



**APRIL 22, 2014**  
**CITY OF COLLEGE PARK**  
**COUNCIL CHAMBERS**

**7:30 P.M.**  
**MAYOR AND COUNCIL MEETING**  
**AGENDA**

MEDITATION

PLEDGE OF ALLEGIANCE: Councilmember Mitchell

ROLL CALL

MINUTES: Regular meeting on April 8, 2014

ANNOUNCEMENTS

ACKNOWLEDGMENT OF DIGNITARIES

ACKNOWLEDGMENT OF NEWLY APPOINTED BOARD AND COMMITTEE MEMBERS

AWARDS

PROCLAMATIONS – *Arbor Day 2014*

AMENDMENTS TO THE AGENDA

CITY MANAGER'S REPORT: Joe Nagro

STUDENT LIAISON'S REPORT: Catherine McGrath

COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

**PRESENTATIONS**

Maryland Day 2015 - Cheryl Plainte, Associate Director, UMD Marketing

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Emissions Reduction and Sustainability in College Park – Matthew Popkin

**CONSENT AGENDA**

14-G-45 Award of FY '14 Community Services Grants as follows:  
The National Museum of Language, Inc. for language  
camp and events: \$2,333; Lakeland Community Heritage  
Project for Lakeland Heritage events: \$2,333; American

Motion by:  
To: Approve  
Second:  
Aye: \_\_\_\_\_  
Nay: \_\_\_\_\_

Legion Auxiliary, College Park Unit 217 for scholarships for Miss College Park pageant participants: \$2,333; Pregnancy Aid Centers, Inc. for their food pantry program: \$2,333; Boy Scout Troop 298 to subsidize boy scout program: \$1,500; Cub Scout Pack 298 to subsidize cub scout program: \$1,500; College Park Woods Swim Club for senior summer day camp: \$ 2,333; Embry Center for Family Life for Lakeland All-Stars basketball program: \$2,333; College Park Church of the Nazarene for College Park community library: \$1,500; and Holy Redeemer Catholic Church for the Safe Haven program: \$1,500, for a total of \$19,998

Other: \_\_\_\_\_

### ACTION ITEMS

14-O-02 Introduction of 14-O-02, an Ordinance of the Mayor and Council of the City of College Park, Maryland to adopt the Fiscal Year 2015 Operating and Capital Budget of the City of College Park, MD ***(The Public Hearing is scheduled for May 13 at 7:10 p.m.)***

Motion by: Mitchell  
To: Introduce  
Second:

14-O-03 Introduction of 14-O-03, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 87, "Building Construction" To Add §87-25, "Installation And Maintenance Of Underground Utilities In City Rights Of Way" And Chapter 110, "Fees and Penalties" ***(The Public Hearing is scheduled for May 27 at 7:15 p.m.)***

Motion by: Wojahn  
To: Introduce  
Second:

14-G-46 Appointments to Boards and Committees

Motion by:  
To: Approve  
Second:  
Aye: \_\_\_\_ Nay: \_\_\_\_  
Other: \_\_\_\_\_

COUNCIL COMMENTS

COMMENTS FROM THE AUDIENCE

ADJOURN

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# MINUTES

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, April 8, 2014**  
**7:30 p.m. – 8:41 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Stullich (arrived at 7:45 p.m.), Day, Hew and Mitchell.

**ABSENT:** None

**ALSO PRESENT:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Bill Gardiner, Assistant City Manager; Suellen Ferguson, City Attorney; Jill Clements, Director of Human Resources; Bob Ryan, Director of Public Services; Peggy Higgins, Director of Youth, Family and Senior Services.

Mayor Fellows opened the Regular Meeting at 7:30 p.m. Councilmember Hew led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Brennan and seconded by Councilmember Day to approve the minutes of the Special Session of March 18, 2014, the Regular Meeting of March 25, 2014 and the Special Session of April 1, 2014. The motion passed 7 – 0 – 0.

**Announcements:**

Councilmember Mitchell announced that the April meeting of the Prince George's County Municipal Association would be held here in College Park, on Thursday, April 17.

Councilmember Day congratulated the Lady Terps on making it to the final four.

Councilmember Dennis said the next meeting of the Lakeland Civic Association would be this Thursday, April 10, at the College Park Community Center.

Councilmember Brennan reminded everyone about an upcoming community meeting about bulk solar purchasing presented by Community Power Network at City Hall on April 16. He also reminded people about the Mayor's Water Challenge; College Park is currently in third place nationwide.

Councilmember Wojahn announced that the North College Park Civic Association would meet on Thursday at 7:30 p.m. at Davis Hall.

Councilmember Kabir said that Councilmembers from Districts 1 and 4 would host a Budget Town Hall meeting on Wednesday, April 23 at Davis Hall.

**Amendments to the Agenda:** None.

**City Manager's Report:** Mr. Nagro updated the Council on the selection of a retreat facilitator per the memo in the red folder. He said that there is no need for the second budget Worksession this coming Saturday. He reported on the turn-out at the Public Works Yard last Saturday.

