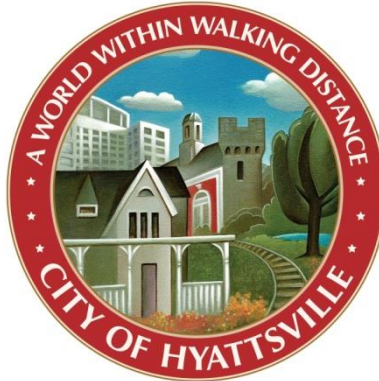




City of Hyattsville Council Meeting
Monday, January 5, 2015
8:15 PM

NOTE: There will be two (2) Public Hearings held prior to the regular Council Meeting. The Council Meeting will begin after the conclusion of the public hearings. The start time of 8:15 p.m. is approximate and may be delayed. Public testimony at these hearings is encouraged.

- ***7:30 p.m. – Public Hearing, Installation of Traffic Calming Device(s) on the 4400 block of Oliver Street***
- ***7:45 p.m. – Public Hearing, Authorizing 16 and 17 year old Hyattsville Residents to Vote in Municipal Elections***

The hearings will be held in City Council Chambers, 3rd floor, 4310 Gallatin Street.

Presentation – City Streets and Lighting Projects

During the City Council meeting, there will be a presentation on the City's streets and lighting. Public comments will not be heard during or following the presentation, but are encouraged at the beginning of the meeting at 8:15 p.m.

AGENDA

- 1. Presentation of the Flags – Boy Scouts of America, Troop # 224, Hyattsville**
- 2. Call to Order and Council Roll Call**
- 3. Pledge of Allegiance to the Flag**
- 4. Approval of the Agenda**
- 5. Approval of the Minutes**
(1) Council Work Session of October 27, 2014
- 6. Public Comment** (8:25 p.m. – 8:35 p.m.) (Limit 2 minutes per speaker)
- 7. Presentations** (8:35 p.m. – 9:30 p.m.)
(1) 2014 Claus Applause Awards (5 minutes)

- (2) FY12 & FY13 City Audit Update (5 minutes)
- (3) Kiplinger Site Plan (15 minutes)
- (4) Update on City Street & Lighting Projects, Charles P. Johnson & Associates (30 minutes)

8. Action Items (9:30 p.m. – 9:45 p.m.)

- (1) **Motion # 01-01-15 Hyattsville Resolution 2015-01, Advisory Referendum on Lowering the Minimum Eligible Age to Vote in City Elections (INTRODUCTION & ADOPTION)** I move that the Mayor and Council introduce and adopt Hyattsville Resolution 2015-01, a Resolution of the City Council of Hyattsville, Maryland, whereby the City Council directs that a referendum occur at the regular municipal election in 2015 in which the City will seek an advisory opinion of the voters on whether the eligible age to vote in City elections should be lowered from eighteen (18) years of age to sixteen (16) years of age (INTRODUCTION & ADOPTION). – **Tartaro**

NOTE: Should Motion # 01-01-15 not be adopted, the Council will consider Motion # 02-01-15

- (2) **Motion # 02-01-15 Hyattsville Charter Amendment 2015-01 (FIRST READING)** I move that the Mayor and Council introduce and adopt Hyattsville Charter Amendment 2015-01, a Resolution of the Mayor and City Council of Hyattsville, Maryland, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland (2013 Edition, as amended), to amend the Charter of said City, said Charter being a part of the public local laws of Maryland (1963 Edition, as amended), which Article contains in whole or in part the Charter of the City of Hyattsville, Maryland, whereby the Mayor and City Council lower the voting age to 16 years old for City elections (FIRST READING) – **Paschall, Tartaro**

- (3) **Motion # 03-01-15 City Communications Policy** I move that the Mayor and Council adopt the attached City Communications Policy. - **Tartaro**

9. Discussion Items (9:45 p.m. – 10:15 p.m.)

- (1) Establishment of a Quiet Zone (15 minutes)

10. Council Dialogue (10:15 p.m. – 10:25 p.m.)

11. Community Notices and Meetings – See attached Calendar

12. Motion to Adjourn

Main City Calendar

1. **Board of Supervisors of Elections Meeting**
January 6, 4:00 PM @ Hyattsville Municipal Building
2. **Ageless Grace Seated Exercise Program**
Every Wednesday and Friday, 10:00 AM - 11:00 AM @ City Municipal Building 1st Floor Multi-purpose Room
3. **City Council Budget Work Session**
January 14, 8:00 PM - 10:00 PM @ 3rd floor, City Council Chambers
4. **City Council Meeting**
January 20, 8:00 PM - 10:00 PM @ 3rd floor, City Council Chambers

Main City Calendar

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January 20, 8:00 PM - 10:00 PM @ 3rd floor, City Council Chambers



**CITY COUNCIL WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE, MD
MONDAY, OCTOBER 27, 2014**

CALL TO ORDER: 8:02 p.m., First Floor Multipurpose Room, 4310 Gallatin Street, Hyattsville, Maryland

OFFICIALS PRESENT:

- Mayor Marc Tartaro
- Council President Candace B. Hollingsworth
- Councilmember Bart Lawrence
- Councilmember Shani N. Warner (arrived at 8:06 p.m.)
- Councilmember Robert S. Croslin
- Councilmember Timothy P. Hunt
- Councilmember Patrick A. Paschall
- Councilmember Edouard N. Haba
- Councilmember Clayton R. Williams
- Councilmember Joseph Solomon

OFFICIALS ABSENT:

- Council Vice President Paula J. Perry

STAFF PRESENT:

- Tracey E. Nicholson, City Administrator
- James Chandler, Assistant City Administrator, Director of Community & Economic Dev
- Ron Brooks, City Treasurer
- Douglas Holland, Chief of Police
- Vivian Snellman, Director of Human Resources
- Lesley Riddle, Director of Public Works
- Jake Rollow, Director of Community Services
- Laura Reams, City Clerk

APPROVAL OF THE AGENDA:

Council President Hollingsworth moved that the Council approve the agenda of Monday, October 27, 2014, as presented. Councilmember Paschall seconded the motion. The motion to approve the agenda passed; unanimously.

PUBLIC COMMENT

Ms. Shirley Fisher, a Ward 5 resident, addressed the Mayor and Council in support of moving the City's Police Department to the building at 3505 Hamilton Street.

Mr. Stuart Eisenberg, Executive Director of the Hyattsville Community Development Corporation (CDC) addressed the Mayor and Council regarding the facilities discussion, stating that the Hyattsville CDC was interested in hearing the proposal for the use of the Arcade.

DISCUSSION ITEMS:

City Facilities Investment

Assistant City Administrator and Director of Community and Economic Development, Jim Chandler opened the discussion with a brief overview of City's owned facilities and the staff recommendations for utilization of those facilities. Mr. Chandler reviewed the findings of the 2011 Facilities Study and the recommendations for necessary space allocation for City departments over the next twenty (20) years, noting several challenges with conditions and space constraints in the City Municipal Building located at 4310 Gallatin Street. Mr. Chandler stated that due to anticipated space needs, it was not practicable to house both the administrative department and the police department together in either the current Municipal building or the City owned building located at 3505 Hamilton Street.

