



**TUESDAY, OCTOBER 6, 2015**  
**(COUNCIL CHAMBERS)**

**7:30 P.M.**  
**WORKSESSION**

---

---

**COLLEGE PARK MISSION STATEMENT**

The City Of College Park Provides Open And Effective Governance And Excellent Services That Enhance The Quality Of Life In Our Community.

---

---

CITY MANAGER'S REPORT

AMENDMENTS TO THE AGENDA

PROPOSED ITEMS TO GO DIRECTLY TO NEXT WEEK'S AGENDA

---

---

**PROPOSED CONSENT AGENDA ITEMS**

1. Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendations Of The Advisory Planning Commission Regarding Appeal Number CEO-2015-01, 5007 Quebec Street, College Park, Maryland, And Granting Approval Of Variances From The Following Requirements: Prince George's County Zoning Ordinance, Section 27-420(A), City Code §87-23 B.C., And F. To Permit The Reconstruction Of A 6-Foot High, Board-On-Board Fence Within The Front Yard CPV-2015-05, 4903 Laguna Road (***Appeal period ends October 13***)
2. Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendations Of The Advisory Planning Commission Regarding Variance Application Number CPV-2015-05, 4903 Laguna Road, College Park, Maryland, Recommending Approval Of A Variance From Section 27-120.01(C) Of The Prince George's County Zoning Ordinance, "Front Yards Of Dwellings," To Construct A Driveway Addition In The Front Yard, 13 Feet In Width By 26.04 Feet In Length (***Appeal period ends October 13***)

**WORKSESSION DISCUSSION ITEMS**

3. Response to BDCA request to obtain an easement and install and maintain the Berwyn neighborhood sign – Bob Stumpff, Director of Public Works and Suellen Ferguson, City Attorney

4. City position for the Board of License Commissioners Show-Cause Hearing for July 31 incident (scheduled for October 14) on Backyard Sports Grill – Bob Ryan, Director of Public Services and Suellen Ferguson, City Attorney
5. Comprehensive Board and Committee Review: Step 2 - General discussion of operational matters – Janeen S. Miller, City Clerk
6. Proposed amendments to City Code/Charter regarding Finance and Budget – Steve Groh, Director of Finance
7. Permit Parking in the 5200 Block of Mineola Road (***possible Special Session***) – request of Councilmember Kabir
8. Comments on MDOT Draft 2016 – 2021 Consolidated Transportation Plan – Terry Schum, Director of Planning
9. EAC Recommendations for the use of \$80,000 Education Improvement Fund – Peggy Higgins for the Education Advisory Committee
10. Agenda items for October 22 Four Cities Meeting in Greenbelt
11. Appointments to Boards and Committees

STATUS/REVIEW OF PENDING AGENDA ITEMS

COUNCIL COMMENTS

---



---

**INFORMATION/STATUS REPORTS (For Council Review)**

12. Information Report: What would be needed at Davis Hall to provide the same services as City Hall to hold Council meetings – request of Councilmember Day
13. Information Report: Review of the two Resolutions for the Revitalization Tax Credits approved on September 22 – Suellen Ferguson, City Attorney

---



---

This agenda is subject to change. For the most current information, please contact the City Clerk. In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office and describe the assistance that is necessary. City Clerk's Office: 240-487-3501

1

CEO-2015-01  
5007 Quebec Street

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, MARYLAND ADOPTING THE RECOMMENDATIONS OF THE ADVISORY PLANNING COMMISSION REGARDING APPEAL NUMBER CEO-2015-01, 5007 QUEBEC STREET, COLLEGE PARK, MARYLAND, AND GRANTING APPROVAL OF VARIANCES FROM THE FOLLOWING REQUIREMENTS: PRINCE GEORGE'S COUNTY ZONING ORDINANCE, SECTION 27-420(A), CITY CODE §87-23 B.C., AND F. TO PERMIT THE RECONSTRUCTION OF A 6-FOOT HIGH, BOARD-ON-BOARD FENCE WITHIN THE FRONT YARD**