**Student Liaison's Report:** Ms. McGrath reported on the SGA's participation in "Big Ten on the Hill" – they hosted people from many Big Ten schools to lobby on Capitol Hill.

**Comments from the Audience on Non-Agenda Items:**

**Grant Klein, Arlington, VA:** He works for Community Power Network, a nonprofit that helps communities go solar by organizing bulk solar purchases. He described what they will cover in their meeting at City Hall next week, which is sponsored by both the UMD Office of Sustainability and the Committee for a Better Environment. The collective buying power can reduce the cost to the homeowner by 25-30%.

**PRESENTATIONS:**

Mayor Fellows presented Certificates of Recognition to Master's Graduate Interns Kristin Dusch, Deonte' Williams and Ania Zganiacz, and thanked them for their service to the Department of Youth, Family and Seniors Services during the past year. Each intern made remarks on their experience working at YFS.

Peggy Higgins introduced Jeany Cadet, the Coordinator of the Lakeland STARs and College Park Scholars program. Ms. Cadet said this is the 18<sup>th</sup> Year of STARs Program and the 20<sup>th</sup> Year of College Park Scholars. She introduced the three student coordinators Hannah Breakstone, Marisha Singh and Caterina Marzella. Mayor Fellows presented certificates to the College Park Scholars and the Lakeland STARs students.

[The Council took a brief recess at 8:10 p.m. and reconvened at 8:30 p.m.]

**CONSENT AGENDA:** A motion was made by Councilmember Wojahn and seconded by Councilmember Kabir to adopt the Consent Agenda, which consisted of the following:

- 14-G-42 Approval to fund the Market Master position for the Hollywood Farmers Market and marketing/advertising expenses up to \$1,500 with FY '14 funds through June 30, 2014.

The motion carried 8-0-0.

**ACTION ITEMS**

- 14-G-43 Award of contracts for FY '15 employee health, liability, workers compensation, and dental insurances.

A motion was made by Councilmember Stulich and seconded by Councilmember Day to award the following contracts for health, dental, workers' compensation, and liability insurances for FY 2015: Contract with Benecon, benefits administrator for Maryland

# PROCLAMATION

**ARBOR DAY 2013**  
***Friday, April 25, 2014***

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

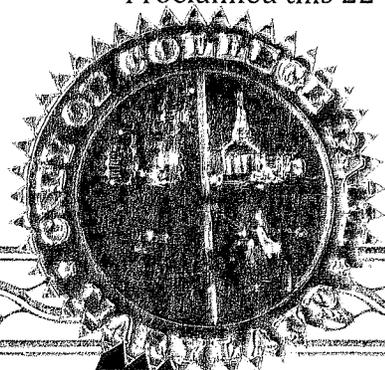
WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, College Park has been recognized as a Tree City USA by The National Arbor Day Foundation and desires to continue its tree-planting ways.

NOW, THEREFORE, I, Andrew M. Fellows, as Mayor of the City of College Park, Maryland, do hereby proclaim Friday, April 25, 2014, as ARBOR DAY in the City of College Park, and extend an invitation to residents of our community to join the City in planting a native Yellowwood tree, other native shrubs and perennials at the Hiker Biker Train in the Old Town Neighborhood between Calvert Road and Knox Road at 6:00 p.m.

FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well being of present and future generations.

Proclaimed this 22<sup>nd</sup> day of April 2014.



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Andrew M. Fellows  
Mayor, City of College Park

# Emissions Reduction and Sustainability in College Park

To: College Park City Council  
From: Matthew Popkin, City Sustainability Intern (Master's Candidate, Maryland School of Public Policy)

**SUBJECT: EMISSIONS REDUCTION AND SUSTAINABILITY PLANNING IN COLLEGE PARK**

*Note: This is an overview of a presentation to the City Council on April 22, 2014. A full report is forthcoming.*

**OVERVIEW:**

The City of College Park has the opportunity to help lead in addressing growing emissions, energy, water, and waste concerns. Through prior commitments and programs, it has shown interest in reducing its environmental impact and becoming more sustainable and it has state of Maryland and University of Maryland resources to assist with implementation of additional efforts. Cities and counties across the United States have taken different approaches and levels of commitment to address climate change, greenhouse gas emissions, and other environmental challenges, but numerous case studies have proven that these efforts have contributed to enhanced business and job growth, cleaner streets, and more economic and environmentally sustainable communities. College Park can join these cities, but it currently lacks a long-term climate, emissions reduction, and/or sustainability plan. This proposal outlines efforts of local governments as well as a College Park specific review and suggests a few steps for College Park to move forward.

**BACKGROUND:**

The Committee for a Better Environment (CBE) completed a greenhouse gas (GHG) inventory for FY2007 for municipal operations. CBE calculated that College Park's municipal emissions were 2,053 metric tonnes of CO<sub>2</sub>e for FY2007.<sup>1</sup> According to ICLEI, the membership association for local governments in sustainability, local government emissions typically account for 2% of emissions in the jurisdiction. Based on this assumption, College Park's overall emissions for FY2007 were 102,650 metric tonnes of CO<sub>2</sub>e.

