	Council President	Present	
Bart Lawrence	Council Vice President	Present	
Kevin Ward	Councilmember, Ward 1	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Shani Warner	Councilmember, Ward 2	Present	
Thomas Wright	Councilmember, Ward 3	Present	
Patrick A. Paschall	Councilmember, Ward 3	Present	
Paula J. Perry	Councilmember, Ward 4	Present	10:46 p.m.
Ruth Ann Frazier	Councilmember, Ward 5	Present	11:02 p.m.
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City staff members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator & Director of Community & Economic Development Jim Chandler
- City Treasurer Ron Brooks
- Police Chief Douglas Holland
- Director of Human Resources Vivian Snellman
- City Attorney Richard Colaresi
- Director of Public Works Lesley Riddle
- Public Works Project Manager Hal Metzler
- City Clerk Laura Reams
- Assistant Clerk Lillie Littleford

PRESENTATION OF THE FLAGS:

Boy Scouts of America, Troop #224 of Hyattsville performed the ceremonial presentation of the flags to the Mayor and Council to open the 2016 Council Meeting Sessions.

APPROVAL OF AGENDA:

1. Motion to Approve the Agenda for Monday, January 4, 2016

   The agenda was approved with a modification to the wording for Motion # 07-01-16 (Variance Request V-117-15: 3302 Nicholson Street). The motion was amended to include the following language, "and a waiver of the rear yard location requirement for an accessory building".

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Paula Perry, Councilmember, Ward 4
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Paschall, Perry, Frazier, Solomon

MOTION TO CLOSE:

1. Motion to Close

   01-01-16 Motion to Close I move that the Mayor & Council close the Council Meeting of January 4, 2016 in order to consult with the City Attorney to obtain legal advice pertaining to contract negotiations.

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

A closed session of the City Council of the City of Hyattsville, MD, was held at 7:13 p.m., Monday, January 4. 2016 in the City of Hyattsville Municipal Building, Third Floor Council Chambers.

In addition to the City Council, the following staff members were present: City Administrator Nicholson, Assistant City Administrator Chandler, Treasurer Brooks, City Clerk Reams, City Attorney Colaresi, Director of Public Works Riddle, and Department of Public Works Project Manager Metzler.

The authority under which the session was closed was the Annotated Code of Maryland State Government General Provisions Article, Section 3–305(b)(7) consult with counsel to obtain legal advice **and Section 3–305 (b)(14) –** before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

<u>Topic:</u> Contract negotiations pertaining to the renovation of the Department of Public Works Facility.
<u>Action Taken:</u> None

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Paula Perry, Councilmember, Ward 4
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Paschall, Perry, Frazier, Solomon

<u>MOTION TO RETURN TO OPEN SESSION:</u>

1. Motion to Return to Open Session

The Council returned to open session at 7:44 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paula J. Perry, Councilmember, Ward 4
SECONDER:	Patrick Paschall, Councilmember, Ward 3
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Paschall, Perry, Frazier, Solomon

<u>APPROVAL OF MINUTES:</u>

1. City Council - Regular Meeting - Oct 5, 2015 8:00 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Paula J. Perry, Councilmember, Ward 4
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Paschall, Perry, Frazier, Solomon

2. City Council - Regular Meeting - Oct 19, 2015 8:00 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Paula J. Perry, Councilmember, Ward 4
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Paschall, Perry, Frazier, Solomon

3. City Council - Public Hearing - Nov 2, 2015 7:00 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Paula J. Perry, Councilmember, Ward 4
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Paschall, Perry, Frazier, Solomon

PUBLIC COMMENT:

Ms. Dora Reategui, a Ward 4 resident, addressed the Mayor and Council to request support for the variance request pertaining to 3302 Nicholson Street.

PRESENTATIONS:

1. 2015 Claus Applause Award Presentation

Mayor Hollingsworth stated that there would be a slight delay in the presentation of the Claus Applause Awards to allow time for the winners to arrive to the meeting. She advised Mr. Brooks to provide his audit update. Shortly thereafter, Recreation and Event Coordinator Cheryl Everhart announced the winners for the 2015 Claus Applause Awards and Mayor Hollingsworth presented the awards to the winners.

2. FY-2014 Audit Update

City Treasurer Brooks reported that the FY14 audit would be complete in two (2) weeks and that his office would begin work on the FY15 audit. He said he would provide a status update on the City's past due audits to the State legislators and thanked staff Accountant, Mary Ellen Harding for her work on the audits. Councilmember Perry acknowledged Mr. Brooks and Ms. Harding for their work.

CONSENT ITEMS:

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Paula J. Perry, Councilmember, Ward 4
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Paschall, Perry, Frazier, Solomon

1. **02-01-16 Inter-Municipal Bicycle Trails Working Group MOU** I move that the Council authorize the Mayor, on behalf of the City of Hyattsville, to execute the Inter-Municipal Bicycle Trails Working Group Memorandum of Understanding, for the purpose of coordinating the collective efforts of municipalities to expand bicycle trails within the ATHA communities.

2. **03-01-16 Schedule of Public Hearing to Present M-NCPPC 21St Century Zoning Re-Write** I move that the Mayor & Council schedule a Public Hearing for February 1, 2016 at 7:00 PM to present and discuss the M-NCPPC 21st Century Zoning Re-write.

3. **04-01-16 Police Promotion Process** I move that the Mayor & Council authorize the City Administrator or designee to execute a contract for services with Fields Consulting Group for Police Department promotional processes for the ranks of Corporal, Sergeant and Lieutenant and sworn and civilian supervisor training at a cost not exceed $45,000, upon the legal review and approval of the City Attorney.

4. **05-01-16 Adoption of the President's Task Force on 21St Century Policing as a Framework for Community Policing in the City of Hyattsville** I move that the Mayor and Council adopt the final report of the President's Task Force on 21st Century Policing as a framework for community policing the City of Hyattsville. I further move that the Mayor and Council direct the Chief of Police (and/or his designee) to the report's six pillars of review by the Mayor and Council by June 30, 2016. I further move that the Chief of Police progress along each of the measures through 2020 as part to the Department's annual report.

ACTION ITEMS:

1. **06-01-16 3505 Hamilton RFQ** I move that the Mayor & Council authorize the City Administrator to execute a professional services contract with JMT for services pertaining to the renovation of 3505 Hamilton Street in the amount not to exceed budgeted funds of $500,000.00, upon the review and approval of the City Attorney for legal sufficiency.

There was no discussion on this item.

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

2. **07-01-16 Variance Request V-117-15: 3302 Nicholson Street, Hyattsville** I move that the Council authorize the Mayor to send a letter of support to the Prince George's County Board of Zoning Appeals, per the City of Hyattsville's Zoning Variance Policy, in support V-117-15, an addition to the existing residential structure at 3302 Nicholson Street, Hyattsville, requiring variances of 3.5 feet front yard depth for the dwelling (the existing front yard is 21.5 feet deep), a 1.5 foot side yard, and 1.5% net lot coverage and a waiver of the rear yard location requirement for an accessory building.

Assistant City Administrator Chandler provided a summary of the variance request for 3302 Nicholson Street and the staff recommendation. He said the request was consistent with others the City had previously supported. Council President Haba initiated a brief discussion regarding the close proximity of the structure to the home's property line and if the approval would set a precedent for similar requests. Mr. Chandler noted that the proposed modification to the home was not inconsistent to structures that currently existed in the neighborhood.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Shani Warner, Councilmember, Ward 2
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Paschall, Perry, Frazier, Solomon

DISCUSSION ITEMS:

1. Review of City Sidewalk Policy

Director of Public Works Riddle provided Council with an overview of recent discussions on the sidewalk policy. She noted the document needed grammatical editing but the substance was reflective of the policy's intent. Ms. Riddle said she believed the proposed policy addressed confusion around projects done with a tax assessment versus capitol funds and the clarified the petition process. Councilmembers Wright and Paschall brought up concerns regarding language for sidewalk installations and tax assessments located in Articles VII and VIII in the City Charter. City Attorney Colaresi agreed that the language in the Articles was poorly written and said that if directed by the Council, he would propose a re-write to the Articles for clarity. City Administrator Nicholson said she believed the sidewalk policy could be approved prior to addressing concerns with the City Charter. Several Councilmembers stated that it was their preference to clear up the concerns regarding the City Charter prior to moving forward with the policy.

