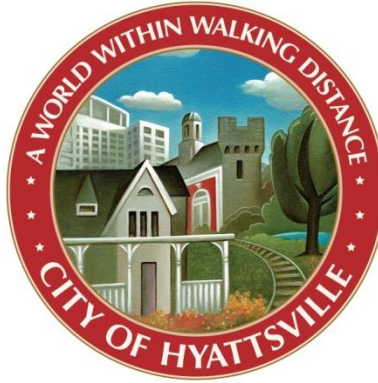




Hyattsville City Council Work Session

Wednesday, January 27, 2016

7:00 PM

Agenda

- 1. Call to Order and Council Roll Call**
- 2. Pledge of Allegiance to the Flag**
- 3. Approval of Agenda**
- 4. Public Comment (7:10 p.m. – 7:20 p.m.)**
- 5. Discussion Items (7:20 p.m. – 9:00 p.m.)**

At the Request of the City President Haba, Council Vice President Lawrence and Councilmembers Paschall (Ward 3) and Solomon (Ward 5)

- (1) Hyattsville Charter Amendment: Qualifications of Voters (60 minutes)

FY17 Budget Discussion: Follow Up

- (2) Council Budget Priority Discussion: FY17 Operating Budget (20 minutes)
- (3) Council Budget Priority Discussion: FY17 Capital Budget (20 minutes)

- 6. Council Dialogue (9:00 p.m. – 9:10 p.m.)**
- 7. Community Notices and Meetings**
 - (1) Main City Calendar: January 28 - February 8, 2016
- 8. Motion to Adjourn**



Discussion Items: Hyattsville Charter Amendment: Qualifications of Voters

SUBJECT: Hyattsville Charter Amendment: Qualifications of Voters

SECTION: Discussion Items

BACKGROUND:

Please see attached revised motion submitted by Council President Haba, Council Vice President Lawrence and Councilmembers Paschall and Solomon. This item was originally discussed during the Council Meeting of January 4, 2016.

A memo detailing feedback from the Board of Elections is also attached. Please note that this memo is reflective of the content original drafted motion. There have been some modifications made to the motion since the date of this memo. The motion included with this agenda item is the most recent version.

Representatives from the Board of Supervisors of Elections and the City Attorney will be present for the discussion to answer questions from the Mayor and Council.

NEXT STEPS:

TBD

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Implementation will have staffing and budgetary impact --TBD (to be determined).

STRATEGIC GOALS

Goal: Goal 1 – Ensure Transparent and Accessible Governance


Tracey Nicholson, City Administrator 1/22/2016



Council Agenda Form

MOTION #		DRAFT # 4
DATE SUBMITTED: January 20, 2016	DATE TO GO BEFORE COUNCIL: January 27, 2016	
SUBMITTED BY: Haba, Lawrence, Paschall, Solomon		
DEPARTMENT: Legal, City Clerk, Legislative		

TITLE OF MOTION: Hyattsville Charter Amendment 2015-03 (Qualifications of Voters)

RECOMMENDATION:

I move that the Mayor and Council direct the City Attorney to draft a Hyattsville Charter Amendment changing voter qualifications for Municipal Elections. Hyattsville residents who meet the following qualifications shall be eligible to register and to vote in all City elections, starting in 2017:

- Be a resident of the City of Hyattsville, Maryland;
- Not claim the right to vote elsewhere in the United States;
- Be at least 16 years old to vote;
- Not be under guardianship for mental disability or if you are, you have not been found by a court to be unable to communicate a desire to vote.

The City shall provide a voter registration application, and the Board of Supervisors of Elections of the City of Hyattsville shall maintain a supplemental voter registry, separate from the list of registered voters in the City generated by the Prince George's County Board of Elections. This supplemental voter registry shall include the names of residents who are registered to vote in City elections only. Residents who are not registered to vote with the State of Maryland may register to vote in Municipal elections up to and on the day of an election. Residents who register on the day of an election shall cast a provisional ballot, contingent on application approval by the City's Board of Election Supervisors. The voter registration application shall contain an affidavit, which shall set forth the following information under penalty of perjury: (1) The voter's name and residence address, including the street and number, (2) That the person is a qualified voter at the residence address given, and (3) That the person is not registered to vote elsewhere in the United States. By signing the voter registration application, the applicant swears that all the information on the form is true. Applicants shall be required to provide proof of residency, including name and address of habitation, in the form any of the following: pay stub, bank statement, or utility bill that verifies his or her residency; a Maryland Vehicle Administration identification number; or an affidavit of cohabitation. All Hyattsville residents who meet the City's voter qualifications shall be eligible to serve as an election judge and serve on the City's Board of Election Supervisors.