To date, 12 Maryland cities, including the City of College Park, have received the Sustainable Maryland Certification.<sup>2</sup> As of November 2009, 56 local governments had developed or were in the process of developing sustainability plans and 141 local governments had developed or were in the process of developing climate action plans.<sup>3</sup> Maryland cities include, but are not limited to, Annapolis, Baltimore, Chevy Chase, Rockville, and Takoma Park. Appendix A highlights a few other municipalities. The City Council's Strategic Plan and CPCUP University District Vision include goals of sustainability and conservation.

**ACTIONS TO DATE:**

Beyond the Sustainable Maryland Certification, the City of College Park has made meaningful efforts to reduce its environmental impact. As outlined in a memo to the City Council on April 15, 2014, these efforts include, but are not limited to, joining the Maryland Smart Energy Communities Program and purchasing renewable energy credits to offset 100% of municipal emissions for at least FY2012 and FY2013.<sup>4</sup>

**RECOMMENDATIONS: DEVELOP A "SUSTAINABILITY PLAN" & ADOPT EMISSIONS TARGETS**

1. In an effort to realize its goals as a leader in sustainability and to more effectively coordinate and promote existing initiatives, the City of College Park should develop its own Climate Action Plan or Sustainability Plan with the assistance of CBE, the Sustainable Maryland Green Team, University of Maryland, and other stakeholders and interested parties.
2. Emissions reductions can help synthesize existing programs to reduce redundancies in planning and pose an excellent opportunity for collaboration with the University of Maryland. Based on a review of other cities' plans, University of Maryland emissions reductions efforts, and the state of Maryland goals, the table below contains a proposed emissions reductions timetable for the city to consider.

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<sup>1</sup> Committee for a Better Environment. Report on the FY 2007 Baseline Emissions Inventory Performed for the City of College Park Municipal Operations. January 2009.

<sup>2</sup> <http://www.sustainablemaryland.com/community/map.php>

<sup>3</sup> <http://www.icleiusa.org/action-center/planning/List%20of%20U.S.%20Sustainability%20and%20Climate%20Plans.pdf>

<sup>4</sup> [http://mdc.maryland.gov/marylandgreen/Documents/City\\_of\\_College\\_Park\\_Profile.pdf](http://mdc.maryland.gov/marylandgreen/Documents/City_of_College_Park_Profile.pdf)

**PROPOSED EMISSIONS REDUCTIONS TARGETS FOR COLLEGE PARK**

| <b>Fiscal Year</b> | <b>UMD Reduction Goals</b> | <b>State of MD Goals</b> | <b>Proposed City of CP Goals</b> |
|--------------------|----------------------------|--------------------------|----------------------------------|
| 2015               | 25% (baseline 2005)        | 15% (baseline 2006)      | 10% (baseline 2007)              |
| 2020               | 50%                        | 25-50%                   | 25%                              |
| 2025               | 60%                        | N/A                      | 40%                              |
| 2035               | N/A                        | N/A                      | 60%                              |
| 2050               | 100%                       | 90%                      | 90%                              |

**APPENDIX A: OVERVIEW OF OTHER MUNICIPAL SUSTAINABILITY PLANS, GOALS, AND APPROACHES**

- **Baltimore, MD:** The City of Baltimore announced its sustainability plans in 2009, and has since completed four comprehensive annual sustainability reports. These reports cover initiatives and metrics including, but not limited to, engagement, education, cleanliness, emissions, pollution, conservation, transportation, and green economy. Though the focus is on overall sustainability rather than emissions, the sustainability plan states a short-term emissions target of 15% reduction by 2015.<sup>5</sup>
- **Rockville, MD:** The City of Rockville unveiled its Sustainability Plan in 2007. Despite no emissions targets specifically, there is a heavy focus on environmentally friendly procurement, sustainable development, transportation, waste, and public engagement and education in the third largest city in Maryland. Rockville became Sustainable Maryland Certified in 2012 and has a designated Sustainability Coordinator and Environmental Management Division to implement its plan.<sup>6</sup>
- **Chapel Hill, NC:** The Town of Chapel Hill initiated its climate action and emissions reduction plans with preliminary discussions between the Town of Chapel Hill and the University of North Carolina, Chapel Hill in 2005. The Town committed in 2006 to an emissions reduction pledge with assistance from the University’s Carolina Environmental Program. Both the Town and University have established goals of a 60 percent reduction in carbon dioxide emissions by 2050, with incremental targets in the intermediary. The chart below shows the initial plan for Chapel Hill, though the Town has since modified its goals to be exactly in line with the University’s goals.<sup>7</sup>
- **Berkeley, CA:** The City of Berkeley in California unveiled its comprehensive climate action plan in June 2009 with goals of reducing emissions through building energy use, transportation, land use, community empowerment, and waste reduction. Berkeley committed to an 80 percent reduction by 2050 relative to 2000 levels, with an interim target of 33 percent by 2020. An overwhelmingly favorable referendum vote in November 2006 has motivated the Mayor of Berkeley to take substantial action.<sup>8</sup>
- **Madison, WI:** The City of Madison released its blueprint of being a sustainable capital city in 2004 and its official Sustainability Report in 2009. The city partnered with a professor and students at the University of Wisconsin, Madison’s Department of Urban and Regional Planning to develop its comprehensive plans to reduce emissions by 80% by 2050 and with other sustainability goals for stormwater, air and water quality, and solid waste.<sup>9</sup>
- **Montpelier, VT:** The City of Montpelier announced a net-zero use of fossil fuels by 2030, partnering with Green Mountain Power, Efficiency Vermont, and the Energy Action Network in 2014. This capital city’s efforts are part of a state-wide goal of reducing emissions by 90% and a local goal of seeking to attract innovative energy businesses in the city.<sup>10</sup>