2. Revisions to City Code Chapter 8: Elections

City Clerk Reams presented an overview of the Board of Supervisors of Elections recommendations for revisions to the City's Election Code. The changes included definition of terms, list of duties for the Board, new campaign finance regulations and establishing a complaint process. Councilmember Haba inquired about the definition for a "foreign national". City Attorney Colaresi said the definition was taken from federal law and restricted candidates from accepting campaign contributions from those organizations and individuals defined under the term. Several councilmembers expressed concern with the definition and stated that they did not want to restrict campaign contributions from residents who may not be US citizens. There was also a brief discussion regarding the definition for political committees and requirements of these committees to file finance reports.

There was a detailed discussion on the proposed revisions to the campaign finance regulations. Discussion topics included filing deadlines, penalties and threshold amount for contributions and reporting. Mayor Hollingsworth suggested that the City echo the State guidelines for maximum campaign contribution amounts and define the campaign cycle for reporting purposes. A proposal to empower the Board of Elections to not certify individuals who did not complete campaign filing requirements for future City elections was met with apprehension by several Councilmembers. It was suggested that language be added to allow the Board to consider mitigating circumstances or state that the candidate could be certified once any outstanding requirements from previous elections were met. Several Councilmembers provided feedback on the proposal to require candidates to establish a campaign bank account and asked for clarity on the process by which a candidate would establish such an account.

There was also a discussion regarding the proposed process for handling complaints made to the Board of Elections. Councilmember Paschall asked that language providing clarity on which body, the Election Board or Ethics Commission would investigate a complaint. Councilmember Paschall also noted a few areas in which the Election Code may change if the proposed legislation regarding the qualifications of voters was adopted.

At the close of the discussion, Mayor Hollingsworth stated that the revisions to the Election Code would return to the Council for additional discussion.

3. Hyattsville Charter Amendment 2015-03 (Qualifications of Voters)

Council Vice President Lawrence provided a summary of the motion to amend the qualifications of voters for City Elections. He said the main difference was to allow non-US who were residents of the City to vote in City only elections and highlighted a few parts of the memo before opening the floor for discussion. There was a lengthy and spirited discussion in which Councilmembers provided their perspectives on the motion.

Councilmember Perry said she thought the question should go to referendum and spoke about Council engagement with residents. She also said she did not support extending the voting franchise to non-US citizens. She detailed her concerns on the proposal and engagement in the City. Councilmember Frazier also strongly spoke out against the proposal.

Councilmembers Paschall and Warner expressed concern with some of the language used by Councilmembers Perry and Frazier. Councilmember Paschall provided reasons why he was one of the motion makers and Councilmember Warner provided details on her support for the motion and why she believed the change may benefit the City. Councilmember Solomon asked for a point of order and said that the motion was to direct the City Attorney to draft the Charter Change and that he believed detailed discussion could take place at a later time. He said he thought the current discussion was off topic. Councilmember Paschall said the Council should not waste the time of the Council, staff or the City Attorney if there was not a majority opinion with the ideals of the motion. Council Vice President Lawrence said he had initially been drawn to the motion because while campaigning he met several residents who were interested in civic engagement but unable to vote because they were not US citizens. Councilmember Ward stated his support for the proposal and advocated for a respectful dialogue. Councilmember Wright said he was unsure of his position and also advocated for a diplomatic approach to the discussion. Council President Haba provided insight into the intent of the motion and said that he hoped the body could work together.

Council Vice President Lawrence requested to bring the conversation back to the motion and referenced a concern detailed in the Board of Elections memo regarding registration. He provided clarification on the motion maker's position regarding registration and said voters who falsified information would face penalties. There was a brief discussion regarding the types of documentation needed to register to vote. Council Vice President Lawrence asked for clarification on the Board of Elections concern regarding pre-registration for 15 year olds. City Attorney Colaresi and City Clerk Reams provided clarifying information on the Board's concerns. There was a conversation regarding the logistics of pre-registering 15 year olds.

There was a brief discussion regarding the possible need for additional staff resources to manage the City only voter registration process and the proposal for same day voter registration. Clerk Reams stated that staff capacity for the new initiatives was a concern and it was unclear what the demand would be on staff time. She noted that the clerical portion may be small but the required outreach and communications on the new initiatives may be substantial. City Attorney Colaresi noted that administrative procedures would need to be developed for accepting registrations and striking voters from rolls. Councilmember Paschall said he anticipated the proposal would require additional resources and funding and he was in support of the additional funding. He also noted that additional resources would be needed to implement same day voter registration. There was a brief conversation regarding logistics for same day registration. City Attorney

Colaresi stated that the Board of Elections recommended a delayed approach to the implementation of the initiative. Councilmember Paschall said he was not convinced that the initiative was logistically impossible or inadvisable to be implemented for the 2017 Election and he believed additional resources would provide the necessary support. He strongly stated his support for same day registration. Councilmember Solomon requested input from Councilmembers who were not motion makers on the same day voter registration proposal. Councilmember Croslin said he was concerned about the increased workload on Election staff. Councilmember Wright agreed but said he saw the value in extending the registration period closer to Election Day. Councilmember Warner stated her support for same day registration and offered suggestions for implementation. Councilmember Croslin requested that the Council move on to the next discussion item, noting the late hour. Councilmember Paschall stated his position on the Board of Election's recommendation regarding the type of documents required to register to vote and administrators of elections. City Attorney Colaresi recommended that the Council split the motion into separate items.

NOTE FOR THE RECORD: Councilmember Perry left the meeting at 10:46 p.m. and Councilmember Frazier left the meeting at 11:02 p.m.

4. Paid Leave Under Family and Medical Leave Act for City Employees

Councilmember Paschall introduced the proposal to establish paid leave for City employees under the federal Family and Medical Leave Act (FMLA). He said the intent was to provide 6 weeks of paid time off. There was a discussion on the logistics and the potential budgetary impact of the proposal. Several Councilmembers expressed support for the intent of the proposal but concern for the budget impact. Director of Human Resources Snellman provided information to the Council on the City's existing policy highlighting a donation policy that allowed employees to donate sick leave to an employee in need. City Administrator Nicholson stated that the budgetary impact of the proposal would include costs associated with overtime and temporary employees to cover positions. Treasurer Brooks said it would be difficult to estimate costs for the proposal. Mayor Hollingsworth suggested that the City investigate the cost of providing short term disability.

COUNCIL DIALOGUE:

Several Councilmembers offered wishes for a happy new year. Councilmember Paschall said that he believed the agenda for the meeting had been too much to cover in one night and he was concerned about the structure of agendas. Councilmember Solomon commented on the quality and scope of the evening's discussions. Mayor Hollingsworth made a commitment to create additional opportunities for dialogue and noted that the meeting had started earlier to accommodate the time needed for the discussions. Mayor Hollingsworth also asked her colleagues to be mindful of their comments when expressing opinions on a topic and to appreciate the differences in opinions.

MOTION TO ADJOURN:

1. Motion to Adjourn the Council Meeting of January 4, 2016

The Council Meeting of January 4, 2016 adjourned at 11:56 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Robert Croslin, Councilmember, Ward 2
SECONDER:	Shani Warner, Councilmember, Ward 2
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Paschall, Solomon

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CALL TO ORDER AND COUNCIL ROLL CALL:

The meeting was called to order by Mayor Hollingsworth at 8:02 p.m.

Attendee Name	Title	Status	Arrived
Candace Hollingsworth	Mayor	Present	
Edouard Haba	Council President	Present	
Bart Lawrence	Council Vice President	Present	
Kevin Ward	Councilmember, Ward 1	Present	
Robert S. Croslin	Councilmember, Ward 2	Present	
Shani Warner	Councilmember, Ward 2	Present	
Thomas Wright	Councilmember, Ward 3	Present	
Patrick A. Paschall	Councilmember, Ward 3	Absent	
Paula J. Perry	Councilmember, Ward 4	Absent	
Ruth Ann Frazier	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City Staff Members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator and Director of Community and Economic Development, Jim Chandler
- Director of Public Works Lesley Riddle
- City Treasurer Ron Brooks
- Director of Human Resources Vivian Snellman
- City Clerk Laura Reams
- Assistant City Clerk Lillie Littleford
- Maintenance Operations Supervisor Mike Schmidl

APPROVAL OF AGENDA:

1. Motion to Approve the Agenda for January 19, 2016

City Clerk Laura Reams provided four revisions to the agenda. Councilmember Solomon asked for clarity on the amendment.