City Treasurer Brooks provided details on the funds currently allocated towards the annual maintenance of the City's buildings and allocations for proposed capital improvements. City Administrator Nicholson summarized the staff recommendations and requested input and ideas from the Mayor and Council.

Mayor Tartaro provided background details on the 2011 Facility Study, stating that the report was based on assumptions regarding future growth in the City, including anticipated annexations that he noted had not occurred. Assistant City Administrator Chandler agreed that the study was based on several assumptions but noted that the space allocation study projections were very close to the actual growth in City operations. Mayor Tartaro suggested that City staff look into the possibility of updating the space utilization study to provide comparison data.

Council President Hollingsworth asked if staff was interested in feedback on the specific recommendations or if general feedback was acceptable. Ms. Nicholson said that while the staff recommendation was leaning in the specific direction of moving the police department to the building at 3505 Hamilton Street, staff was open to other suggestions from the Council.

Council President Hollingsworth inquired about the City's future capacity to increase arts and recreation programming, noting that the City was currently limited in that type of programming due to space constraints. City Administrator Nicholson said that staff would look into addressing those questions and noted that the City may need to consider partnerships with other organizations to share space in order to expand recreation and arts programming. Council President Hollingsworth said that she was in support of the City exploring public private partnerships as a possibility for both the City Municipal building and the Arcade building, stating that she hoped, should a partnership possibility arise, that the City would be participatory in the development of the uses of those buildings. There was a brief discussion on how such a partnership could work. Councilmember Hunt said that he would have concerns with the liability risks associated with public/private partnerships.

Councilmember Lawrence asked for clarification on the space utilization assumptions from the 2011 facility study. Assistant City Administrator Chandler provided details on the study, stating that the projected numbers were based on standard size requirements for municipal governments as well as interviews with staff members to assess space utilization needs & determine future projected space needs. There was a lengthy discussion regarding the space utilization projections.

There was a brief discussion regarding outreach to residents to get input on the proposed ideas for facilities.

Councilmember Haba inquired what the long term plan for the administrative staff was, should the police department move into the building at 3505 Hamilton Street. Mr. Chandler stated that the long term plan

would depend on how the City decided to proceed with the City Municipal building and the Arcade building, adding that it would not be an efficient use of space to house only the administrative staff in the Municipal building, even accounting for 20 year staffing projections. There was a discussion regarding the use, functionality and long term housing of the City's Council Chambers. Mayor Tartaro noted that staff capacity to plan and execute moves of both the administrative and police departments should be taken into consideration as the Council moves forward with plans.

Councilmember Paschall inquired how much the City was spending annually on maintenance and utilities for all of the City owned buildings. Director of Public Works Riddle stated that it was likely that for the 3505 building the City would see an approximate increase of 20% in utility and maintenance costs over what was currently paid, noting that it was costly to maintain the unused facilities.

There was a discussion regarding timelines for development, design, construction and implementation of any facility renovations. Additionally, there was a discussion regarding the possibility of building out the 3505 Hamilton Street location to accommodate both the police department and the administrative staff. Assistant City Administrator Chandler noted that parking capacity at the 3505 Hamilton Street could be a challenge with the projected staff growth for both police and administrative employees. Mayor Tartaro suggested that the Council be mindful of staff capacity noting that there were several other projects currently underway including the University Hills Street Rehabilitation Project.

After further discussion it was determined that staff would return to the Council with a timeline for future discussions and decision-making.

MOTION TO ADJOURN:

Councilmember Haba moved that the Mayor and Council adjourn the Council Work Session of October 27, 2014. Councilmember Hunt seconded the motion. The motion passed; unanimously.

The meeting adjourned at 10:04 p.m.

Attest:

Laura Reams, City Clerk

Date of Minutes Approval



SUBJECT: Claus Applause Award Presentation	
MOTION# NA	DEPARTMENT: Community Services
SECTION: Presentation	SPONSORED BY: Mayor Tartaro
RECOMMENDATION: Presentation only.	
BACKGROUND: Claus Applause awards go to homes decorated for the holidays. Three winners are selected in each ward, and a green award and Mayor's Choice are also selected.	
NEXT STEPS:	
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:	
STRATEGIC GOALS AND ACTIONS: Goal 5 – Strengthen the City's identity as a diverse, creative and welcoming community.	
CURRENT YEAR BUDGET IMPACT:	
CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: (must be approved by City Administrator):  Tracey E. Nicholson, City Administrator	

2014 Claus Applause Awards
Winners

Mayor's Choice Award
3303 Nicholson Street

Green Award
5703 40th Avenue

Ward I

First Place – 4201 Queensbury Road
Second Place – 6217 Carrollton Terrace
Third Place – 4203 Queensbury Road

Ward II

First Place – 4017 Ingraham Street
Second Place – 3900 Madison Street
Third Place – 3708 Hamilton Street

Ward III

First Place – 7209 Hitching Post Lane
Second Place – 3301 Pennsylvania Street
Third Place – 3300 Gumwood Drive

Ward IV

First Place – 5709 30th Avenue
Second Place – 5808 32nd Avenue
Third Place – 2900 Lancer Drive

Ward V

First Place – 5610 29th Avenue
Second Place – 5604 30th Avenue
Third Place – 5025 37th Place

HYATTSVILLE^{md}

SUBJECT: FY-2012, FY-2013 and FY-2014 Audit Update

MOTION#

DEPARTMENT: Finance

SECTION: Presentation

SPONSORED BY: Tartaro

RECOMMENDATION:

BACKGROUND:

- The FY-2012 audit is completed and the closing reports have been submitted to the Mayor, Council and the Administration.
- The "Management Letter" was submitted to the Administration and each issue was responded to by the Treasurer and City Administrator. Any new policy recommendations or initiatives that need approval will be presented to Council for discussion and final approval.
- The "Report on Internal Controls" had two deficiency findings that are considered material weaknesses and are identified below.
- Finding 2012-1, states the City has not been timely on filing its annual audits according to state law.
- Finding 2012-2, states that the City does not have a process that regularly tracks federal grant funds known as "SEFA".
- The administration has responded to each of these findings with a corrective course of action that is currently on file with our auditors.
- CohnReznick will be scheduled to provide City Council an overview of the FY-2012 audit.
- FY-2013 audit is moving forward and soon will be in the analytical stage. Our goal is to complete this audit in May 2015.
- FY-2014 audit is expected to begin late May 2015.

NEXT STEPS:

- The City Treasurer will facilitate an aggressive schedule to complete the FY-2013 audit and begin the FY-2014 audit.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Treasurer will be providing a verbal and public presentation.

STRATEGIC GOALS AND ACTIONS:

To present the FY-2012 audit to Council, file it with the State and push the FY-2013 audit forward.

CURRENT YEAR BUDGET IMPACT:

N/A

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


Tracey E. Nicholson, City Administrator

[illegible]



Memo

To: Mayor and City Council

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

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

Date: December 22, 2014

Re: Kiplinger Property: Phase I – DSP-14010

The applicant, Fore Property Company, will be presenting plans for the redevelopment of a section of the former Kiplinger Editors Press site located at 3401 East-West Highway. The presentation is being finalized and will be emailed to the Council the week of December 29th.