<sup>5</sup> <http://www.baltimoresustainability.org/sites/baltimoresustainability.org/files/Baltimore%20Sustainability%20Plan%20FINAL.pdf>

<sup>6</sup> <http://www.rockvillemd.gov/DocumentCenter/View/550>

<sup>7</sup> <http://townhall.townofchapelhill.org/agendas/2006/09/27/4h/>

<sup>8</sup> <http://www.cityofberkeley.info/climate/>

<sup>9</sup> <https://www.cityofmadison.com/Sustainability/documents/SustainPlan2011.pdf>

<sup>10</sup> <http://www.montpelierbridge.com/2014/03/net-zero-a-goal-for-the-future/>

**14-G-45**

## MEMORANDUM

**TO:** Mayor & Council  
**THROUGH:** Joseph L. Nagro, City Manager <sup>4/9</sup>  
Stephen Groh, Director of Finance   
**FROM:** Councilmembers Fazlul Kabir, Denise Mitchell, Robert Day, Monroe Dennis  
(City Council Grants Subcommittee)  
**DATE:** April 9, 2014  
**SUBJECT:** FY2014 Community Services Grants

The FY2014 adopted operating budget (in account 1010-2520) provides \$20,000 in funding for community services grants, limited to \$2,500 per organization. Organizations receiving direct or beneficial grants from the City, volunteer fire companies receiving fire department capital equipment grants, or public schools receiving education grants were not eligible to apply. Grant applications were e-mailed to previous recipient organizations on December 23 and were advertised on the City's website (with links to the application form and criteria). The City received 10 grant applications by the extended deadline, requesting a total of \$24,750.

Councilmembers Kabir, Mitchell, Day and Dennis volunteered to serve on the subcommittee to review submitted grant applications and make a recommendation to Mayor & Council for grant award. On April 8, the subcommittee met to review the submitted applications and formulate its recommendation for grant award. Applications were rated based on the grant criteria. Steve Groh provided tabulating assistance to the subcommittee but did not participate in the voting. A complete copy of the FY2014 grant applications and FY2013 final grant reports was provided to Mayor & Council as an e-mail attachment on April 9 and is available to the public upon request.

Listed below is a schedule of the applications received, showing grant request and recommended grant award. Some recommended grant awards are lower than the requested amounts (in order to stay within the budget).

**CITY OF COLLEGE PARK**  
**FY2014 Community Services Grants**

| Organization                                        | Program                                                    | FY2014<br>Grant<br>Request | Subcommittee<br>Recommendation<br>for Grant Award<br>(\$20,000 budget) |
|-----------------------------------------------------|------------------------------------------------------------|----------------------------|------------------------------------------------------------------------|
| The National Museum of Language, Inc.               | Language camp and events                                   | 2,500                      | 2,333                                                                  |
| Lakeland Community Heritage Project                 | Lakeland Heritage events                                   | 2,500                      | 2,333                                                                  |
| American Legion Auxiliary, College<br>Park Unit 217 | Scholarships for Miss College Park<br>pageant participants | 2,500                      | 2,333                                                                  |
| Pregnancy Aid Centers, Inc.                         | Food pantry program                                        | 2,500                      | 2,333                                                                  |
| Boy Scout Troop 298                                 | Subsidize boy scout program                                | 2,500                      | 1,500                                                                  |
| Cub Scout Pack 298                                  | Subsidize cub scout program                                | 2,500                      | 1,500                                                                  |
| College Park Woods Swim Club                        | Senior summer day camp                                     | 2,500                      | 2,333                                                                  |
| Embry Center for Family Life                        | Lakeland All-Stars basketball<br>program                   | 2,500                      | 2,333                                                                  |
| College Park Church of the Nazarene                 | College Park community library                             | 2,250                      | 1,500                                                                  |
| Holy Redeemer Catholic Church                       | Safe Haven program                                         | 2,500                      | 1,500                                                                  |
|                                                     |                                                            |                            |                                                                        |
| <b>TOTALS</b>                                       |                                                            | <b>\$ 24,750</b>           | <b>\$ 19,998</b>                                                       |

14-0-02

**Ordinance to Adopt the FY2015 Operating and Capital Budget**

Mr. Mayor:

I move to introduce Ordinance 14-O-02,

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF  
COLLEGE PARK, MARYLAND TO ADOPT THE FISCAL YEAR 2015  
OPERATING AND CAPITAL BUDGET OF THE CITY OF COLLEGE PARK,  
MARYLAND**

The public hearing on this budget Ordinance is scheduled for 7:10 p.m. on Tuesday, May 13, 2014.