1. Removal of Mr. Pat Yinky (Ward 2) from Motion # 09-01-16.
2. Amendment to Motion #11-01-16: Revised to add the appointment of Tom Tucker, Pat Yinky and Shirley Fisher to the Policing & Public Safety Citizen Advisory Committee.

   11-01-16 Appointment to Hyattsville Police and Public Safety Citizens Advisory Committee I move that the Mayor & Council appoint Irma Echeverria (Ward 5), Shirley Fisher (Ward 5), Pat Yinky (Ward 2) and Tom Tucker (Ward 2) to the City's Police and Public Safety Citizens Advisory Committee for a term of two (2) years, expiring on December 31, 2017.

3. Removal of Discussion Item #1 (Hyattsville Volunteer Fire Department Loan Request/Agreement)
4. Move Discussion Item #4 (Amend Article II) to be the first discussion item.

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Frazier, Solomon
ABSENT:	Paschall, Perry

APPROVAL OF MINUTES:

1. City Council - Regular Meeting - Nov 2, 2015 8:00 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Frazier, Solomon
ABSENT:	Paschall, Perry

2. City Council - Regular Meeting - Nov 16, 2015 8:00 PM

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Frazier, Solomon
ABSENT:	Paschall, Perry

PUBLIC COMMENT:

Ms. Nina Faye, a Ward 3 resident, addressed the Mayor and Council in regard to the upcoming snow storm and the possibility of a need for an extended deadline for shoveling sidewalks.

Ms. Leigh Ann Barlow, a Ward 5 resident, addressed the Mayor and Council in regard to the Council's recent discussion of non-U.S. citizen voting in City elections. Ms. Barlow stated that non-U.S. citizens were not entitled to the right to vote and that it would be unconstitutional to allow non-citizen voting in the City. Ms. Barlow recommended that a vote on the issue go to referendum. Ms. Barlow also addressed the language used by the Council and asked that apologies would be made to Councilmembers Frazier and Perry. Ms. Barlow highlighted the issue of parking in Wards 4 and 5, and stated that there were not enough parking spots for the number of residents in one home.

Mr. Rommel Sandino, a Ward 5 resident, addressed the Mayor and Council in regard to the proposed non-U.S. citizen voting in City Elections. Mr. Sandino expressed his support for the proposal and stated that every resident of Hyattsville deserved to have their voices heard. Mr. Sandino detailed his thoughts regarding patriotism in support for the right to vote in local elections.

Ms. Vedra Santos, a Ward 5 resident, with the assistance of a translator, addressed the Mayor and Council in support of the proposed non-U.S. citizen voting in the City.

Ms. Cecilia Barrios, a Ward 4 resident, with the assistance of a translator, addressed the Mayor and Council in support of the proposed non-U.S. citizen voting in the City. Ms. Varios stated that matters related to public safety, garbage pickup, and housing were important to her.

Ms. Varinia Sandino, a Ward 5 resident, addressed the Mayor and Council in support of extending voting rights to non-U.S. citizens in the City.

Mr. Rene Oriana, a resident of Prince George's County, addressed the Mayor and Council in support of extending voting rights to non-U.S. citizens. Mr. Oriana stated that he paid taxes and owned a small business in the City and was proud of his contributions to the current and future state of the City.

Ms. Shirley Fisher, a Ward 5 resident, addressed the Mayor and Council in regard to the proposal to extend voting rights to non-U.S. citizens. Ms. Fisher stated her opposition to the Council's allowance for 16 year olds to vote, and suggested that teens should rather be exposed to City functions. Ms. Fisher suggested the same proposal for non-U.S. citizens, and stated that residents of the City should be able to vote on this issue. Ms. Fisher also addressed the lack of response from Pepco regarding lighting on 38th Avenue. Ms. Fisher also stated that she had created a "Welcome to Hyattsville" packet available to anyone who asked.

Councilmember Solomon expressed gratitude for residents of Ward 5 who provided public comment.

PRESENTATIONS:

1. FY-2014 Audit Update

City Treasurer Brooks provided an update on the FY14 audit, and claimed that the closing documents would come soon. He stated that the track for the FY15 audit would begin the following week.

2. Hyattsville Lighting Study

Director of Public Works Riddle provided an introduction on the presentation for the lighting study. Ms. Riddle introduced Mike Schmidl, Facility Supervisor. She stated that they had designated an area to begin retrofitting and made recommendations for additional poles for lighting. Ms. Riddle notified the Council that the City had been in negotiations with Pepco for the past six months and stressed that it was a long process. Mr. Schmidl stated that Public Works were working on the development of Phase 2 and would submit a proposal to Pepco after the collection of information. Ms. Riddle informed Councilmember Solomon that it would take 60-90 days to receive the cost proposal from Pepco for Phase 1. Councilmember Haba questioned the process for delegating areas to different phases and stressed the importance for lighting near the Metro at PG Plaza. Ms. Riddle explained that the City prioritized areas near parks, areas near metros, areas with significant tree canopy and areas that had received resident complaints. Councilmember Haba asked for a timeline for Phases 1 and 2, and Mr. Schmidl and Ms. Riddle explained that it was one person collecting the data, and that part of the process depended on Pepco's own timeline. Administrator Nicholson stated that the City has been in ongoing contact with Pepco and that Phase 2 would likely start in the Fall. Councilmember Haba asked about specific locations that residents had complained about, and Mr. Schmidl stated that Oliver Street and Jamestown Road could be included in Phase 2 rather than Phase 3. Councilmember Ward asked if DPW anticipated a need to increase personnel to move further with this initiative, which Ms. Riddle refrained from answering. Ms. Riddle responded to Councilmembers Solomon and Lawrence and stated that she could take a harder look at the proposal in regards to the areas that Councilmember Haba highlighted.

CONSENT ITEMS:

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Edouard Haba, Council President
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Frazier, Solomon
ABSENT:	Paschall, Perry

1. **08-01-16 Acceptance and Appropriation of Share Our Strength Grant** I move that the Mayor & Council accept and appropriate into the FY16 budget a $5,000 grant from Share Our Strength for the purposes of holding Cooking Matters nutritional tours for low-income adults at the Hyattsville Farmers Market.

2. **09-01-16 Appointments to Residential Parking Zone Committee** I move that the Mayor & Council appoint Catherine Barron (Ward 1), Joseph D. Youhouse (Ward 1), and Irma Echeverria (Ward 5) to the City's Ad Hoc Residential Parking Zone Committee for a term to expire 120 days after the first meeting of the committee.

3. **10-01-16 Shade Tree Board** Appointments I move that the Mayor, upon the approval of the Council, appoint Gloria Felix-Thompson (Ward 1) and Joe Luebke (Ward 3) to the City's Shade Tree Board for a term of three years to expire on December 31, 2018.

4. **11-01-16 Appointment to Hyattsville Police and Public Safety Citizens Advisory Committee** I move that the Mayor & Council appoint Irma Echeverria (Ward 5), Tom Tucker (Ward 2), Shirley Fisher (Ward 5), and Pat Yinkey (Ward 2) to the City's Police and Public Safety Citizens Advisory Committee for a term of two (2) years, expiring on December 31, 2017.

5. **12-01-16 Appointment to Education Advisory Committee** I move that the Mayor & Council appoint Kathy Dow-Burger (Ward 1) to the City's Education Advisory Committee for a term of two (2) years, expiring on December 31, 2017.

ACTION ITEMS:

1. **13-01-16 Support for Smart Cities** I move that the Mayor and Council approve an allocation of up to $250.00 to support the Hyattsville Preservation Association's Smart Cities event on March 17, 2016. Funds would be used to offset the costs associated with the event including honoraria and/or refreshments.

Mayor Hollingsworth provided details on the event that the discretionary funds were to be used for. There were no questions from the Council.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Candace Hollingsworth, Edouard Haba
SECONDER:	Joseph Solomon, Councilmember, Ward 5
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Frazier, Solomon
ABSENT:	Paschall, Perry

DISCUSSION ITEMS:

1. Hyattsville Volunteer Fire Department Loan Request/Agreement

This item was removed from the agenda.