The subject property is proposed for subdivision from one (1) parcel to three (3) parcels and will be reviewed by the M-NCPPC Subdivision Review Committee (SDRC) in January. If subdivision of the site is granted, the applicant intends to move forward with approval for a multifamily residential building consisting of 3.77 acres, which would include five (5) residential levels of 71-studio, 157-one bedroom, 106-two bedroom and 18-three bedroom units for a total of 352 units. The site would also include structured parking that accommodates 416 spaces in a 5.5 level parking garage.

The applicant is being represented by Bill Shipp with O'Malley, Miles, Nylen & Gilmore, P.A., who will present the City Council with both the multifamily development and a preliminary design for a for-sale townhouse development on the north side of the site; there is no current plan for developing the would-be third parcel. The intent of presenting both phases is to provide the City Council with context for the overall development.

The conceptual site plan (CSP) for the project was approved by the District Council in June 2013, however the applicant will require approval of a revision to the conceptual site plan due to the substantive modifications being presented in the detailed site plan, most notably the removal of a retail use and the introduction of for-sale townhomes.

The applicant is scheduled to present and discuss the proposal with the Hyattsville Planning Committee on Tuesday, January 27, 2015. I anticipate bringing this item back to Council for discussion on February 2nd and action on February 17th.

Kiplinger Redevelopment Projects

Single Family Town Homes & Multi-Family Development Project



Single Family Town Homes



Multi-Family Development Project



Fore Property Company

Kiplinger Property Redevelopment



The Edition: Multi-family Development

Fore Property Company (FORE) is pleased to present The Edition, a 348-unit LEED Designed, Class A, transit-oriented, multifamily development located adjacent to the Prince Georges Plaza Metro in Hyattsville, MD.

Fore is a full service, national real estate company with over 35 years of experience in developing, constructing and managing communities. FORE has developed over 21,000 apartment units across the country. Our history of success is best exemplified by the development of over \$1 billion of multifamily product.



The Edition:

Key Project Characteristics

Address	3401 East-West Highway, Hyattsville, MD
Number of Units	348
Clubhouse	Modern ~8,500 Sq.Ft.
Project Sq.Ft.	Approximately 318,000
Total Development Cost	\$73M
Acreage	3.80
Approximate Avg. Unit Size	884
Market Rent/Unit	~\$1,800
LEED	LEED Silver Designed
Exterior Walls	Brick, Cementitious Siding, Metal Paneling
Framing/ Style	Wood Framed/ 5 story elevator



Area Map

Preserve

3350 at Alterra -
283 units



University
Town Center



Post
Park

The Mall at
Prince Georges

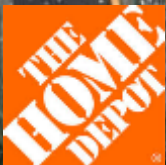
3401 E West Hwy, Hyattsville, MD 20782, USA