ORDINANCE 14-O-02

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF  
COLLEGE PARK, MARYLAND TO ADOPT THE FISCAL YEAR 2015  
OPERATING AND CAPITAL BUDGET OF THE CITY OF COLLEGE PARK,  
MARYLAND

BE IT ORDAINED, by the Mayor and Council of the City of College Park, Maryland, that the following sums and amounts are hereby appropriated for the fiscal year beginning July 1, 2014 and ending June 30, 2015, the said revenues being used to defray expenses and operations of the City of College Park, Maryland in accordance with the following schedule:

General Fund

**Revenues**

|                                                      |               |
|------------------------------------------------------|---------------|
| Taxes                                                |               |
| Real Property Taxes                                  | \$ 6,661,185  |
| Personal Property Taxes                              | 801,000       |
| Income Taxes                                         | 1,550,000     |
| Other Local Taxes                                    | 650,000       |
| State Shared Taxes                                   | 113,583       |
| County Shared Taxes                                  | 450,000       |
| Licenses & Permits                                   |               |
| Business Licenses                                    | 43,000        |
| Other Licenses & Permits                             | 814,934       |
| Utility Franchise Fees                               | 310,000       |
| Intergovernmental                                    |               |
| Federal Grants                                       | 0             |
| State Grants                                         | 193,605       |
| County Grants                                        | 44,717        |
| Charges for Services                                 |               |
| General Government Charges                           | 7,200         |
| Highways & Streets                                   | 524,300       |
| Sanitation & Waste Removal                           | 413,824       |
| Health Charges                                       | 12,000        |
| Fines & Fees                                         |               |
| Fines                                                | 1,921,900     |
| Miscellaneous Revenues                               |               |
| Investment Earnings                                  | 94,459        |
| Property & Equipment Rental                          | 98,500        |
| Sale of Fixed Assets                                 | 1,000         |
| Other Revenues                                       | <u>1,880</u>  |
| <i>Total Operating Revenues</i>                      | \$ 14,707,087 |
| Non-Revenue Receipts                                 |               |
| Interfund Transfer from Parking Debt Service<br>Fund | 314,815       |

|                           |                             |
|---------------------------|-----------------------------|
| Use of Unassigned Reserve | <u>73,002</u>               |
| <i>Total Revenues</i>     | <b><u>\$ 15,094,904</u></b> |

**Expenditures**

|                                             |                |
|---------------------------------------------|----------------|
| General Government                          | \$ 3,160,265   |
| Public Services                             | 3,725,973      |
| Planning, Community & Economic Development  | 638,146        |
| Youth, Family & Senior Services             | 1,124,202      |
| Public Works                                | 5,096,819      |
| Contingency                                 | 10,000         |
| Debt Service                                | 558,274        |
| Interfund Transfer to Capital Projects Fund | <u>781,225</u> |

|                           |                             |
|---------------------------|-----------------------------|
| <i>Total Expenditures</i> | <b><u>\$ 15,094,904</u></b> |
|---------------------------|-----------------------------|

Parking Debt Service Fund

**Revenues**

|                       |               |
|-----------------------|---------------|
| Highways & Streets    |               |
| Parking Meter Revenue | \$ 205,000    |
| Fines                 |               |
| Parking Fines Revenue | <u>45,000</u> |

|                       |                          |
|-----------------------|--------------------------|
| <i>Total Revenues</i> | <b><u>\$ 250,000</u></b> |
|-----------------------|--------------------------|

**Expenditures**

|                                    |                   |
|------------------------------------|-------------------|
| Interfund Transfer to General Fund | <u>\$ 314,815</u> |
|------------------------------------|-------------------|

|                           |                          |
|---------------------------|--------------------------|
| <i>Total Expenditures</i> | <b><u>\$ 314,815</u></b> |
|---------------------------|--------------------------|

BE IT FURTHER ORDAINED that:

1. The tax levy be, and the same is hereby set at thirty-three and 5/10 cents (\$0.335) per one hundred dollars (\$100.00) of full value assessment on all taxable real property located within the corporate limits of the City of College Park, Maryland;
2. The tax levy be, and the same is hereby set at eighty-three and 8/10 cents (\$0.838) per one hundred dollars (\$100.00) of full value assessment on all taxable personal property located within the corporate limits of the City of College Park, Maryland;
3. In addition to the projected General Fund operating revenue of \$14,707,087, the sum of \$314,815 is transferred from the Parking Debt Service Fund and the sum of \$73,002 is appropriated from prior years' unassigned fund balance;