BACKGROUND:

Many of Hyattsville's new and long-time residents are currently disenfranchised from voting in local elections. Of these residents, some are pursuing a legal path to citizenship, some have opted to retain their foreign citizenship, while others find themselves embroiled in an ineffective and unsettled Federal immigration system. According to CASA de Maryland, approximately 15% of the City's residents are immigrants, most of whom remain voiceless in municipal elections, despite sharing similar day-to-day experiences as their neighbors, such as paying taxes, relying on City services, supporting local businesses, and some having children who attend our local public schools.

Though Maryland ended noncitizen voting rights for state and federal elections in 1851, our state's constitution recognizes the autonomy of local municipalities and localities to grant suffrage in local elections. As of 2012, six Maryland municipalities (Barnesville, Garrett Park, Glen Echo, Martin's Additions, Takoma Park, and Somerset) allow noncitizens to vote in local elections. Hyattsville can join these municipalities by extending the vote to all of its residents who meet the qualifications listed in the motion language above. Such a change in voter eligibility will increase representation and civic involvement in the City, and it will demonstrate that the City of Hyattsville values the day-to-day lives of all of its residents.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

The Board of Supervisors of Elections of the City of Hyattsville will need to maintain a supplemental voter registry and address same-day voting applications.

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

Tracey Nicholson, City Administrator

STRATEGIC GOALS AND ACTIONS:

Goal 1 – Ensure transparent and accessible governance

Action 1.1 – Encourage resident participation in City committees, meetings, and elections

SUPPORTING DOCUMENTATION:

CURRENT YEAR BUDGET IMPACT: There is no current year budget impact. However, due to the Board's recommendations, it is likely that the City will need to budget to hire a part-time Registrar in the 2017 budget.

MEMORANDUM

TO: Hyattsville City Council

FROM: Board of Supervisors of Elections of the City of Hyattsville

RE: Draft motion as to qualifications of voters dated November 13, 2015

DATE: December 15, 2015

Introduction

The Board has been asked to comment on the proposed motion referenced above. The motion directs a charter amendment to be drafted which changes the voter qualifications for City elections to allow anyone to vote in City elections who is a resident of the City regardless of United States citizenship so long as they are otherwise qualified. The motion lists four (4) criteria for voter registrants are as follows: the person must (1) be a resident of the City of Hyattsville, Maryland, (2) not claim the right to vote anywhere else in the United States, (3) be at least fifteen (15) years old and (4) not be under guardianship for mental disability (unless no Court has ever found that you are unable to communicate a desire to vote). The motion then directs the City Clerk (*i.e.*, not the Board) to maintain a separate voter registry for only those so qualified and directs that registration shall take place “up to and on the day of an election.”

The motion requires a “City only” voter registration form that contains an affidavit stating the full address of the applicant and a statement that the applicant is a qualified voter at that residence. The motion recites specific items as proof of residency which include any of the following: pay stub, bank statement, utility bill that verifies residency, a Maryland Vehicle Administration ID number or an affidavit of cohabitation. Finally, the motion states that any City resident who meets the four

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(4) listed criteria above shall be eligible to serve as an election judge and to be on the Board of Supervisors of Elections.

Discussion

While there are some discrepancies internally in the motion the Board assumes that the motion directs legislation (not simply a charter amendment) that requires the following: (1) deletion of any reference to United States citizenship in voter qualifications for the City provided the applicant wishing to vote is not registered to vote anywhere else in the United States, (2) the creation of a process of voter registration for City only elections and the maintenance of a City registration list by the Board (the proper party to do this) including separate record keeping and updating of those City only voter lists, (3) the allowance of same day registration on advance voting days and on the election day. It is also assumed the motion intends walk in registrations at the City office at all other times. (4) a list of the documents sufficient to prove residency, (5) the deletion of United States citizenship as a requirement for membership on the Board of Elections or to participate as staff election judge in the administration of City elections.