Site



Mosaic at
Metro



Kiplinger Property : Aerial View



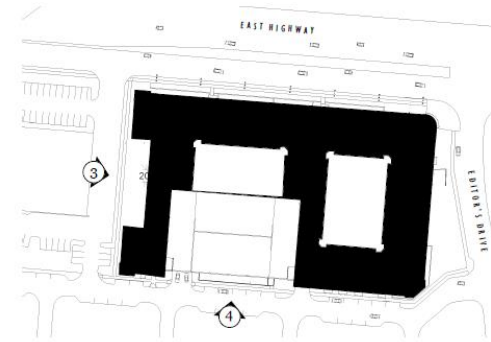
The Edition: Elevations

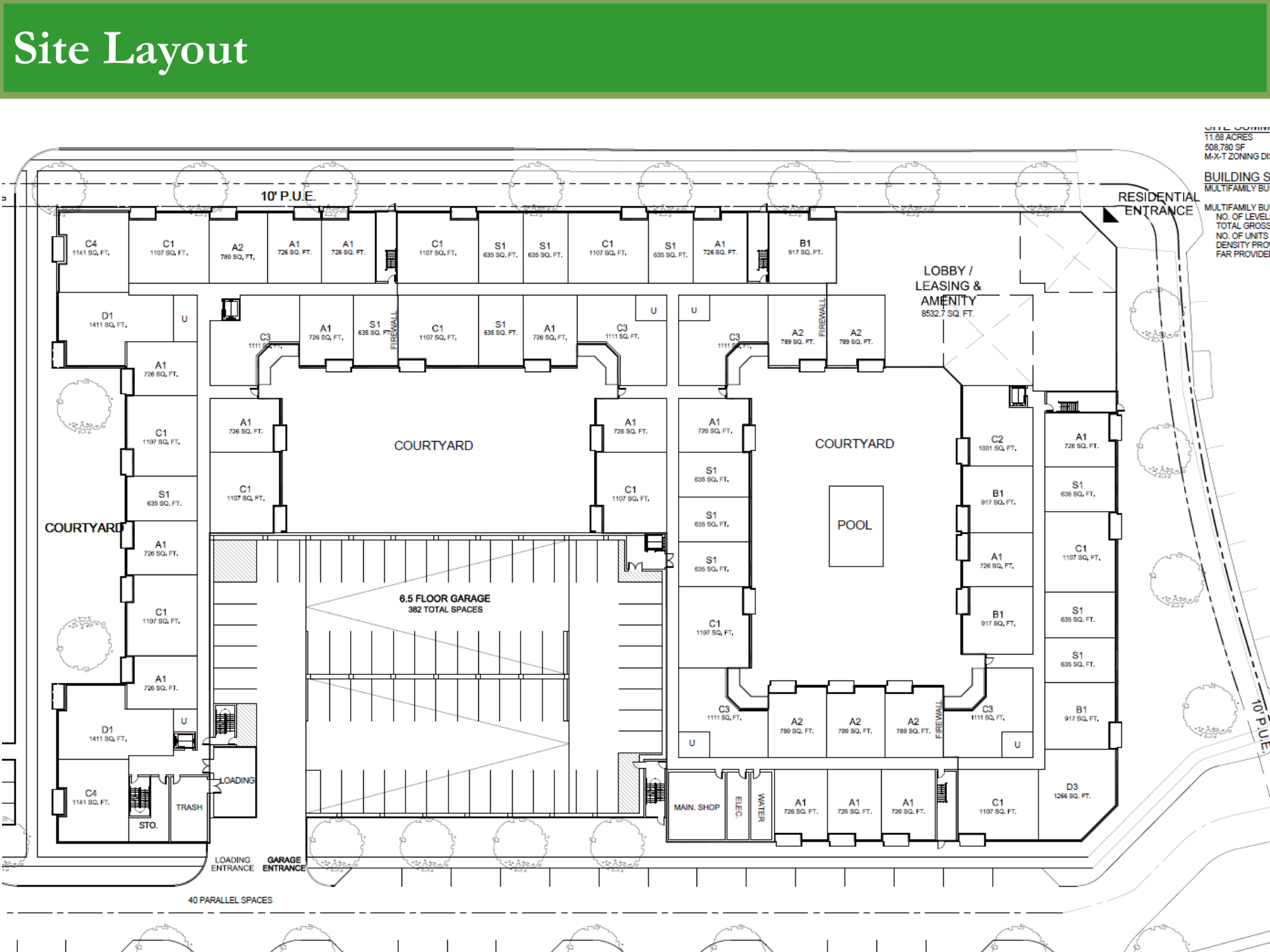


The Edition: Elevations



KEY PLAN ①



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AMENITY – CLUBHOUSE



FORE SAMPLE CLUBHOUSE

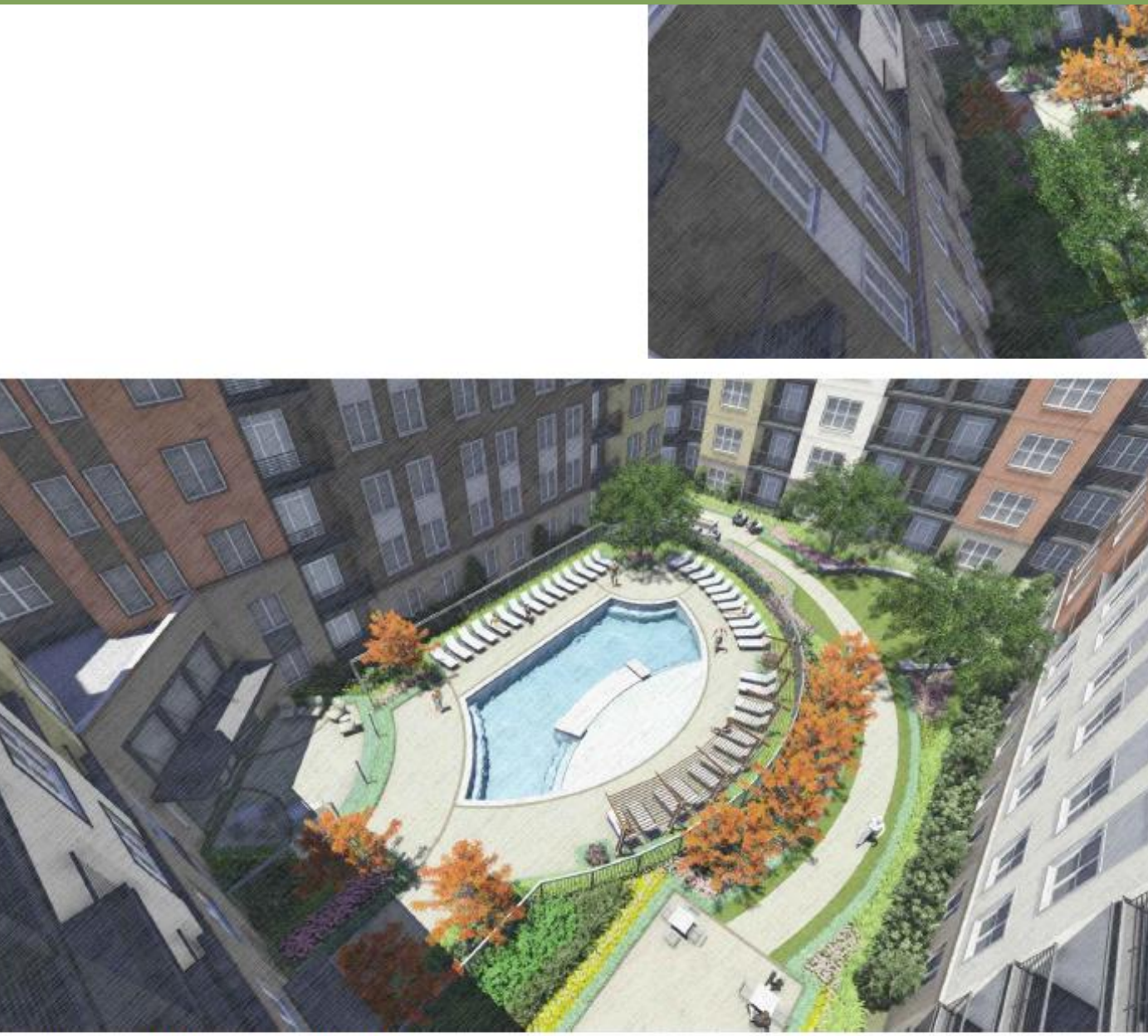


Fore Property Company

FORE SAMPLE CLUBHOUSE DESIGN:



The Edition: Courtyard



Fore Property Company

The Edition: Courtyard



Property Amenities

- Modern Interior Designed Clubhouse
Pool Tables, Shuffle Board
- Yoga Room
- World Class Fitness Equipment
- Business Center / Conference Room
- Walking Distance to Metro
- Pet Wash
- Bike Racks
- Social BBQ Areas, Bar Lounge and Quiet Nooks
- Garage Parking Spaces: 416
Surface Parking Spaces: 11
Subtotal: 427



Where Cool Living
Meets
Green Living



High-End Interior Apartment Unit Finishes

- Espresso Kitchen Cabinetry
- Modern Track Lighting
- Granite or Stone Countertops
- Hardwood Style Flooring
- CleanSteel/Stainless Steel Appliances
- Dramatic 9 ft. Ceilings
- Exceptional Quality
- Inviting Balconies
- LEED Silver Design



Unit Design



FORE's Commitment green



I. FORE believes in commitment to its residents, community, industry, lenders and investors. Some sample LEED projects that FORE has developed include:

- Green Development: Greenhaven Apartments, a 216 unit community in Dallas was the first Texas community to receive LEED Silver certification under the U.S. GBC's LEED for Homes program.
- Groveton Green a 226 unit project in Baltimore, MD received LEED Gold certification. The first LEED project within the Baltimore County.
- Britain Way, a 168 unit rehab affordable project received LEED Gold.
- 1050 Broadway, a 260 unit, LEED Silver Designed community is under development in Denver, CO.
- Belle Haven, a 176 unit LEED Silver Certified community in Charlotte, NC.

LEED SILVER DESIGNATION

❑ What is LEED?

- ❑ Leadership in Energy and Environmental Design (LEED) Green Building rating system was developed by the U.S. Green Building Council to provide owners and operators with a framework for designing, constructing, and operating a Green building.

- ❑ **According to the USGBC: LEED is an internationally recognized green building certification system**, providing third-party verification that a building or community was designed and built using strategies aimed at improving performance across all the metrics that matter most: energy savings, water efficiency, CO₂ emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts.

- ❑ It has been estimated that our typical project will reduce our residents' carbon footprint by roughly 280 tons per year. That is the equivalent of taking 70 cars (at 30 MPG) off the road each year. The residents will use about 900,000 gallons less water each year and will save \$1.6 million in energy costs over the next 20 years by achieving LEED certification.



NVR TOWN HOMES





TOWN HOMES



NVR – INDUSTRY LEADER



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

NVR – INDUSTRY LEADER



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

FORE PROPERTY COMPANY

FORE is a full service, national real estate company with over 35 years of experience in developing, constructing and managing communities. FORE has built over 21,000 apartment units across the country. Our history of success is best exemplified by the development of over \$1 billion of multifamily product.