2. Amend Article II – Administration of Government and Article VI - Personnel and Authorize Development of Transition Procedures for Contract Personnel

Mayor Hollingsworth introduced the discussion item and provided background information of the proposal to transition department heads from contracts to an executive pay scale. Mr. Colaresi provided a few comments and explained that all of the department heads would have job protection and would report directly to the City Administrator, who would be responsible for firing and hiring. He stated that the City Administrator has dealt with the department heads on a daily basis and would have more insight than the Council on issues of ineffectiveness. Councilmember Croslin then recommended that the language be changed from department head to department director. Councilmember Wright asked if an executive pay scale was implemented in other municipalities and stated that the current structure had a good system of checks and balances. Mr. Colaresi explained that most department directors serve at the pleasure of the Mayor and Council, but the City of Greenbelt had implemented the proposed structure. He added that the proposed structure gave more power to the City Administrator, who would still serve at the pleasure of the Mayor and Council. Mr. Colaresi then clarified that the City Clerk would fall under the City Administrator, but would remain answerable to the Council. Ms. Snellman stated that she had found that local municipalities had implemented this structure and added that she did not anticipate a loss of pay. Mayor Hollingsworth then clarified that this proposal was not created to fix a problem, rather to clarify the reporting structure for department directors. Mr. Colaresi added that a benefit of the new structure was to provide job protection, however noted that the change may lead to increased litigation costs in the event of termination. Councilmember Haba then asked how the new structure would impact termination and if there was a complaint process in place for department heads, and if the current process would need to be revised. Mr. Colaresi explained that there was a grievance policy in place where department heads could complain to the City Administrator. Ms. Snellman added that the current termination process was lengthy and gave room for employee improvement. Councilmember Ward expressed support for this item. Mayor Hollingsworth added that this item would return for action on February 1st.

3. 4310 Gallatin Street Reuse/Redevelopment RFQ Proposals

City Administrator Nicholson provided an overview of the status of the proposal for the reuse and redevelopment of the City Administrative building located at 4310 Gallatin Street. Ms. Nicholson stated that the City issued a non-binding RFQ in July 2015. Ms. Nicholson added that this issue may return to Council in the future. Assistant City Administrator Chandler provided an overview of the solicitation process. Mr. Chandler stated that the City received development proposals from Dillon Warner Development Services and Flywheel development. Mr. Chandler added that the second phase was an RFP and that the City was looking for more specific information from both of the firms. Mr. Chandler clarified that the RFQ contained the firms' vision, potential impacts, prior work, and development timelines. Mr. Chandler then provided summary details from each of the firms' interests.

Councilmember Croslin asked questions regarding the existing modular project in Mt. Rainier, by Flywheel Construction, and stated the importance of seeing a finished project to better gauge the progress of the project. Mr. Chandler also responded to Councilmember Croslin by stating that the heights of the proposed redevelopments would be comparable to the existing structure and would be used for residential rather than commercial purposes. Councilmember Haba highlighted the fact that this redevelopment was contingent on finding a new location for City Administration to relocate. Mr. Chandler stated that the City would provide a list of locations that were publically accessible, had adequate parking, and had offices and meeting spaces to the Council for feedback.

4. Authorizing the Development of a Hyattsville Ambassadors Academy

Mayor Hollingsworth provided background information on the proposal to establish a Hyattsville Ambassadors Academy. Mayor Hollingsworth stated that the initiative would allow people doing business in the City to market the City in addition to their products. Mr. Chandler provided information on how the City would approach the project. Councilmember Haba expressed support, and Mayor Hollingsworth assured him that this proposal was intended for business owners and resident stakeholders. Mr. Chandler clarified Academy members would provide a 2-3 year commitment and be responsible for tasks beyond the level of typical volunteers. Mayor Hollingsworth responded to Councilmember Wright's concerns and stated that she had no particular business model in mind, but her focus was on business owners that were knowledgeable about the

City and residents. Councilmember Solomon asked for clarification on the Department of Community and Economic Development's (CED) responsibilities regarding this proposal. City Administrator Nicholson replied and assured the Council that CED had worked aggressively to promote the City, but lacked staff capacity. Mr. Chandler added that this proposal eliminated the need to hire a new employee with the use of existing business venues. Ms. Nicholson added that the City would reach out to the Hyattsville Community Development Corporation (CDC) and would invite them to have a role.

5. Hyattsville Sustainable Land and Building Management Practices

Council Vice President Lawrence provided a summary of the proposed policy. He said the intent was to send a message to residents that the City does not support the continual use of pesticides and to provide residents and stakeholders with an educational component. Councilmembers Solomon and Croslin expressed support for this. Councilmember Wright asked for clarification on major changes from the previous proposals. Administrator Nicholson replied and stated that this was an administrative policy rather than an ordinance and that the policy included an enforcement piece. Ms. Riddle added that the City has made efforts in regard to this issue, but still needed to grow community outreach. Mayor Hollingsworth reminded the Council that this item would return for consent on February 1st.

COUNCIL DIALOGUE:

Mayor Hollingsworth acknowledged Prince George's County Councilmember Deni Taveras in attendance, as well as her upcoming West Hyattsville safety meeting. Mayor Hollingsworth asked the Council to save the date for March 10th for Councilmember Taveras's budget listening session. Council President Haba commented on the public comment on non-citizen voting in the City. Council President Haba stated that this was a sensitive topic and asked the Council to find a way to respectfully disagree, in addition he apologized to any Councilmembers that had been offended. Councilmember Warner thanked Council President Haba for his comments and added that she deeply regretted if anyone took offense to her comments. Councilmember Warner asked that Councilmembers approach both this topic and all residents with respect.

MOTION TO ADJOURN:

1. Motion to Adjourn the Agenda for January 19, 2016

The meeting adjourned at 10:08 p.m.

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

CALL TO ORDER:

The meeting was called to order by Mayor Hollingsworth at 7:06 p.m.

Attendee Name	Title	Status	Arrived
Candace Hollingsworth	Mayor	Present	
Edouard Haba	Council President	Late	7:16 PM
Bart Lawrence	Council Vice President	Present	
Kevin Ward	Councilmember, Ward 1	Late	7:14 PM
Robert S. Croslin	Councilmember, Ward 2	Present	
Shani Warner	Councilmember, Ward 2	Present	
Thomas Wright	Councilmember, Ward 3	Present	
Patrick A. Paschall	Councilmember, Ward 3	Present	
Paula J. Perry	Councilmember, Ward 4	Absent	
Ruth Ann Frazier	Councilmember, Ward 5	Present	
Joseph Solomon	Councilmember, Ward 5	Present	

Also present were the following City Staff Members:

- City Administrator Tracey E. Nicholson
- Assistant City Administrator and Director of Community and Economic Development, Jim Chandler
- City Treasurer Ron Brooks
- Director of Human Resources Vivian Snellman
- City Clerk Laura Reams
- Assistant City Clerk Lillie Littleford

PUBLIC COMMENT:

No individuals wished to address the Council.

PRESENTATIONS:

1. Prince George's County Zoning Ordinance and Subdivision Regulations Rewrite

Assistant City Administrator Jim Chandler provided an introduction and brief overview of the presentation for the revised Prince George's County Zoning Ordinance and Subdivision Regulations. Mr. Chad Williams, from the Maryland-National Capital Park and Planning Commission, addressed the Mayor and Council, and introduced Derrik Berlage, Scott Berlow, and Brittney Drakeford, as members of the project team. Mr. Williams began the presentation with Module 1; an early draft of the zoning uses and ordinances that had been in place for over 50 years. Mr. Williams expressed that the intent of the rewrite was to update the code to match the regional and market changes that had occurred over the past 50 years. Mr. Williams stated the team would engage in extensive outreach on the plan and expected a review draft to be completed in Fall 2016. He stated that the draft would include user friendly graphics and charts in place of the current text heavy 1000 page document.

Mr. Williams provided a brief description on each of the base zones as well as expected changes within the zones. The base zones consisted of the Rural and Agricultural Zones, Residential Zones, Nonresidential Zones (Commercial and Industrial), Transit-Oriented Activity Center Base Zones, Neighborhood Activity Center Base Zones, Town Activity Center Base Zones, Local Transit-Oriented Base Zones, Regional Transit Oriented Low Intensity Base Zones, Regional Transit Oriented High Intensity Base Zones, Planned Development Zones, and Overlay Zones. Mr. Williams also presented discussion questions for each zone that he anticipated the Council, and residents, would have.