I. United States citizenship.

The Board does not take a position on this particular requirement. The Board feels strongly that the Council is the policy making body on this matter and if the Council wishes to enfranchise residents of the City, the Board will do its best to comply with all such requirements. However, the Board has some concern that the only persons who may register to vote in City elections are those that do not vote elsewhere in the United States. It is very possible that there are residents of the City of Hyattsville who also vote in another State of the Union. The Board is interested in the Council's thoughts on whether a person who votes in the State of Utah but actually lives a great deal of the time in the City of Hyattsville will also be allowed to register to vote in City only elections.

However, the Board is concerned about the third requirement qualification listed that one may be at least fifteen (15) years old. The Board feels that is

Attachment: Memo re qualification of voters_FINAL_121515 (1412 : Hyattsville Charter Amendment: Qualifications of Voters)

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inadvisable. If the Council wishes to enact such a provision, it must set up a voluntary procedure whereby those fifteen (15) or older may be on a separate list and eligible to vote only after their birthday occurs. The Board believes that is the intention of this third provision and believes that needs to be specified clearly. The Board also believes that if the Board is to do this, as well as keep a separate voter registration list that that process needs to be phased in and should not be immediately effective.

II. The City only voter list.

The Board believes that the maintenance of such a list is the Board's responsibility and not the City clerk's responsibility. The City clerk has certainly been helpful to the Board but the Board of Elections is specifically designed to run all aspects of the election including if one is required, registration of City only voters. The Board also believes that a City only voter list must be accompanied by additional budgetary requirements. The City has not had a City only voter list for almost thirty (30) years. The updates as to those on the list will take additional time and the Board will need additional meetings to do so. It will also require further correspondence with these City only voters. More importantly as explained below, the City will need a Registrar who will be in charge of reviewing all registrations, taking applications and analyzing them and assisting people who wish to register to vote. The Board is concerned that the City needs to fund this position at least as a part time position as to the registration of voters and evidence of residency becomes a rather specialized skill. Hence the Board believes the legislation needs to that this would be a staff person who will work for the Board of Elections in addition to the City Clerk, and the position should commence no later than Fall of 2016. The Board feels that creating the position of a Registrar with the proper budget adjustment would be a fair solution.

III. Registration of voters.

As stated above, the City will need to have a Registrar dedicated to reviewing the applications and even assisting those people who wish to register. Of even more importance to the Board is the same day registration requirement on election days.

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The State of Maryland does not allow same day registration on the actual Election Day. It only allows same day registration on the early election days. The reason for this is that the same day registration has the potential to actually make voting for already registered voters more difficult with longer lines. Hence the Board recommends that same day registration, if it is enacted by the Council, shall only occur on early voting days and only if the Registrar is present for the entire day at the early voting days so that the Board and the election judges continue to be free to do their job and service those already qualified. The Board further believes that the procedures for same day registration on any voting day should be phased in and not happen at the next election cycle. The Board is in the process of undertaking new initiatives that include the selection process for an election vendor, possible execution of approved changes to the City's Election Code pertaining to campaign finance reporting and continued efforts to improve communication and coordination with the County Board of Elections. Additionally, the Board will approach the next Election cycle with a focus on refining implementation of new procedures that include increased outreach to newly enfranchised 16/17 year-old voters and fine tuning the early voting process. The addition of the same day registration process is unwise until the other procedures they are working on are running smoothly. Hence if the Council allows same day registration they should project it into the future and give a date when the Board should implement such a procedure, for example, four (4) years after the enactment of the ordinance. The Board also feels that same day registration should not be allowed on an actual election day.

IV. Documents, proof of residency.

The Board understands that the motion makers are trying to open up voting to bona fide residents. However, the Board feels that legislation listing specific items proving residence should not be included in any legislation. The Board is cognizant that the Maryland election law on registration states the following: an applicant to register to vote must produce (1) a Maryland driver's license or Maryland identification card that contains the applicant's current address or if the applicant does not have a driver's license or identification card that contains the applicant's current address, a copy of an official document that (a) meets the requirements

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December 11, 2015

established by the Board and contains the applicant's name and current address. The Board is recommending that the Board set those criteria rather than the language of the proposed motion. The Board is concerned that pay stub information and bank statement information is not sufficient proof of residency, nor is a utility bill which really only proves that the person owns property in the City. Actually, the Board has no idea what the affidavit of cohabitation is about and is very doubtful of its use to prove residency. Hence the Board is advocating a more flexible approach to this than the motion proposes.