4. The net speed enforcement camera revenues, after recovery of the costs of implementing and administering the program, are allocated solely for public safety purposes, including pedestrian safety programs;
5. The above listing of revenues and expenditures represents a summary of the detailed material contained in a document entitled "City Manager's Requested Operating and Capital Budget for Fiscal Year 2015", with amendments; said document and any amendments thereto are incorporated herein by this reference;
6. By adoption of this Ordinance, the FY2015 Pavement Management Plan and the FY2015 Pay Plan (including Job Class Table and Pay Table) contained in the FY2015 requested operating budget with amendments, if any, are hereby adopted by this reference;
7. By adoption of this Ordinance, the City includes its employees in the Employees' Pension System of the State of Maryland as of July 1, 2014 and authorizes payment of retirement benefits into the said pension system, and further authorizes payment for eligibility service and creditable service in the said pension system equal to 60% of an eligible employee's period of employment with the City prior to July 1, 2014, on the terms and conditions set forth in State law;
8. The Unrestricted Capital Projects Fund and Restricted Capital Projects Fund reserve accounts shall be re-appropriated as required in order to fund the projects included in the Capital Improvement Plan as adopted by this Ordinance;
9. The Capital Budget and the Five Year Capital Improvement Plan for Fiscal Year 2015 in the amount of \$35,118,764, as listed and described in the capital projects fund section of the "City Manager's Requested Operating and Capital Budget for Fiscal Year 2015" with amendments is hereby adopted;
10. The Parking Debt Service Fund is hereby budgeted for fiscal year 2015. This fund was established in fiscal year 2008 to receive 50% of the additional parking meter revenue generated from the FY2008 increase in parking meter rates. Beginning in FY2011, this fund also receives the \$2.50 increase in parking tickets for expired meter and overtime parking. The revenues retained in the Parking Debt Service Fund will be used to offset debt service costs on the parking garage debt;
11. Personal property tax accounts delinquent for a period of ninety (90) days shall be assessed a \$100.00 late payment penalty;
12. Should any section of this Ordinance be determined to be invalid, such invalidity shall not affect any other sections; and
13. This Ordinance shall become effective at the expiration of twenty (20) calendar days following its adoption or July 1, 2014, whichever is later.

AND BE IT FURTHER ORDAINED by the Mayor and Council of the City of College Park, Maryland that, upon introduction of this Ordinance, the City Clerk shall distribute a copy of same to each council member and shall publish a fair summary of this Ordinance in a newspaper having general circulation in the City, together with a notice setting out the time and place for a public hearing hereon and for its consideration by the City Council.

A public hearing will be held on this budget Ordinance at 7:10 p.m. on the 13th day of May, 2014 in the Council Chambers, City Hall, 4500 Knox Road, College Park, Maryland. The public hearing followed the date the "City Manager's Requested Operating and Capital Budget for Fiscal Year 2015" was available for inspection by the public by at least two (2) weeks, and will be held in connection with a regular Council meeting. All persons interested will have an opportunity to be heard. After the public hearing, the Council may adopt the proposed budget Ordinance, with or without amendment, without the need for further advertising or public hearings.

Introduced on the \_\_\_\_\_ day of April, 2014

Adopted on the \_\_\_\_\_ day of May, 2014

Effective on the 1st day of July, 2014

\_\_\_\_\_  
Andrew M. Fellows, Mayor

ATTEST:

\_\_\_\_\_  
Janeen S. Miller, CMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Suellen M. Ferguson, City Attorney

**CITY OF COLLEGE PARK, MARYLAND**  
**Summary of Changes between FY2015 Requested and Revised Budgets**  
(not a part of Ordinance 14-O-02)

| Program                                               | Description                                                                                                                                                                                                              | Increase<br>(Decrease) |
|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Revenues-<br>Unassigned<br>Reserve Transfer<br>399.00 | <b>Use of Unassigned Reserve per Requested Budget<br/>(Budgeted Surplus)</b>                                                                                                                                             | <b>\$ (30,437)</b>     |
| Admin-M&C-1010                                        | Increase dues to include Other Dues for NLC constituency groups                                                                                                                                                          | 300                    |
| Admin-M&C-1010                                        | Increase dues to include U.S. Conference of Mayors                                                                                                                                                                       | 3,489                  |
| Admin-M&C-1010                                        | Add lobbying expense, a contractual position on retainer, for assistance with state legislation                                                                                                                          | 30,000                 |
| Admin-M&C-1010                                        | Increase cost of retreat for M&C and department heads from \$4,000 to \$5,500                                                                                                                                            | 1,500                  |
| Admin-Public<br>Relations-1017                        | Add marketing, details to be determined                                                                                                                                                                                  | 10,000                 |
| Admin-Public<br>Relations-1017                        | Increase Special Events-Other to add \$550 to Miscellaneous for ½ cost of SGA flags for downtown businesses on game days                                                                                                 | 550                    |
| Public Services-<br>Animal Control-<br>2013           | Funding for a possible City contribution to a feasibility study for a north County animal shelter                                                                                                                        | 25,000                 |
| Planning-Econ<br>Developmt-3014                       | Funding for Hollywood Farmers Market for fall 2014 and spring 2015, market master \$5,265 + marketing \$735                                                                                                              | 6,000                  |
| Public Works-<br>Snow & Ice<br>Control-5017           | Contract pre-treatment of 55 lane miles of City streets with salt brine solution for 2 snow events @ \$3,300 per event, in order to assess the viability of purchasing and using this pre-treatment system in the future | 6,600                  |
| Interfund<br>Transfers-9210                           | Additional C.I.P. transfer to CCTV project to fund purchase and installation of PTZ security camera at Hartwick Road & Princeton Avenue                                                                                  | 20,000                 |
| Revenues-<br>Unassigned<br>Reserve Transfer<br>399.00 | <b>Use of Unassigned Reserve per Revised Budget</b>                                                                                                                                                                      | <b>\$ 73,002</b>       |