Mr. Williams continued and presented the project timeline. Mr. Williams stated that the Draft Schedule would continue as follows:

• Zones and Uses	Fall 2015
• Development Standards and Subdivision Regulations	Spring 2016
• Processes and Administration	Summer 2016
• Comprehensive Review Draft	Fall 2016
• Final Approval	March 2017

Councilmember Wright thanked Mr. Williams for the presentation. Councilmember Wright then asked what impact the proposed plan would have on the current TDOZ plan pertaining to Prince George's Plaza. Mr. Williams stated that there were a couple different things regarding the relationship with the Prince George's Plaza update; one of which being that the plan for PG Plaza was designed before the evaluation recommendations on the zoning ordinances were made. Mr. Williams stated that if the zoning ordinance to remove the overlay zone goes through, then the PG Plaza TDOZ would only be in effect for a short amount of time. Mr. Williams discussed the timeline in more detail.

Mayor Hollingsworth asked if there were any questions from the audience. Mr. Williams clarified that the TDDP was the same thing as a master plan. He stated that the recommendation for the land use in those plans would remain in effect, while the development standards would change.

MOTION TO ADJOURN:

The meeting adjourned at 7:53 p.m.

BACKGROUND:
The FY-2014 audit remains in the final stage. Financial Statements are being reviewed by each firm. Pushing for closing documents by the end of this month. Recent issues have pushed completion beyond previous expectations thus delaying final close-out.

NEXT STEPS:
Complete the FY-2014 audit.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

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

BACKGROUND:
The University of Maryland Cycling Team has asked the City to be the host location for the Atlantic Collegiate Cycling Conference race. The race would draw 300-600 people to the City, and therefore benefit local businesses. The race would take place on Saturday, March 12, 2016.

The City staff has identified a possible course, which would make a 1-mile loop along a portion of Route 1, Jefferson Street, 42nd Avenue, and Farragut Street. On the day of the race, between 6:30 a.m. to 8:30 p.m., traffic and parking would be prohibited on the race course. There would be a 5-minute break between heats every hour (or more frequently) and on a set schedule, when pedestrians and vehicles could cross the course. The City has also applied to the State Highway Administration for a permit to close Southbound lanes of Route 1 to vehicular traffic and prohibit parking. Professional/adult races would take place in the morning, and collegiate races would take place in the afternoon. Prior to the event, and on multiple occasions, residents and businesses would be notified of the race schedule and provided instructions to use their vehicles. They would also be encouraged to watch the event and enjoy the festivities.

City costs to close and clean the roads and ensure safety would be reimbursed by the Cycling Team. The Cycling Team would also make available 20-30 volunteers to manage the event.

NEXT STEPS:
Council feedback.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:
5 police officers all day, 2-4 public works staff in the morning and evening.

Proclamation in Recognition of

Black History Month

Hallowed Grounds: Sites of African American Memories

February, 2016

Whereas, African Americans have called Hyattsville home since the City's earliest days in the 1800s, but were not always treated as equal members of the community; and

Whereas, African Americans were for decades denied access to Magruder Park and not allowed to purchase some homes in the City; and

Whereas, as a community we have made progress, and we now strive to foster equality; and

Whereas, we now seek to learn from our memories of the African American struggle, and to continue on a path of justice for all; and

Therefore, we proclaim February Black History Month in Hyattsville.

____

Candace Hollingsworth, Mayor February 16, 2016

Capital Improvements Plan Summary
For Fiscal Years 2016 - 2020

Department	2016	2017	2018	2019	2020	Total
General Government						
Administration Equip. & Furniture	C 10,000	-	-	-	-	10,000
IT Upgrades and Replacements	L 35,000	4,500	4,500	4,500	4,500	53,000
100 - General Government Total	**45,000**	**4,500**	**4,500**	**4,500**	**4,500**	**63,000**
Police Department		-				
One K-9 dog & kennel	-	13,000	-	15,000	-	28,000
IT Server Replacements	L 30,000	7,000	7,000	7,000	7,000	58,000
Vehicle Replacement	L 282,000	423,000	235,000	329,000	329,000	1,598,000
Mobile Data Terminals (MDT's)	L 50,000	20,000	20,000	20,000	**20,000**	130,000
Body Cameras	C 15,000	10,000	10,000	10,000	15,000	60,000
CCTV - (3 Units)	C 31,000	31,000	31,000	31,000	31,000	155,000
Body Armor	C 5,500	5,500	20,000	13,000	5,500	49,500
Weapons	C 5,000	5,000	25,000	5,000	5,000	45,000
Speed/Message Displays	C 10,000	10,000	-	-	-	20,000
200 - Police Total	**428,500**	**524,500**	**348,000**	**430,000**	**412,500**	**2,143,500**
Public Works Dept.						
Sidewalks	C 60,000	60,000	60,000	60,000	60,000	300,000
Roadway Imp.-General Program	L 200,000	200,000	200,000	200,000	200,000	1,000,000
University Hills Street Reconstr.	L 1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000
ADA Improvements - Citywide	C 20,000	20,000	20,000	20,000	20,000	100,000
Public Works Facility Upgrade	B 2,000,000	-	-	-	-	2,000,000
Replacement Vehicle(s)	L 300,000	-	-	-	-	300,000
West Hyattsville Improvements	B 500,000	-	-	-	-	500,000
3505 Hamilton St.	B 500,000	1,500,000	1,500,000	-	-	3,500,000
Arcade Building	C 150,000	-	-	-	-	150,000
Administration Building	C 165,000	165,000	165,000	165,000	165,000	825,000
Huerich Park Improvements	G 150,000	-	-	-	-	150,000
Magruder Park Improvemwnts	-	-	-	1,200,000	-	1,200,000
300 - Public Works Dept. Total	**5,045,000**	**2,945,000**	**2,945,000**	**2,645,000**	**1,445,000**	**15,025,000**
Community Services						
Cable TV - Upgrades	25,000	25,000	5,000	5,000	5,000	65,000
Van - Call-A-Bus	65,000	-	-	-	-	65,000
600 - Community Services Total	**90,000**	**25,000**	**5,000**	**5,000**	**5,000**	130,000
Community Development						
Vehicle for Code Compliance	27,000	27,000	-	-	-	54,000
Parking Improvements	500,000	1,000,000	-	25,000	25,000	1,550,000
700 - Comm/Economic Dev Total	**527,000**	**1,027,000**	-	**25,000**	**25,000**	**1,604,000**
GRAND TOTAL	**6,135,500**	**4,526,000**	**3,302,500**	**3,109,500**	**1,892,000**	**18,965,500**

BACKGROUND:
The approved 5 Year Police Capital Improvement Plan includes an additional K-9, kennel and assorted equipment in the FY17 budget. Hyattsville City Police train their K9 teams exclusively with the Prince George's County Police (PGPD) K-9 program. The next basic K-9 patrol training class is tentatively scheduled to begin between March -April 2016. The PGPD normally does not schedule more than one basic K-9 patrol training class per year and there are no tentative class dates beyond the March - April class.

To ensure we are able to get the next Hyattsville K-9 purchased and trained in a timely manner and
ensure a spot in the March - April class, it is requested the 5 year Police Capital Improvement Plan be amended by increasing the FY-2016 budget by $13,000 and reducing the FY-2017 request by $13,000 to fund and purchase the K-9 and kennel in this fiscal year.

Please note this is a budget amendment and will require a 2/3 majority vote to pass.

NEXT STEPS:
The Treasurer will make the budget modifications. Following the modifications the Hyattsville Police will select an officer to fill the K-9 position, purchase a dog and enroll in the next training class.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:
No additional staff resources needed.

BACKGROUND:
The City's IT provider, Dataprise will be assisting the City by providing technical services necessary for the scoping assessment and authoring the solicitation document necessary to procure an ERP system. Staff assessed whether or not this project could be performed within the current monthly dedicated IT service hours provided by Dataprise. It was determined the specific skill set, timing and resources necessary to complete this project could not be managed within the service structure, making it necessary to perform the ERP procurement as a separate project. Dataprise's Manager of Strategic Technologies & Enterprise Design, specializes in ERP integration and will serve as the primary manager for this project.