V. Non citizens administering City elections.

The Board recommends that this provision be deleted from the proposed legislation. The legislation on its face states it is about the enfranchisement of people currently not allowed to vote. The Board, and not the Council, is charged with the integrity of the election process in the City and ensuring that all those who can vote will be given the opportunity to vote. The right to vote is the defining essential of our government and the integrity of that process must be ensured. The Board believes that elections should be administered at this time only by U.S. Citizens and that provision in the motion should be deleted.

Attachment: Memo re qualification of voters_FINAL_121515 (1412 : Hyattsville Charter Amendment: Qualifications of Voters)



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

Meeting: 1/27/2016 7:00 PM
Department: Clerk's Office
Prepared by: Laura Reams
Sponsors: At the Request of the City Administrator
DOC ID: (ID # 1413)

5.2

Discussion Items: Council Budget Priority Discussion: FY17 Operating Budget

SUBJECT: Council Budget Priority Discussion: FY17 Operating Budget

SECTION: Discussion Items

BACKGROUND:

Attached is the revised list of Council submitted budget priorities for the FY17 operating budget.

NEXT STEPS:

The draft FY17 budget will be presented to the Mayor and Council during the Council Work Session of February 24, 2016.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS

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


Tracey Nicholson, City Administrator 1/22/2016

COUNCIL PROPOSED FY2017 OPERATING BUDGET INITIATIVES
Revised 1/22/2016

SPONSOR:	DESCRIPTION:	DEPT(S):	ESTIMATED FUNDS:	STAFF COMMENTS:
Solomon	<u>Hyattsville Health & Wellness Study:</u> City-wide survey to establish a baseline for health metrics and community health needs	CS	\$5,000	Scheduled for further discussion on 1/27. Cost estimate is for hard costs (i.e., printing and mailing). Committee would be responsible for survey preparation and data tabulation.
Solomon	<u>Police & Public Safety Advisory Committee:</u> Funds to support hosting mobile meetings in City Wards, including flyers and small budget for snacks at meetings	Legislative	\$500-1,000	Scheduled for further discussion on 1/27. Council discretionary funds are included in draft 2017 budget.
Solomon	<u>Hamilton Street Sidewalk:</u> Install sidewalk between 38th and Hyatt Park where there is no existing sidewalk (This is a State road and will require coordination with State)	Legislative	TBD	Scheduled for further discussion on 1/27. This will require a legislative request made to State Highway Administration.
Solomon	<u>Partnership with Habitat for Humanity:</u> Establish partnership for building Habitat for Humanity Homes in Hyattsville	Legislative	TBD	Scheduled for further discussion on 1/27. More information is required.
Lawrence	<u>Hyattsville Health Weekend: (November 5-6)</u> To feature a 5K run, Cyclocross and a FitBit Challenge. The 5K would be organized and hosted by HES PTA, and Cyclocross would be run by Arrow Bicycle and Route 1 Velo. City resources would be to build in a celebration - with live music and food and beverage sales - and for cleanup and security. (The FitBit Challenge, which would have minimal costs, would be organized by the City.)	CS	\$8,000	This item was discussed during the Council Work Session of Jan 12. Council stated informal support for consideration of inclusion in the draft FY17 budget. 1/12: Staff has begun conversations with Arrow Bicycle and HES PTA to determine feasibility.
Lawrence	\$10,000 for the Hyattsville Education Enrichment Grant Program	Legislative	\$10,000	This item was discussed during the Council Work Session of Jan 12. Referred back to staff for consideration. 1/12: Funded in FY16 at \$5,000.

Lawrence	Funding for a traffic study aimed at improving safety and mitigating traffic volumes on neighborhood streets east of MD 500, west of Rte. 1, and south of East-West Highway, with special consideration of Queensbury Road and related streets.	DPW	TBD	This item is being reviewed by staff for potential increase in funding to address low impact design elements. 1/12: Traffic study is included FY17 budget. Staff is coordinating estimates.
Perry	<u>Re-establish the Captain's position in the Police Department</u> Responsibilities to include: Day to day department operations, Acting Chief of Police when Chief Holland is unavailable, 1st level supervision of the Lieutenants, Studying crime trends, Recruiting and Retention, Training, Disciplinary actions and commendations, Emergency Operations, Anything else the Chief of Police may require.	PD	\$150,000 (including benefits)	Staff will evaluate the impact of inclusion of this position on the total budget. The position has not been authorized and unfunded since 2005. Supportable requirement to place additional oversight on critical mission areas.
Solomon	<u>New Positions:</u> Full time positions in HR, Treasurer, Community Services (Communications/Social Media)	HR	TBD	These items are included in the draft FY17 budget. Current draft budget includes requests for part time HR and Communications and full time position in Finance. No requirement in DPW at this time.
Croslin	Establish Snow Removal Program for qualified senior residents	DPW, CS	\$10,000	Staff is coordinating with Council. If approved as a contracted program, the City would identify a vendor and provide management and oversight for resident qualifications.