As a fully integrated real estate company, providing its own construction through CANV Construction Company, Inc. and property management services through FPC Management, FORE has the expertise, knowledge and depth to identify the right opportunities and provide value to our investors, partners, and residents. FORE has approximately 200 highly skilled staff members involved in all phases of real estate including: market analysis, land acquisition, development, design, government processing, construction, debt and equity financing, marketing, property management, asset management and disposition.

FORE maintains a national presence with corporate offices in Washington, DC and Las Vegas, NV and regional offices throughout the U.S.

CANV Construction Company, Inc. (“CANV”), a FORE affiliate, will be the general contractor. CANV was established in 1978 to better manage the cost, quality, and scheduling of construction operations. CANV is managed and staffed by industry veterans who have a combined record of building more than 30,000 apartment units nationwide.

FPC Management, FORE’s property management entity, is an established and experienced national multifamily property management firm that has managed all the units FORE has developed as well as providing third party services. FPC Management is a versatile property management firm with wide-ranging expertise on three different multifamily asset classes: luxury market rate, affordable housing, and senior housing.



Fore Property Company

CONTACT FORE

Contact Information:

Jim Sullivan

Fore Property Company

600 New Hampshire Ave, NW Suite 650

Washington, DC 20037

jsullivan@foreproperty.com

202-965-1224 ext. 5012

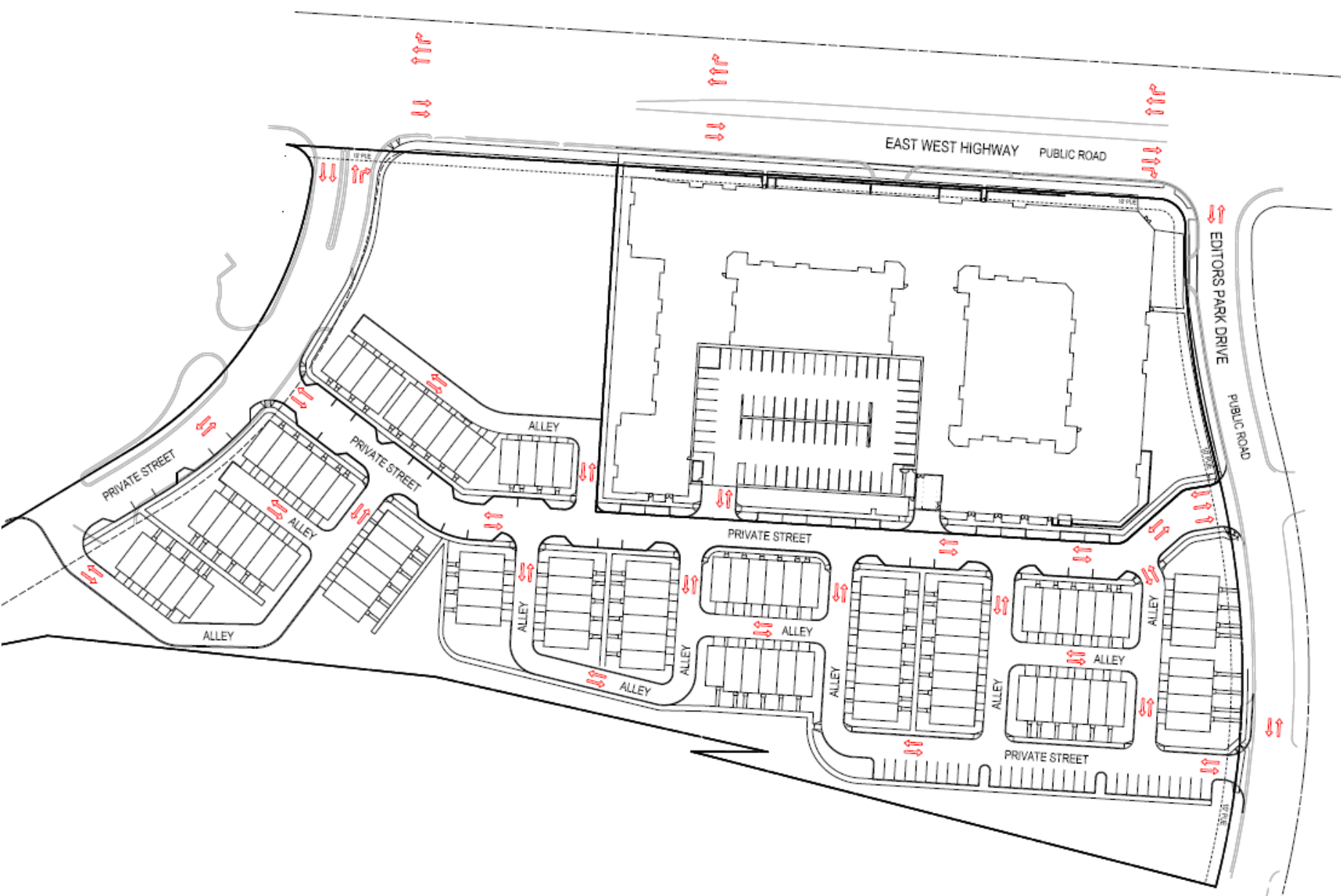


CONTACT NVR

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



TRAFFIC CIRCULATION

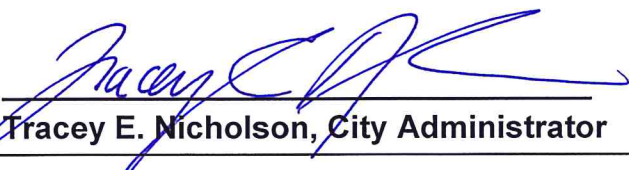


SOLTESZ

LANHAM OFFICE
4300 Forbes Boulevard, Suite 228
Lanham, MD 20706
P. 301.734.7355 F. 301.734.9666



HYATTSVILLE^{md}

SUBJECT: Update on City Street & Lighting Projects, Charles P. Johnson & Associates	
MOTION# Discussion	DEPARTMENT: Public Works
SECTION:	SPONSORED BY:
RECOMMENDATION: <i>Discussion only</i>	
BACKGROUND: The City has requested that our Engineering and Design Firm, Charles P. Johnson (CPJ) and Associates provide the Mayor, Council and Community with an update on ongoing projects. The current project update will include, University Hills Street and Sidewalk Renovation; Banner, Buchanan and 41 st Sidewalk and Street Renovation; A Retaining wall at 41 st and Emerson; and the West Hyattsville Lighting and Pedestrian Safety Study. All of the projects will be discussed with updates and timelines.	
NEXT STEPS: The City will continue working with CPJ to finalize projects and present recommendations and proposals to the Mayor and Council as necessary.	
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: TBD	
STRATEGIC GOALS AND ACTIONS: Goal 2, Ensure the Long-Term Economic Viability of the City	
CURRENT YEAR BUDGET IMPACT: 2014-2015	
CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: (must be approved by City Administrator):  Tracey E. Nicholson, City Administrator	

HYATTSVILLE^{md}

SUBJECT: Hyattsville Resolution 2015-01, Advisory Referendum on the Lowering the Minimum Eligible Age to Vote in City Elections

MOTION# 01-01-15

DEPARTMENT: Legislative

SECTION: Action

SPONSORED BY: Tartaro

RECOMMENDATION:

I move that the Mayor and Council introduce and adopt Hyattsville Resolution 2015-01, a resolution of the City Council of Hyattsville, Maryland whereby the City Council directs that a referendum occur at the regular municipal election in 2015 in which the City will seek an advisory opinion of the voters on whether the eligible age to vote in City elections should be lowered from eighteen (18) years of age to sixteen (16) years of age.