The terms of the work order are subject to the Terms & Conditions of the existing contract for services between the City and Dataprise, therefore no additional legal review is necessary to proceed with execution of a work order.

NEXT STEPS:
Dataprise will prepare a scope of work and solicitation document.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator
Ron Brooks, Treasurer
James Fahnbulleh, IT Manager

From: Jim Chandler, Director of Community & Economic Development

Date: February 9, 2016

Re: Enterprise Resource Planning (ERP) System Procurement: Contracted Services

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As presented to and discussed with the City Council previously, the City is proceeding with the procurement of an Enterprise Resource Planning (ERP) system which will serve as a centralized database to support each of the City's functions. The ERP system will provide the City with an integrated financial resource reporting tool, pulling data from various digital operating systems into a singular report that will inform the City Council, City Administrator and Department heads.

The City's IT provider, Dataprise will be assisting the City by providing technical services necessary for the scoping assessment and authoring the solicitation document necessary to procure an ERP system. Staff assessed whether or not this project could be performed within the current monthly dedicated IT service hours provided by Dataprise. It was determined the specific skill set, timing and resources necessary to complete this project could not be managed within the service structure, making it necessary to perform the ERP procurement as a separate project. Dataprise's Manager of Strategic Technologies & Enterprise Design, specializes in ERP integration and will serve as the primary manager for this project.

This item requires Council approval due to the total contract value exceeding $10,000, therefore am requesting the City Council's approval for authorization to proceed with a contract for services with Dataprise in an amount not to exceed $20,000. Funding for this project is included in the FY2016 adopted City budget. As we proceed with procurement, we will assess whether additional contracted services from Dataprise are necessary for implementation and staff training for the ERP system.

Purchase Agreement

PA #: 2016-CQK-P01

Customer: **City of Hyattsville**

Bill to: 4310 Gallatin Street
Hyattsville, MD 20781

Ship to: -- SAME --

Attention: James Chandler

Cust. PO: NONE

Date: 2/11/2016

Representative: Sadie Koeppel | **Prices Expire: 3/12/2016** | **Terms: See attached.**

I. Product / Service

Project: FIXED PRICE RFP PREPARATION PROJECT

Task 1 - Fixed Price RFP Preparation Project.

Project Management
A. Review existing applications and City of Hyattsville Divisions, departments, and staff
B. Coordinate scheduling with Customer and arrange for interview windows with POC
C. Coordinate scheduling of Dataprise project managers for project work
D. Communicate with Customer point of contact (POC) on status of project
E. Complete written project plan and provide to Dataprise network engineers
F. Identify additional products needed for successful completion of project
G. Provide ongoing project management and oversee tasks

Initial Interviews and Application Reviews
A. Interview five (5) department heads and up to two (2) departmental specialists
B. Transcribe all notes and begin organization and analysis
C. Schedule follow up interviews
D. Schedule application review interviews with up to fifteen (15) application managers or end users
E. Conduct necessary follow up interviews once approved by POC
F. Compile all information into organization, department, division, etc. and prepare for review

Initial Report Preparation
A. Review legacy application system requirements and capabilities (per the manufacturer)
B. Review all interview and review notes with project team
C. Compile all of the requirements into a preliminary requirements document
D. Schedule initial review meeting with POC

Initial Report Review with POC and Follow-Up Activities
A. Review initial findings and identify any areas which need additional attention/clarification
B. Schedule necessary follow up interviews, application reviews, or other required activities
C. Conduct follow up reviews, interviews, and activities
D. Compile additional information into organization, department, and division

Compile Final Report, RFP and Review Process Documentation
A. Review initial findings and identify any areas which need additional attention/clarification
B. Schedule necessary follow up interviews, application reviews, or other required activities
C. Conduct follow up reviews, interviews, and activities
D. Compile additional information into organization, department, and division

Final Deliverable Presentation
A. Update and deliver solution documentation
B. Provide up to six (6) hours of knowledge transfer to include:
- How to manage the RFP process
- How to evaluate the RFP responses
C. Gather Customer signoff

Task 2 - One-Time Project Discount.

Special Terms: The Management of the City of Hyattsville has asked Dataprise to assist them with procuring an Enterprise Resource Planning (ERP) solution for their organization. Currently, each department and division works with siloed, legacy applications and

DATAPRISE, INC. | 3700 Koppers Street, Suite 520 Baltimore, Maryland 21227 | USA
1-888-414-8111 | Fax: 1-410-230-9998 | www.dataprise.com

vendors, which limits the visibility of critical data and inhibits the free-flow of information. The availability of timely, accurate information, and the ability to evaluate it from multiple different angles is critical to assist the City Council in their decision making process.

The purpose of this Purchase Agreement is to outline the process and costs associated with developing a requirements document. This document, which will be developed through interviews with key departmental stakeholders and analysis of their existing, legacy systems and vendor relationships, will form the basis of a Request For Proposal (RFP). The RFP will outline the functional requirements required to implement a comprehensive ERP solution, addressing all of the needs across Department, Division and Application.

Though intended to be comprehensive, due to time restrictions, the requirements gathering process will be modified to focus on the high-level departmental, divisional and application specific objectives and will leave additional information gathering to be accomplished during the ERP identification and selection processes. Dataprise will work with the Council to create and deliver the RFP, identify the response format and scoring criteria and the review process. Once the Council is comfortable with the deliverables and process, Dataprise will take the role of an independent bidder, providing our best solutions in response to the details provided in the RFP.

Project Assumptions:
1. Additional hardware peripherals (e.g., patch cords) may be required but are not included in this statement of work.
2. Project tasks may be performed remotely at the discretion of the Provider's project manager.
3. Interviews will be conducted in-person by members of Dataprise's Project Management and OSS divisions.
4. Individual interviews will be up to two (2) hours in length, with one and one-half hours dedicated to the interview process and an additional thirty (30) minutes for notes transcription.
5. Onsite interviews will be conducted in four (4) hour blocks with a maximum of four (4) interviews a day.
6. If additional time is required to complete an interview, a follow-up interview will be scheduled to address any outstanding issues.
7. The timing and content of the follow-up meetings will be agreed to in advance by both parties and approved by James Chandler or his approved associate to ensure resources are invested in the correct areas.
8. Application reviews will consist of a two hour interview with up to two (2) departmental representatives who are most familiar with the current usage, strengths, and shortcomings of the existing systems.
9. The Preliminary Requirements Document is not intended to be all inclusive, but rather a summary of information gathered to date. Its purpose is to ensure the Project Team is completely aligned with the assumptions, goals, and expectations of the POC and Council.
10. The Initial Report Review meeting will be up to four (4) hours in duration and can be extended if necessary.
11. Customer agrees that the deliverables for this project will be a Requirements Document, a formal RFP document, and a formalized process for Submission review and scoring.
12. Any provided training or knowledge transfer is not intended to replace manufacturer-certified training.

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Out of Scope:
1. Any tasks or products not specifically included in this statement of work must be agreed to in a written change order by all parties involved.

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Customer Responsibilities
1. Customer will ensure that necessary administrative credentials (e.g., usernames, passwords) are available upon arrival, or that an administrative account with appropriate access is created for the duration of this contract.
2. Customer will provide reasonable after-hours, remote, and weekend access as

DATAPRISE, INC. | 3700 Koppers Street, Suite 520 Baltimore, Maryland 21227 | USA
1-888-414-8111 | Fax: 1-410-230-9998 | www.dataprise.com

requested by Dataprise.

II. Price Summary

Product / Service

Total Products	**$0.00**
Sub Total Products:	**$0.00**
Total Non-Recurring Technical Services	**$20,000.00**
0.00% Sales Tax:	**$0.00**
TOTAL:	**$20,000.00**

Note: See price detail for optional items.

50% Downpayment of $10,000.00 due upon execution of this order. Please remit to:
Dataprise, Inc.
Attn.: Accounts Receivable
P.O. Box 62550
Baltimore, MD 21264-2550

Thank you for this opportunity to serve you.

Questions? Contact your Dataprise Account Executive:
Sadie Koeppel
1-888-414-8111 Ext. 13647
Sadie.Koeppel@dataprise.com

III. Customer Authorization

By signing this Purchase Agreement, Customer hereby authorizes Dataprise, Inc. to fulfill the requirements specified under Product / Services above according to the Prices specified and the Terms and Conditions of Sale below. Please have an authorized representative of your organization sign below and return.