14-0-03

**AN ORDINANCE  
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK,  
AMENDING CHAPTER 87, "BUILDING CONSTRUCTION" TO ADD §87-25,  
"INSTALLATION AND MAINTENANCE OF UNDERGROUND UTILITIES IN CITY  
RIGHTS OF WAY" AND AMENDING CHAPTER 110, "FEES AND PENALTIES",  
§110-1 "FEES AND INTERESTS TO INCLUDE THE FEES IMPOSED UNDER §87-25**

**WHEREAS**, pursuant to §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, the City of College Park, Maryland (hereinafter, the "City") has the power to pass such ordinances as it deems necessary to assure the good government of the municipality, and to protect and preserve the municipality's property; and

**WHEREAS**, pursuant to §5-211 of the Local Government Article, Annotated Code of Maryland, the City of College Park also has the express power to establish and enforce a building code; and

**WHEREAS**, pursuant to this authority, the City enacted Chapter 87 "Building Construction" to adopt a building code; and

**WHEREAS**, certain utilities seek to place fiber optic cable and conduits under the streets in the City's rights of way; and

**WHEREAS**, the underground use of City rights of way creates an administrative burden on the City with respect to installation and maintenance in the right of way; and

**WHEREAS**, the Mayor and Council have determined that it is in the public interest to assess a fee and/or require placement of fiber for City use as part of the permitting process for such use of the rights of way, and to require that contractors/owners comply with certain conditions and sign an agreement.

**Section 1. NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the City of College Park, Maryland, that Chapter 87 "Building Construction",

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|                 |                                                                                      |
|-----------------|--------------------------------------------------------------------------------------|
| CAPS            | : Indicate matter added to existing law.                                             |
| [Brackets]      | : Indicate matter deleted from law.                                                  |
| Asterisks * * * | : Indicate matter remaining unchanged in existing law but not set forth in Ordinance |

§87--25, "Installation and Maintenance of Underground Utilities in City Rights of Way" of the Code of the City of College Park be, and is hereby, adopted to read as follows:

§87-25. INSTALLATION AND MAINTENANCE OF UNDERGROUND UTILITIES IN CITY RIGHTS OF WAY

A. APPLICATION: THE REQUIREMENTS OF THIS SECTION ARE IN ADDITION TO THE OTHER PROVISIONS OF THIS CHAPTER. A UTILITY THAT HAS BEEN GRANTED THE RIGHT BY LAW OR WRITTEN AGREEMENT TO LOCATE WITHIN CITY RIGHTS OF WAY IS EXEMPT FROM THIS SECTION, AS ARE UTILITY CONNECTIONS TO ADJACENT PROPERTIES FOR WATER OR NATURAL GAS SERVICE. IF NOT EXEMPTED, THE REQUIREMENTS AND PROVISIONS OF THIS SECTION APPLY TO ALL UTILITY COMPANIES AND UTILITY FACILITIES, WHETHER PRIVATELY OR PUBLICLY OWNED.

B. AUTHORIZATION REQUIRED. EXCEPT FOR EMERGENCIES, NO WORK SHALL BE PERFORMED ON ANY COVERED FACILITY LOCATED UNDER THE PUBLIC RIGHT-OF-WAY WITHOUT A PERMIT ISSUED IN ACCORDANCE WITH THIS CHAPTER AND A RIGHT OF WAY USE AGREEMENT SIGNED BY THE OWNER OF THE INSTALLATION. ANY SUCH WORK THAT IS PERFORMED THAT IS NOT IN COMPLIANCE WITH THIS SECTION SHALL BE REMOVED BY THE OWNER OF THE INSTALLATION IMMEDIATELY UPON DEMAND BY THE CITY, AND THE OWNER SHALL RESTORE THE PUBLIC RIGHT-OF-WAY TO ITS CONDITION PRIOR TO THE PERFORMANCE OF THE UNAUTHORIZED WORK. ALL SUCH RESTORATION WORK SHALL BE AT THE SOLE COST AND EXPENSE OF THE OWNER OF THE