BACKGROUND:

Per Section C2-10(c) of the City Charter, the Council may pass a resolution, approved by a minimum two-thirds (2/3) of the Council members, to direct that a referendum question be submitted to a vote of the qualified voters of the City at the next regular election. A Council directed referendum must be passed at least 120 calendar days prior to the election day.

During the December 1st and 15th Council Meetings, the Council discussed the possibility of holding a referendum on the question of lowering the minimum voting age for City Elections. The City Attorney has drafted an advisory resolution for review and discussion. Should the Council specify that the referendum be advisory, the results of the vote will not be binding upon the Council.

NEXT STEPS:

Should the resolution pass, the Board of Supervisors of Elections and the City Clerk will work with the City's election vendor to include the question on the ballot and also will also work on extending outreach to the electorate to ensure that voters are aware of the referendum question.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: See next steps.

STRATEGIC GOALS AND ACTIONS: Goal 1 – Ensure Transparent and Accessible Governance, Action 1.1, Encourage resident participation in City committees, meetings and elections.

CURRENT YEAR BUDGET IMPACT: There will be an impact to the budget for the 2015 Election as it will be necessary to do outreach to voters on this issue. It is anticipated that the primary impact to the election budget would be for additional printing materials.

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



Tracey E. Nicholson, City Administrator

RESOLUTION 2015-01

A Resolution of the City Council of Hyattsville, Maryland whereby the City Council directs that a referendum occur at the regular municipal election in 2015 in which the City will seek an advisory opinion of the voters on whether the eligible age to vote in City elections should be lowered from eighteen (18) years of age to sixteen (16) years of age.

WHEREAS, Section C2-10(c) of the Charter for the City sets forth procedures for a Council directed referendum on issues of concern to the City Council; and

WHEREAS, Section C4-1 of the Charter for the City sets eighteen (18) years of age as the minimum age to vote in City elections, together with the other criteria, and

WHEREAS, the City Council has debated lowering the minimum voting age in City elections to sixteen (16) years and has determined to request the opinion of the qualified voters of the City in the upcoming regular election in 2015; and

WHEREAS, two thirds (2/3) of the City Council has voted to place this question on the ballot for the regular 2015 election;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hyattsville that the City Board of Supervisors of Elections is hereby directed to add the following question to the ballot for the election to be held on the first Tuesday in May, 2015 as an advisory referendum question:

The City Council of Hyattsville is requesting a non binding opinion from City voters on the following question. Choose yes or no.

“Should the minimum age to vote in City elections be lowered from eighteen (18) years of age to sixteen (16) years of age?”

INTRODUCED by the Mayor and City Council of the City of Hyattsville at a Regular Meeting on _____, at which meeting copies were available to the public for inspection, and **PASSED** by the Mayor and City Council of the City of Hyattsville, Maryland, at a Regular

DRAFT

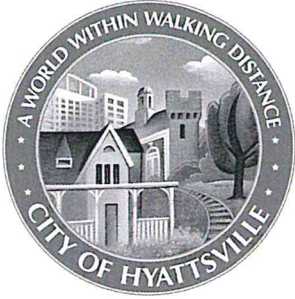
December 30, 2014

Meeting on _____, at which meeting copies were available to the public for inspection.

ATTEST:

Laura Reams, City Clerk

Marc Tartaro, Mayor



Council Agenda Form

MOTION # 02-01-15

DRAFT #

DATE SUBMITTED:

10/29/2014

DATE TO GO BEFORE COUNCIL:

1/05/2015

SUBMITTED BY: Paschall, Tartaro

DEPARTMENT:

TITLE OF MOTION: Hyattsville Charter Amendment 2015-01, Authorizing 16- and 17-Year Old Hyattsville Residents to Participate in Municipal Elections (FIRST READING)

RECOMMENDATION:

I move that the Mayor and Council introduce and adopt Hyattsville Charter Amendment 2015-01, a Resolution of the Mayor and City Council of the Hyattsville, Maryland, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland (2013 Edition, as amended), to amend the Charter of the said City, said Charter being a part of the public local laws of Maryland (1963 Edition, as amended), which Article contains in whole or in part the Charter of the City of Hyattsville, Maryland, whereby the Mayor and City Council lower the voting age to 16 years old for City elections (FIRST READING)

BACKGROUND:

This proposed legislation would amend the Charter to reduce the minimum voting age in the City of Hyattsville to 16 years of age. All other requirements for being an eligible voter in the City of Hyattsville would continue to exist. This would expand our electorate to include the right to vote for 16- and 17- year old residents of the City of Hyattsville in municipal elections, would engage a younger demographic in local political participation, and would ensure that the voices of Hyattsville's youth are heard in City elections.

This type of move is not unprecedented. The City of Takoma Park currently has a minimum voting age of 16 in municipal elections, and there have been no problems with voting among the new voting population. This would not require additional staff resources as 16- and 17- year olds are currently eligible to "pre-register" to vote with the County Board of Elections, meaning that all of their voter registration information currently appears on the voter registration rolls that the City of Hyattsville receives from Prince George's County. The only difference in terms of implementation would be that individuals who are listed as "pre-registered" in the voter registration roll were previously barred from voting, but would now be allowed to cast a ballot in City elections.

NEXT STEPS:

A public hearing will be held on January 5, 2015 at 7:45 p.m. to solicit feedback from residents on the proposed Charter Amendment.

The Council will consider a motion to direct an advisory referendum for the May 2015 election during the Council Meeting of January 5, 2015. Should that motion fail, the Council will consider this motion.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Should the Charter Amendment be adopted by the City Council, the Board of Supervisors of Elections will work with City staff on outreach to ensure eligible voters are aware of the change in voting eligibility age.

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

A handwritten signature in blue ink, appearing to read "Tracey E. Nicholson", is written over a horizontal line.

Tracey E. Nicholson, City Administrator

STRATEGIC GOALS AND ACTIONS:

Goal 1 – Ensure Transparent and Accessible Governance, Action 1.1, Provide information and opportunities for resident participation in civic endeavors.

SUPPORTING DOCUMENTATION:

CURRENT YEAR BUDGET IMPACT:

A Charter Amendment incurs legal fees and costs for advertising the fair summary. Additionally, there will likely be costs associated with outreach efforts. It is anticipated that these costs would primarily be related to additional printing and advertising materials.

CHARTER AMENDMENT RESOLUTION 2014-04

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HYATTSVILLE, MARYLAND, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland (2013 Edition, as amended), to amend the Charter of the said City, said Charter being a part of the public local laws of Maryland (1963 Edition, as amended), which Article contains in whole or in part the Charter of the City of Hyattsville, Maryland, whereby the Mayor and City Council lower the voting age to 16 years old for City elections.

