

**MINUTES**  
**Special Session of the College Park City Council**  
**Tuesday, March 3, 2015**  
**Council Chambers**

**PRESENT:** Mayor Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Day, Hew and Mitchell.

**ABSENT:** Councilmember Stullich.

**ALSO PRESENT:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Bill Gardiner, Assistant City Manager; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Bob Stumpff, Director of Public Works; Bob Ryan, Director of Public Services; Michael Stiefvater, Economic Development Coordinator; Steve Halpern, City Engineer; Cole Holocker, Student Liaison.

During a regularly scheduled Worksession of the College Park City Council, a motion was made by Councilmember Dennis and seconded by Councilmember Day to enter into a Special Session to act on an item that was added to the agenda. With a vote of 7 – 0 – 0, Mayor Fellows convened the Special Session at 7:38 p.m. Mayor Fellows said this item has been discussed at meetings the last two weeks and is ready tonight to be acted upon.

**15-G-09 Approval of an Amendment to Paragraph 10 of the Declaration of Covenants and Agreement Regarding Land Use with 7401 Realty, LLC**

**A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to approve an amendment to Paragraph 10 of the Declaration of Covenants and Agreement Regarding Land Use with 7401 Realty, LLC, to authorize the use of the National Green Building Standard (“NGBS”) certification process for the multi-family development at 4700 Berwyn House Road, set the bronze-level certification as the minimum standard to be obtained, with a commitment to use commercially reasonable efforts to pursue NGBS silver certification, and set a penalty for failure to obtain NGBS certification.**

Councilmember Dennis said the City is seeking commitments from developers to adopt green building standards. The property located at 4700 Berwyn House Road is not required by the Sector Plan to commit to a specific level of green building. The City and the owner originally agreed to a certain level of LEED certification for the building and included that agreement in a Declaration of Covenants. However, the owner, 7401 Realty, LLC, has proposed the use of an alternative, the National Green Building Standard (NGBS), as better suited to the type of multi-family development planned for this project. The City Council has agreed to authorize the amendment of the Declaration of Covenants to recognize the NGBS system of certification, and to set a requirement that at least a bronze level certification be obtained, with the owner using commercially reasonable efforts to design and pursue NGBS Silver level certification. Further, the owner will retain an independent NGBS certified/qualified consultant to be part of the

development team and coordinate the design and certification process. There is a significant monetary deposit required to incentivize the owner to obtain the NGBS certification.

There were no comments from the audience.

Ms. Ferguson pointed out the revised language to Paragraph 10 of the Declaration of Covenants.

**The motion passed 7 - 0 - 0.**

**ADJOURN:** A motion was made by Councilmember Mitchell and seconded by Councilmember Day to adjourn the Special Session. With a vote of 7 – 0 – 0, Mayor Fellows adjourned the Special Session at 7:42 p.m.

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**After discussion of several bills currently before the state legislature, a motion was made by Councilmember Wojahn and seconded by Councilmember Kabir to enter into a Special Session to act on certain time-sensitive legislative items. With a vote of 7 – 0 – 0, Mayor Fellows convened the Special Session at 9:53 p.m.**

**15-G-27      Support for SB 481/HB 1087: Electricity – Community Solar Energy  
Generating System Program**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Brennan to send letters of support to the Senate Finance Committee and the House Economic Matters Committee for SB 481/HB 1087: Electricity – Community Solar Energy Generating System Program.**

Councilmember Wojahn said this bill would establish a program on community solar energy generating systems under the authority of the Public Service Commission and provide for the structure and operation of the program, including the generation of electricity and allocation of costs to system subscribers. Electric companies could submit a petition to the Commission to own and operate a community solar energy generating system and the Commission could approve the petitions if it makes a specified determination. This would allow residents who have homes that do not allow installation of solar panels to invest in solar energy and receive some of the benefits.

There were no comments from the audience or the Council.

**The motion passed 7 – 0 – 0.**

**15-G-28      Opposition to HB 933: Energy Efficiency and Demand Management Programs and Services - Repeal**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to send a letter to the Senate Finance Committee expressing the City's opposition to HB 933 - Energy Efficiency and Demand Management Programs and Services – Repeal.**

Councilmember Wojahn said this bill would repeal a range of provisions established in 2008 that require gas companies and electric companies to establish specified energy efficiency programs and services. The laws this bill would repeal created a goal to achieve certain conservation and efficiency targets and required gas and electric companies to develop programs that encourage efficiency. The Public Service Commission would calculate certain data to help determine per capita consumption and peak demand. Councilmember Wojahn is asking that the Council oppose the efforts to repeal these programs.

There were no comments from the audience or from the Council.

**The motion passed 7 – 0 – 0.**

**15-G-29      Support for HB 449: Environment – Hydraulic Fracturing – Project Our Health and Communities**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Brennan to send a letter to the House Environment and Transportation Committee expressing support for HB 449 which would prohibit hydraulic fracturing in the State of Maryland until April 30, 2023 and until a panel of experts has reported to the Governor and General Assembly whether or not hydraulic fracturing can occur with no detrimental impact on public health or the environment.**

Councilmember Wojahn said the City Council has previously taken positions in support of state legislation prohibiting hydraulic fracturing.

There were no comments from the audience or from the Council.

**The motion passed 7 – 0 – 0.**

**15-G-30      Approval of a letter to the Maryland Heritage Areas Authority in support of a University of Maryland grant application for Visitor Center Theater Project**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Day to approve a letter to the MHAA in support of a University of Maryland grant application for their Visitor Center Theater Project.**

Ms. Schum said City staff is supportive of this application and does not believe it would compete with the application that the City intends to submit for Hollywood gateway signage.

There were no comments from the audience or from the Council.

**The motion passed 7 – 0 – 0.**

**ADJOURN: A motion was made by Councilmember Dennis and seconded by Councilmember Day to adjourn the Special Session, and with a vote of 7 – 0 – 0, Mayor Fellows adjourned the Special Session at 10:01 p.m.**

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Janeen S. Miller, CMC  
City Clerk

Date  
Approved