INSTALLATION, WHICH SHALL ALSO BE RESPONSIBLE FOR REIMBURSING THE CITY FOR ANY AND ALL COSTS AND EXPENSES THAT IT MAY INCUR ARISING OUT OF OR RELATING TO SUCH UNAUTHORIZED WORK. A PERMIT AND AGREEMENT SHALL BE REQUIRED FOR EACH ENTITY TO COVER THE FOLLOWING WORK PERFORMED ON ITS EXISTING OR NEW FACILITIES LOCATED WITHIN PUBLIC RIGHTS-OF-WAY OR EASEMENTS UNDER THE JURISDICTION OF THE CITY:

1. ROUTINE MAINTENANCE OF EXISTING UTILITY FACILITIES.
2. REPAIRS TO EXISTING UTILITY FACILITY INFRASTRUCTURE.
3. UNDERGROUND UTILITY FACILITY CONSTRUCTION WITHIN CITY RIGHTS OF WAY.

THE OWNER OF THE UTILITY FACILITY WHICH IS BEING MAINTAINED OR REPAIRED SHALL BE RESPONSIBLE FOR OBTAINING THE MAINTENANCE UTILITY PERMIT.

C. ADMINISTRATIVE FEE: IN ADDITION TO A PERMIT FEE AS REQUIRED UNDER CHAPTER 110 OF THE CITY CODE, THE OWNER OF THE PROPOSED INSTALLATION SHALL PAY AN ADMINISTRATIVE FEE TO THE CITY AS FOLLOWS:

1. COST OF CONSTRUCTION IS LESS THAN \$25,000.00 - \$1,000.00
2. COST OF CONSTRUCTION IS MORE THAN \$25,000.00 - \$2,000.00

IN LIEU OF AN ADMINISTRATIVE FEE, THE PERMIT APPLICANT MAY PROVIDE IF ACCEPTABLE TO THE CITY, AND /OR THE CITY MAY REQUIRE, DARK FIBER FOR PERMANENT OWNERSHIP AND USE BY THE CITY, TO BE LOCATED WITHIN ANY

PROPOSED CONDUIT. IN THIS CASE, THE CITY SHALL HAVE FULL RIGHT TO OWN, USE AND MAINTAIN THE FIBER, AND TO ACCESS ANY CONDUIT FOR THIS PURPOSE.

D. INDEMNIFICATION. THE PERMITTEE SHALL INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY, IT’S AGENTS, SERVANTS, EMPLOYEES AND CONTRACTORS, FROM AND AGAINST ANY AND ALL LOSSES, CLAIMS, SUITS OR DEMANDS FOR DAMAGES TO PROPERTY OR PERSONS ARISING OUT OF PERMITTEE’S USE OF THE RIGHTS-OF-WAY, UNLESS SUCH LOSS, CLAIM, SUIT OR DEMAND FOR DAMAGES IS CAUSED BY THE NEGLIGENCE OR WILLFUL MISCONDUCT OF THE CITY, ITS AGENTS, SERVANTS, EMPLOYEES, AGENTS OR CONTRACTORS.

**Section 2**

**BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 110 “Fees and Penalties ”, §110-1 "Fees and interests", be, and is hereby repealed and reenacted with amendments to read as follows:

§110-1 "Fees and interests"

| Chapter/Section              | Description | Fee/Interest |
|------------------------------|-------------|--------------|
|                              | * * * * *   |              |
| Ch. 87 Building Construction |             |              |
|                              | * * * * *   |              |

§87-25

CONSTRUCTION COST LESS THAN \$25,000.00 - \$1,000.00

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 [Brackets] : Indicate matter deleted from law.  
 Asterisks \* \* \* : Indicate matter remaining unchanged in existing law but not set forth in Ordinance

## CONSTRUCTION COST MORE THAN \$25,000.00 - \$2,000.00

\* \* \* \*

**Section 3**

**BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall publish this proposed ordinance or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for \_\_\_\_\_ P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. As soon as practicable after adoption, the City Clerk shall have a fair summary of the Ordinance and notice of its adoption published in a newspaper having a general circulation in the City of College Park and available at the City's offices. This Ordinance shall become effective on \_\_\_\_\_, 2014 provided that a fair summary of this Ordinance is published at least once prior to the date of passage and once as soon as practical after the date of passage in a newspaper having general circulation in the City.

**INTRODUCED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**ADOPTED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**EFFECTIVE** the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**ATTEST:**

**CITY OF COLLEGE PARK,**

\_\_\_\_\_  
Janeen S. Miller, CMC, City Clerk

\_\_\_\_\_  
Andrew M. Fellows, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Suellen M. Ferguson, City Attorney

\_\_\_\_\_  
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[Brackets] : Indicate matter deleted from law.  
Asterisks \*\*\* : Indicate matter remaining unchanged in existing law but not set forth in Ordinance

**14-G-46**

## Appointments to Boards and Committees

14-G-46

### Wojahn:

- Tricia Homer to the Education Advisory Committee

### Brennan:

- Richard Morrison to the Neighborhood Stabilization Committee
- Nick Brennan to the Neighborhood Watch Steering Committee