WHEREAS, the Mayor and City Council believe it is important to allow as many City residents as possible to vote in City elections; and

WHEREAS, the Mayor and Council deem it advisable to lower the voting age to 16 years of age.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Hyattsville, Maryland, in regular session assembled:

Section 1: That Section C4-1 of the Charter of the City of Hyattsville, Maryland, be amended as follows:

§ C4-1. Qualifications of voters. [Amended 2-24-71; 5-1-72]

Every person who is a citizen of the United States, is at least ~~eighteen (18)~~ **SIXTEEN (16)** years of age, resides in the State of Maryland, resides within the corporate limits of the City and is registered in accordance with the provisions of this Charter shall be a qualified voter of the City. Every qualified voter of the City shall be entitled to vote at any or all City elections.

Section 2: That the date of the adoption of this Resolution is _____, and that the amendment to the Charter of the City of Hyattsville hereby proposed by this enactment shall be and become effective on [50 days], unless a proper petition for a referendum hereon shall be filed by [40 days], and a fair summary of the Amendment shall be published in a newspaper having general circulation in the City not less than four (4) times at weekly intervals by [40 days].

Section 3: That as soon as the Charter Amendment hereby enacted becomes effective, either as herein provided or following a referendum, the Clerk shall send separately to the Department of Legislative Services, the following information concerning the Charter Amendment: (1) the complete text of this Resolution; (2) the date of referendum election, if any, held with respect thereto; (3) the number of votes cast for and against this Resolution by the Mayor and City Council of the City of Hyattsville or in a referendum; and (4) the effective date of the Charter Amendment.

Section 4: That the Clerk be, and he/she is specifically enjoined and instructed to carry out the provisions of Sections 2 and 3, and as evidence of compliance herewith the said Clerk

shall cause to be affixed to the Minutes of this meeting (1) an appropriate certificate of publication of the newspaper in which the fair summary of the Amendment shall have been published; and (2) records of mailing referred to in Section 3, and shall further complete and execute a Certificate of Compliance.

INTRODUCED by the Mayor and City Council of the City of Hyattsville, Maryland, at a Regular Meeting on _____, 2014, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and City Council of the City of Hyattsville, Maryland, at a Regular Meeting on _____, 2014, at which meeting copies were available to the public for inspection.

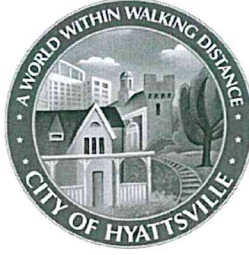
Adopted: _____

Attest: _____
Laura Reams, City Clerk

Marc Tartaro, Mayor

[] indicate deletions
CAPS/**BOLD** indicate additions

EFFECTIVE DATE:

**SUBJECT: City Communications Policy****MOTION# 03-01-15****DEPARTMENT: Community Services****SECTION: Action****SPONSORED BY: Mayor Tartaro****RECOMMENDATION:**

I move that the Mayor and Council adopt the attached City Communications Policy.

BACKGROUND:

This policy creates a framework for managing communications from City employees and elected officials. It also addresses communications by the staff and public on the City's social media sites.

The policy incorporates most of the recommendations discussed at the Dec. 15 City Council meeting and will help to protect the City from violations and lawsuits over First Amendment and other potential issues.

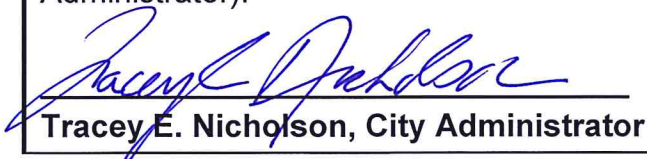
The recommendation to include security of communications language- such as passwords, encryption, digital signatures and account closure are not included. The practices are necessary, but better suited for an internal IT administrative manual which is being developed.

This draft also affords the City the opportunity to publish/broadcast the promotional content of local businesses and non-profits, in addition to schools and governments. However, this practice will require budget and/or administrative support not currently available. The City will review funding, administrative support requirements and promotion protocols prior to implementation.

NEXT STEPS:

Staff implements the policy.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: NA**STRATEGIC GOALS AND ACTIONS:** Goal 1 – Ensure Transparent and Accessible Governance, Goal 4 – Foster Excellence in all City Operations**CURRENT YEAR BUDGET IMPACT: NA****CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT:** (must be approved by City Administrator):


Tracey E. Nicholson, City Administrator

City Communications Policy

This policy addresses City communications among City employees, officials and third parties, including email, text messages, social media and advertising.

Appropriate Communications and Oversight:

1. When communicating via City accounts, equipment or property, communications should only contain comments that would ordinarily be said at a public meeting. Sarcasm, personal comments and insults should be avoided, as well as discriminatory, harassing, derogatory, obscene, defamatory, threatening or illegal communications. Employees/officials should avoid speaking in code and using shorthand terms or uncommon acronyms that would not ordinarily be used in a letter or public announcement. Caution should be used for confidential issues, personnel issues and legal opinions.
2. No communications shall violate the rights of other parties or entities, or include trademarks, service marks, trade names, copyrighted or patented material, or other intellectual property belonging to others.
3. The City Administrator shall designate an employee as the City's Public Information Officer. The City's Public Information Officer shall oversee all editorial and multimedia content distributed widely to the public. Any department may designate its own public information officer who will work in collaboration with the City's Public Information Officer.
4. Prior to their introduction at a council meeting, drafts of documents, contracts, ordinances, and resolutions shall ordinarily not be disseminated to the public. Drafts may be provided to City committees for their internal review, provided the drafts are collected at the end of the meeting. All draft documents should be clearly dated and marked as drafts. Draft documents may be provided to the media at the discretion of the City's Public Information Officer.

Use of Email:

1. Every employee/official should have only one email account used exclusively for public business. Once an employee/official has been given a City email account, that account should be the exclusive email account used for City business. Note - If City employees/officials use additional email accounts to conduct City business, the information on those accounts may be subject to search and seizure and used in litigation. In the case that an employee/official refuses to provide access to those accounts, he/she assumes all liabilities for such actions and could become named third parties in such litigation. Using another person or

employer's email account for City business could implicate that person or employer in such search and seizure and in the litigation itself.

2. All emails should be correctly labeled with a subject so that they can be found and retrieved as necessary.
3. Only City business should be communicated on the City email accounts or the dedicated private email account. There should be no personal, private business, or religious communications on this account.
4. Avoid forwarding to the public emails from the Mayor and Council, City staff, the City Attorney, or other City consultants. This is particularly important when confidential communications are sent by email, such as attorney opinions.
5. The City shall inform residents registering their contact information with the City that it could be disclosed to the public under Maryland's Public Information Act. Outside of public information requests, the City shall not share or sell resident contact information. Employees/officials should avoid forwarding strings of emails addresses.
6. Employees/officials shall not delete any emails that they expect could become the subject of litigation or of importance to the City. Rather, they shall save emails in a clearly labeled file and/or share them with the City Administrator and City Clerk.
7. The City has the obligation to preserve emails containing material regarding incidents/circumstances that (1) could become litigation or (2) for which the City has received notice under the Local Government Tort Claims Act. Such emails shall only be destroyed after the final disposition of the litigation or the expiration of the statute of limitations. The City Administrator and the City Clerk are hereby designated with the duty to gather, isolate and save in a separate file all electronic information regarding matters that are or may be litigated or of importance to the City.