AUTHORIZED CUSTOMER NAME (Printed)

AUTHORIZED CUSTOMER SIGNATURE

TITLE

Date

DATAPRISE, INC.

David E. Eisner

AUTHORIZED DATAPRISE REPRESENTATIVE NAME

for Dataprise, Inc.

CEO

TITLE

2/11/2016

Date

IV. Price Detail

Product Detail

#	Item	Part #	Qty.	Price	Extension

T=Taxable Item **Sub Total:** **$0.00**

Non-Recurring Technical Services Detail

Task	Description	Qty.	Per	Price	Extension
1	Fixed Price RFP Preparation Project	1		$22,940.00	$22,940.00
2	One-Time Project Discount	1		($2,940.00)	($2,940.00)

T=Taxable Item **Sub Total:** **$20,000.00**

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A. General

1. SERVICES: The Services provided hereunder are as described under the "Product / Service" section of this Agreement. All time billed to the nearest 1/4 hour increment.
2. TAXES AND SHIPPING: Applicable taxes, shipping, and freight charges are the responsibility of Customer and may not be included in Dataprise pricing.
3. ENTIRE AGREEMENT: This Agreement supersedes all previous proposals and discussions and reflects the final understanding between the Customer and Dataprise, Inc. with respect to the subject matter of the Agreement.
4. EXPENSES: Customer will be invoiced separately for any procurement expenses for equipment or other hardware or software as may be provided by Dataprise.
5. SCHEDULED VISIT CANCELLATIONS: Twenty-four (24) hours notice is required for any cancellation or rescheduling of regularly scheduled or planned on-site visits. Failure to provide such notice may result, at Dataprise's sole discretion, in the charging of anticipated on-site visit fees.
6. HIRING OF DATAPRISE PERSONNEL: Customer hereby understands and agrees that Dataprise spends considerable time and money hiring, training and growing its professional staff and that its staff is generally utilized among many different clients. Accordingly, Customer agrees that it will not solicit for employment, hire or contract with any of Dataprise's existing or former technical or professional personnel assigned either directly or indirectly to Customer's account during the term of this Agreement and for a period of two years from its termination, regardless of the reason for termination. Customer agrees to pay Dataprise the sum of $35,000 as liquidated damages for the breach or attempted breach of this provision for each occurrence thereof.
7. ESTIMATED CHARGES: All hourly charges reflected in this Purchase Agreement are estimated based on projected use. Actual final costs may vary based on actual work performed.
8. ORIGINAL SIGNATURE: Customer hereby agrees to and attests that any signature by facsimile is deemed to be an original.
9. EQUIPMENT SALES: All hardware and software equipment sales provided hereunder are final and products listed herein may not be returned unless previously authorized. Dataprise generally offers a 15 day return period on all items still in their original manufacturer's packaging and in re-sellable condition. Dataprise may charge a 15% restocking fee on all returned items. Final return authorization is subject to original equipment manufacturer (OEM) approval. Equipment pricing subject to fluctuations due to changing market conditions and availability and cannot be guaranteed. Consequently, Dataprise may cancel or offer substitutions on those items that, at time of order, are no longer available at the prices quoted herein.
10. PRODUCT SUBSTITUTIONS: If equipment specified hereunder is unavailable from manufacturer, Dataprise will consult with Customer concerning substitutions. Any price impact resulting from necessary substitution(s) will be subject to price adjustment.
11. CHANGE IN INSTALLATION CONDITIONS: If installation conditions at Customer's site are different from those reasonably discoverable during an initial walk-through of the site by Dataprise staff or are different from those that are explicitly communicated to Dataprise staff by the Customer, and such different conditions cause an increase in Dataprise's installation or labor costs, then Dataprise shall be entitled to equitable price adjustment to cover such additional costs. This provision is in addition to the ESTIMATED CHARGES provision above.
12. ON-SITE MINIMUM: Customer will be assessed a four (4) hour on-site minimum. On-site travel charges billed for time spent traveling from point-of-origin to Customer site. Additional charges may apply for on-site travel greater than 100 miles.
13. INDEPENDENT CONTRACTOR: Dataprise is and shall at all times be an independent contractor and shall not be deemed an employee or agent of Customer. Nothing in this Agreement is intended to, or shall be deemed to, constitute a partnership or joint venture between the parties.
14. CONFLICT OF TERMS: Where these "Terms and Conditions of Sale" conflict with anything contained in the "Special Terms" found in Section I, Product / Services, the "Special Terms" conditions shall control.

B. Limitation of Liability

1. Dataprise's failure to perform any term or condition of this Agreement as a result of conditions beyond its control such as, but not limited to, war, terrorism, strikes, fires, floods, acts of God, governmental restrictions or power failures shall not be deemed a breach of this Agreement.
2. Warranties of any and all hardware equipment and software applications are provided directly by their respective manufacturers. Dataprise assumes no risk whatsoever for any defective items but will make reasonable efforts to assist Customer in obtaining repair or replacement under manufacturer's warranty.
3. It is expressly understood and agreed that Dataprise has not made any guarantees or promises to Customer with respect to the exact date of the complete delivery, installation and operational status of any equipment or services provided hereunder.
4. Dataprise warrants that the technical support services being performed by it under this Agreement will be performed in a professional manner and that Dataprise will use commercially reasonable efforts in addressing all service problems. Dataprise's total liability under this Agreement shall in no event exceed the total amounts paid by Customer to Dataprise under this Agreement.
5. THE LIMITED WARRANTIES SET FORTH ABOVE ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER WARRANTIES AND CONDITIONS, EXPRESSED OR IMPLIED, STATUTORY OR OTHERWISE WITH RESPECT TO THE SERVICES OR PRODUCTS PROVIDED UNDER THIS AGREEMENT, OR AS TO THE RESULTS WHICH MAY BE OBTAINED THEREFROM, AND AS TO ALL IMPLIED WARRANTIES AND CONDITIONS OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL DATAPRISE BE LIABLE FOR ANY INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES FOR LOSS OF PROFITS OR LOSS OF DATA ARISING OUT OF OR RELATED TO THIS AGREEMENT, THE PERFORMANCE OR BREACH THEREOF, THE SERVICES PROVIDED OR FAILED TO BE PROVIDED, INCLUDING BUT NOT LIMITED TO ANY DELAY, NON-DELIVERY, WRONG DELIVERY, SERVICE INTERRUPTION OR LOSS OF ACTUAL OR ANTICIPATED VALUE OF THE BUSINESS, EVEN IF DATAPRISE HAS BEEN WARNED OF SUCH LOSS.
6. Customer agrees to indemnify and hold harmless Dataprise, and its parents, subsidiaries, affiliates, officers, directors, shareholders, employees and agents, from any claim or demand, including reasonable attorneys fees, made by any third party due to or arising out of Customer's conduct, Customer's use of the support services provided under this Agreement, any alleged violation of this Agreement, or any alleged violation of any rights of another, including but not limited to Customer's use of any content, trademarks, service marks, trade names, copyrighted or patented material, or other intellectual property used in connection with services provided to Customer under this Agreement. Dataprise reserves the right, at its own expense, to assume the exclusive defense and control of any matter otherwise subject to indemnification by Customer, but doing so shall not excuse Customer's indemnity obligations.

C. Acceptance

1. Product orders will be deemed "Accepted" by Customer upon Customer receipt and delivery of any such products, or agreed substitution if not available from manufacturer, as specified under this Agreement.
2. In the event of any extended delays due to the Customer, service provider, or any other third party that causes Dataprise not to fulfill some or all of the product or service items specified hereunder, Dataprise shall be entitled to payment of those individual product or service items that are completed as specified hereunder.

D. Payment

1. All payments shall be made in U.S. dollars payable to "Dataprise, Inc.". A service charge of $50 will be assessed for any returned checks.
2. A finance charge of 1.5% will be applied monthly on all unpaid balances after the final payment due date.
3. If the amount due Dataprise, Inc. must be collected by or through an attorney or otherwise adjudicated, Customer will be responsible for all reasonable attorney's fees and / or court costs incurred by Dataprise, Inc..