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

Meeting: 1/27/2016 7:00 PM

Department: Clerk's Office

Prepared by: Laura Reams

Sponsors: At the Request of the City Administrator

DOC ID: (ID # 1414)

5.3

Discussion Items: Council Budget Priority Discussion: FY17 Capital Budget

SUBJECT: Council Budget Priority Discussion: FY17 Capital Budget

SECTION: Discussion Items

BACKGROUND:

Attached is the revised list of Council submitted budget priorities for the FY17 Capital Improvement Plan (CIP) budget.

NEXT STEPS:

The draft FY17 budget will be presented to the Mayor and Council during the Council Work Session of February 24, 2016.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

n/a

STRATEGIC GOALS

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


Tracey Nicholson, City Administrator 1/22/2016

COUNCIL PROPOSED FY2017 CAPITAL BUDGET INITIATIVES
Revised 1/22/2016

SPONSOR:	DESCRIPTION:	DEPT(S):	ESTIMATED FUNDS:	STAFF COMMENTS:
Haba	Provide \$500K for sidewalks construction on certain streets in Ward 4: Kelliher Road, Kimberly Road, 31st Place (between Lancer Place and Madison Street)	DPW	\$500,000	Scheduled for further discussion on 1/27. FY17 draft operating budget includes \$60,000 for sidewalk replacement and trip hazard mitigation. Staff is evaluating requirements for updated cost estimates.
Haba	Street repair and speed humps funds	DPW	TBD	Scheduled for further discussion on 1/27. Current draft budget includes \$200,000 for street repair and operating budget has \$30,000 for traffic mitigation/speed humps. Staff is re-evaluating requirements.
Perry	Provide \$1M for Street Lighting Improvements	DPW	\$1,000,000	Scheduled for further discussion on 1/27. Staff is evaluating Phase 2 requirements and will adjust budget as needed. Current draft budget includes \$250,000.
Haba	Provide \$500K funding to implement Phase 1 of Lighting Study (neighborhoods near metro stations)	DPW	\$500,000	Scheduled for further discussion on 1/27. Staff is evaluating Phase 2 requirements and will adjust budget as needed. Current draft budget includes \$250,000. Phase 1 replacement is underway in FY16.
Perry	Purchase of Solar Powered Pedestrian lighting for installation at high volume pedestrian crosswalks in the City. Similar signage has been installed near Felegy Elementary School	DPW	TBD	Evaluation ongoing. A new pilot program for implementation is ongoing (4 are in use). Following evaluation the City will budget for additional units.
Haba	Provide adequate funding for the purchase and placement of trash receptacles on certain city streets.	DPW	TBD	15 traditional trash cans and 15 Bigbelly trash cans are being installed in FY16. FY17 draft

				budget includes \$110,000 for purchase and installation of new trash receptacles and implementation of pilot Bigbelly program.
Solomon	Purchase and Implementation of Enterprise Resource Planning (ERP) System	City Admin	TBD	Estimates projected prior to final budget submission. Staff is coordinating with Dataprise to assess potential vendors and determine scale of the system, and funding for FY17 implementation.

Main City Calendar for January 28 – February 8, 2016

Seniors Free Movie Monday

February 1, 9:00 AM - 12:30 PM @ Beltway Plaza, Academy 8 Theaters

Call-A-Bus will transport. Please call 301-985-5020 by 2:00 PM on the Friday prior to the event to make a reservation.

Public Hearing – Presentation of Draft Prince George’s County Zoning Re-Write

February 1, 7:00 PM @ the City Administration Building

City Council Meeting

February 1, 8:00 PM - 10:00 PM @ the City Administration Building

Board of Supervisors of Elections Meeting

February 2, 4:00 PM - 5:00 PM @ City Administration Building, 3rd Floor Inner Conference Room