Use of Text Messages:

1. Like emails, text messages shall be treated as official City correspondence. If an employee/official has been given a City phone and number, that account should be the exclusive text-messaging account used for City business.
Note - If City employees/officials use additional phone numbers or devices to conduct City business, the information on those devices and numbers may be subject to search and seizure and used in litigation. In the case that an employee/official refuses to provide access to those accounts or devices, they assume all liabilities for such actions and could become named third parties in

such litigation. Using another person or employer's device or phone number for City business could implicate that person or employer in such search and seizure and in the litigation itself.

2. Employees/officials shall not delete any text messages that they expect could become the subject of litigation or of importance to the City.

Use of Social Media:

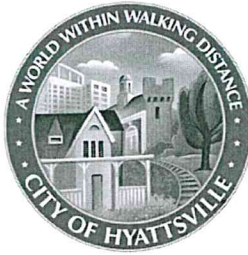
1. The social media sites maintained by the City – for example, Facebook, Instagram and Twitter – are to be used for the sole purpose of disseminating information to the public. However, they are not open forums for public comment. Therefore, although members of the public may be allowed to comment on City-maintained social media sites, the City reserves the right to delete comments it deems inappropriate, including but not limited to comments that violate the policies listed in the first section of this policy.

Advertising:

1. In all print and electronic communications broadcast widely to the public – including the Hyattsville Reporter, flyers, email updates, text updates, social media and the cable channel – the City shall disseminate information generated by City employees/officials or directly related to the City government and its programs, events and policies. The City may also elect to publish/broadcast promotional material generated by schools, other governments and local businesses and non-profit organizations.

Enforcement:

1. Violations or failure to comply with any of these policies may result in disciplinary action. In the case that a member of City Council violates a policy, a majority of the members of Council can vote to determine an appropriate response.



SUBJECT: Establishment of a Quiet Zone	
MOTION#	DEPARTMENT: Economic Development
SECTION: Discussion	SPONSORED BY: Mayor Tartaro
RECOMMENDATION: Provide an overview of the requirements for designating a "Quiet Zone" for the CSX railway on the southeastern boundary of the City (Decatur Street).	
BACKGROUND: The City received several inquiries from residents regarding the establishment of a CSX Quiet Zone at the Decatur Street railroad crossing. The staff solicited information from Maryland State Highway Administration (SHA), The Federal Railroad Administration (FRA), and the Town of Riverdale Park. The staff also coordinated with Maryland SHA to conduct a no-cost diagnostic review to provide technical and safety information at the site. The Quiet Zone process can take 3-5 years, and can cost from \$30,000-\$300,000. The cost is dependent on the necessary infrastructure and safety related improvements and additional staff resources. Once improvements are made to an area, an application (typically written by a consultant), is submitted to FRA for review. If approved, and the area is designated as a "Quiet Zone", the conductor is required to exercise restraint, but permitted to use the whistle as conditions warrant.	
NEXT STEPS: If the Mayor and Council support moving forward with establishing a Quiet Zone, the staff will continue coordinating the no cost on-site diagnostic review with the FRA, CSX and the Maryland SHA. The staff will update the Council following that review to identify requirements, safety concerns and the potential budget impact of moving forward. The staff will also submit a letter of intent to the FRA.	
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: None at this time	
STRATEGIC GOALS AND ACTIONS Goal 4 – Foster Excellence in all City Operations; Goal 2, Promote a Safe and Vibrant Community	
CURRENT YEAR BUDGET IMPACT:	
CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: (must be approved by City Administrator):  Tracey E. Nicholson, City Administrator	



Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator
Lesley Riddle, Director, Public Works
Douglas Holland, Chief of Police

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

Date: December 22, 2014

Re: Establishment of a Quiet Zone

This memorandum serves as an update on the requirements for designating a “Quiet Zone” for the CSX railway on the southeastern boundary of the City.

Summary

The City received several inquiries from residents requesting the Mayor and Council consider establishing of a Quiet Zone designation at the Decatur Street railroad crossing.

The City staff solicited information on this issue from Maryland State Highway Administration (SHA), the Federal Railroad Administration, and the Town of Riverdale Park. Based on our discussions with these agencies we believe that the following is an accurate description of the process and requirement to establish a Quiet Zone:

- Designating an area a quiet zone generally takes 3 – 5 years and is initiated with a letter of intent to the Federal Railroad Administration(FRA);
- Maryland SHA serves as a liaison between the municipality and FRA. They do not comment on the application to FRA;
- An assessment of the area and/or crossing is typically completed by a consultant at a cost of \$20,000 - \$30,000. The assessment will provide an analysis of the existing conditions and improvements necessary to meet the minimum requirements for establishing a designated Quiet Zone;
- The community requesting the designation is expected to pay for infrastructure improvements, which can range from \$30,000 - \$300,000, depending on the necessary improvements. Maryland SHA does not provide financial assistance to upgrade crossings for the purposes of establishing a quiet zone, but can use federal funds to install gates if a diagnostic review team determines that gates are desirable.

- A no-cost diagnostic review can be conducted by Maryland SHA, the FRA, and CSX to consider safety concerns and provide an initial assessment. It has been several years since the team assessed the area. At that time they determined that the volume of train and vehicle traffic and the train speed of approximately 10-15 MPH did not warrant gates. Gates are normally included as part of a series of improvements generally required when considering the establishment of a Quiet Zone.
- Once improvements are made to an area, an application is submitted to FRA for review. This application is a technical document, typically written by the consultant. The application cost is in the range of \$10,000.
- If an area is designated as a Quiet Zone, the conductor is required to exercise restraint in the use of the train whistle in the designated area, however they would still be permitted to use the whistle if they believe it to be a necessary safety precaution;
- The Town of Riverdale Park completed upgrades of the CSX crossing at Queensbury Road in October 2010. This occurred after multiple motor vehicle accidents, one which included a bus in March 2009. The Town approved a resolution towards the “Establishment of a CSX Quiet Zone in Riverdale Park” on August 26, 2013. The Town has been working with a consultant though they have not yet submitted an application to FRA for review.
- Information on the “quiet zone” program is available through the Federal Railroad Administration (www.fra.dot.gov/Page/P0104) for communities to request full or partial quiet zones.

Recommendation

If the Mayor and Council support moving forward with establishing a Quiet Zone, the staff will submit a letter of intent to the FRA and coordinate a no cost on-site diagnostic review with the FRA, CSX and the Maryland SHA. The staff will update the Council following that review to identify requirements, safety concerns and the potential budget impact. This will allow the Mayor and Council an opportunity to make a more informed decision on the feasibility of establishing a Quiet Zone.