E. Governing Law

1. This Agreement shall be governed by and construed in accordance with the laws of the state of Maryland. Any actions to interpret or enforce this Agreement shall be solely brought in the state of Maryland and, to the extent permitted by law, the parties agree that the venue for such action shall be in the County of Montgomery.
2. Any notices or communications under this Agreement shall be made in writing and transmitted by certified mail return receipt requested to the party to whom such communication is directed. If to Dataprise, such notices shall be addressed to Dataprise, Inc., Attn.: Legal Department, 9600 Blackwell Road, 4th Floor, Rockville, MD 20850. If to Customer, such notices shall be addressed to the mailing address specified when Customer opens an account with Dataprise, or such other address

as either party may give the other by notice as provided above.

BACKGROUND:
The Governor's Fiscal Year 2016 budget includes funding for the following Maryland DHCD capital programs:

- $5 million for the Neighborhood BusinessWorks program,
- $6 million for Community Legacy

Funding for the Maryland Strategic Demolition and Smart Growth Impact Fund has not been included in the budget, but may be included in the Governor's Supplemental Budget. Each of these three programs has long supported economic development projects and programs in Hyattsville since 2009. The City of Hyattsville has regularly provided a letter of support for these Maryland DHCD programs.

NEXT STEPS:
The Senate Committee hearing is scheduled for March 1st and the House Committee hearings are scheduled for March 2nd in Annapolis. Staff is recommending that letters of support be submitted to the Senate Budget and Taxation Committee and House Appropriations Committee for their consideration.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator

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

Date: February 8, 2016

Re: Letter of Support for Maryland DHCD FY16 Capital Budget

The purpose of this memorandum is to provide the Mayor, Council with a summary and a recommendation regarding the City's support for the Governor's proposed FY2016 Capital Budget for the Maryland Department of Housing and Community Development (DHCD).

Summary

The Governor's Fiscal Year 2016 budget includes funding for the following Maryland DHCD capital programs:

- $5 million for the Neighborhood BusinessWorks program,
- $6 million for Community Legacy

Funding for the Maryland Strategic Demolition and Smart Growth Impact Fund has not been included in the budget, but may be included in the Governor's Supplemental Budget. Each of these programs has, since 2009 supported economic development projects and programs in Hyattsville. The City of Hyattsville has regularly provided a letter of support for these Maryland DHCD programs.

The Senate Committee hearing is scheduled for March 1st and the House Committee hearings are scheduled for March 2nd in Annapolis. Staff is recommending that letters of support be submitted to the Senate Budget and Taxation Committee and House Appropriations Committee for their consideration.

Details

Below is a summary of the three programs for which funding is being requested:

Neighborhood BusinessWorks

- The Neighborhood BusinessWorks and Community Legacy programs have leveraged over $200 million in private investment throughout the Gateway Arts District in Hyattsville. The Neighborhood Business Works program has provided financial assistance to establish and grow several of our most high profile local businesses including Arrow Bikes, Big Bad Woof and Franklin's Restaurant. This program provides gap financing for small businesses, particularly in the current economic climate where credit continues to be tight.
- The program is unique in targeting investment in small businesses and also supports neighborhood and business district revitalization by financing the reuse of old commercial buildings, and strengthens the economic potential of Maryland's entrepreneurs and the communities in which they live.
- The program provides flexible terms, uses, and support to a broad spectrum of projects -including start-up, expansion and relocation.

Community Legacy

- In 2003, the Community Legacy program provided the City of Hyattsville with funding to develop a comprehensive multi-year revitalization strategy to stabilize and reverse the decline by building from our community's strengths. Many of the projects you see in Hyattsville today, including the Renaissance Square Artist Housing and Arts District Hyattsville, are a result of this plan and subsequent grant funding. In 2011, the program provided a $50,000 grant which we combined with $73,000 in City funds to develop an updated revitalization strategy that reflected our past success and created a roadmap for future revitalization efforts.
- In 2015, the City received an award of $50,000 to fund our Commercial Façade Improvement Program, and recently received and additional award of $50,000 in grant funds available at the start of the FY2017 budget year.

Strategic Demolition and Smart Growth Impact Fund

- The program is a land-use revitalization tool for economic growth by providing funds for the demolition of unsalvageable buildings and land-assembly which are often barriers to local revitalization projects.
- In 2012, the Maryland Strategic Demolition and Smart Growth Impact Fund was introduced because Maryland DHCD recognized a need and developed a program to respond to that need. The SGIF program will serve the needs of many communities throughout the State by providing a financial resource for revitalization projects that would otherwise not be financially feasible.

Recommendations

Staff is recommending that the City of Hyattsville submit a letter in support of the Governor's FY2017 Maryland DHCD capital budget request for the Neighborhood BusinessWorks and Community Legacy programs. The letter will be provided to Committee Chairs and members of our State Delegation. Staff is recommending a second letter requesting the Governor's and our Delegation's support for funding of the Strategic Demolition & Smart Growth Impact Fund at $5 million for FY2017.

BACKGROUND:
Pyramid Atlantic has requested that the City consider amending the terms of the Development Agreement and Lease Agreement to increase the "loan" amount from $200,000 to an amount not to exceed $440,000, amortized over the 25-year term of the lease, with the understanding that Pyramid Atlantic will only borrow the amount necessary to cover the financing gap.

City Staff is supportive of Pyramid Atlantic Arts Center additional request for loan financing, provided that the Council and Pyramid Atlantic are agreeable to following terms:

Increasing the interest on the amortized 25-year loan amount by 1.5% from 4% to 5.5%
Increasing the Pyramid Atlantic program discount for City residents from 10% to 15%.

NEXT STEPS:
If the City Council is agreeable to these revised terms, the staff recommends the following language, "I move that the Mayor and Council authorize the City Administrator to execute amendments to both the Development Agreement and Lease Agreement between the City of Hyattsville and Pyramid Atlantic Arts Center to reflect a revised loan amount of up to $440,000 and recommended revisions to the interest rate and resident discount for Pyramid Atlantic program services, pending the review by the City Attorney for legal sufficiency".

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:
The City Attorney will revise the agreements to reflect revised terms of the respective agreements.

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: February 9, 2016

Re: Pyramid Atlantic Arts Center: Agreement Amendments

The following is a memorandum to the City Council detailing a request by Pyramid Atlantic Arts Center to amend the Development Agreement and Lease Agreement related to the Arcade at 4318 Gallatin Street and includes a recommendation from City Staff.

On Thursday, January 21st, Staff met with Pyramid Atlantic Chairman Robin Salomon and Executive Director Jose Dominguez to discuss their build-out of the Arcade and financing necessary to cover the costs of construction and transfer of operations from Silver Spring to Hyattsville.

Pyramid Atlantic Arts Center is set to commence build-out of the Arcade Building at 4318 Gallatin Street. The organization's bridge construction loan is in place, however the projected total budget for the build-out and relocation of the organization is approximately $237,312 over budget. The organization is finalizing the design with its general contractor and together they are looking at "value-engineering" opportunities for additional cost savings, however I do not anticipate a significant savings that would greatly diminish or eliminate the current funding gap.

Pyramid Atlantic has requested that the City consider amending the terms of the Development Agreement and Lease Agreement to amend the "loan" amount from $200,000 to an amount not to exceed $440,000, amortized over the 25-year term of the lease, with the understanding that Pyramid Atlantic will only borrow the amount necessary to cover the financing gap.

Mr. Brooks and I spoke with the City Attorney and Lindsey Rader, the City's Bond Counsel, and were advised that a modification to the loan amount in the respective Agreements or utilizing bond funding to cover the loan is an appropriate use of funds.

Recommendation

City Staff is supportive of Pyramid Atlantic Arts Center additional request for loan financing, provided that the Council and Pyramid Atlantic are agreeable to following: 38

- Increasing the interest on the amortized 25-year loan amount by 1.5% from 4% to 5.5%
- Increasing the Pyramid Atlantic program discount for City residents from 10% to 15%.

If the City Council is agreeable to these revised terms, staff is recommending the following language, “I move that the Mayor and Council authorize the City Administrator to execute amendments to both the Development Agreement and Lease Agreement between the City of Hyattsville and Pyramid Atlantic Arts Center to reflect a revised loan amount of up to $440,000 and recommended revisions to the interest rate and resident discount for Pyramid Atlantic program services, pending the review by the City Attorney for legal sufficiency”.