- WHEREAS,** the City of College Park, Maryland (hereinafter, the "City") has, pursuant to §190-1 *et seq.*, and in accordance with Section 27-924 of the Prince George's County Zoning Ordinance (hereinafter, "Zoning Ordinance"), enacted procedural regulations governing any or all of the following: departures from design and landscaping standards, parking and loading standards, sign design standards, and variances for lot size, setback, and similar requirements for land within the corporate boundaries of the City, alternative compliance from landscaping requirements, certification, revocation, and revision of nonconforming uses, and minor changes to approved special exceptions; and
- WHEREAS,** the City is authorized by the Ordinance to grant an application for a waiver or variance for lot size, setback, and similar requirements where, by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary situation or condition of the specific parcel of property, the strict application of the Zoning Ordinance would result in peculiar and unusual practical difficulties or an exceptional or undue hardship upon the owner of the property, and a variance can be granted without substantial impairment of the intent, purpose and integrity of the General Plan or Master Plan; and
- WHEREAS,** the City is authorized by the Ordinance to grant a variance whereby reason of an extraordinary situation or condition, the strict application of the Fence Ordinance would result in peculiar and unusual practical difficulty to or an exceptional or undue hardship upon the owner of the property; and a variance can be granted without substantial impairment of the intent, purpose and integrity of the Fence Ordinance; and where, if applicable, the variance is consistent with the Design Guidelines adopted for the Historic District; the variance will not adversely affect the public health, safety, welfare, or comfort; the fence for which a variance is requested incorporates openness and visibility as much as is practicable, provided that the fence may not be constructed of chain link unless the material is consistent with the surrounding neighborhood; and the fence construction, including setbacks, is characteristic of and consistent with the surrounding neighborhood; in neighborhoods where chain link is a characteristic material, alternate materials incorporating openness and visibility, may be permitted; and
- WHEREAS,** the City has adopted Section 87-23 "Fences" (hereinafter, the "Fence Ordinance"), and established certain restrictions on the construction and reconstruction of fences on residential properties, including a prohibition on front yard fences and side yard fences where the side lot line is a continuation of the front yard line of the adjacent lot; and

**WHEREAS,** Section 27-420(a) restricts fences in the front or side yard to four feet for corner lots of one acre or less; and

**WHEREAS,** the Advisory Planning Commission (hereinafter "APC") is authorized by §190-3 of the City Code to hear requests for variances from the terms of the Zoning Ordinance with respect to lot size, setback, and other requirements from which a variance may be granted by the Prince George's County Board of Appeals, including variances from Section 27-442(c) of the Prince George's County Zoning Ordinance, and to make recommendations to the Mayor and Council in connection therewith; and

**WHEREAS,** on August 14, 2015, Victoria-Maria MacDonald (hereinafter, the "Applicant"), submitted an appeal from City Code, §87-23, which restricts fences from being constructed in the front yard and from the Prince George's County Zoning Ordinance, Section 27-420(a), to permit the reconstruction of a 6-foot high board-on-board fence within the front yard at the premises known as 5007 Quebec Street, College Park, Maryland (the "Property");

**WHEREAS,** on September 3, 2015, the APC conducted a hearing on the merits of the application, at which time the APC heard testimony and accepted evidence, including the staff report and Exhibits 1 – 11 with respect to whether the subject application meets the standards for granting a variance set forth in the Ordinance.

**WHEREAS,** based upon the evidence and testimony presented, the APC voted 5-0-0 to recommend that the variance be granted; and

**WHEREAS,** the Mayor and Council are authorized by §190-6 to accept or deny the recommendation of the APC with respect to variance requests; and

**WHEREAS,** the Mayor and Council have reviewed the recommendation of the APC as to the Application and in particular have reviewed the APC's findings of fact and conclusions of law; and

**WHEREAS,** no exceptions have been filed; and

**WHEREAS,** the Mayor and Council are in agreement with and hereby adopt the findings of fact and conclusions of law of the APC as to the Application as follows:

**Section 1. Findings of Fact**

- 1.1 The property is a triangular-shaped, corner through lot with street frontage on three sides, although, one street (Pontiac Street) has not been improved. It has one side yard and no rear yard.
- 1.2 The property contains 9,000 square feet and is improved with a 2-story, single-family frame house that was built in 1903 and a shed.

- 1.3 The northern property line along Quebec Street measures  $\pm 113$  feet, the eastern property along Patuxent Avenue measures  $\pm 131.5$  feet; the southern property line along Pontiac Street (unimproved) measures  $\pm 15$  feet; and the western property line measures 150 feet.
- 1.4 The house faces Quebec Street.
- 1.5 There are existing fences as follows: A 5-foot high wood picket fence along Patuxent Avenue, a 4-foot high wood picket fence along the Pontiac right-of-way and a 4-foot high chain link fence along the western property line.
- 1.6 The surrounding neighborhood is single-family residential with some fences.
- 1.7 According to the Prince George’s County Code, all yards abutting streets are to be considered “front yards” (Section 27-107.01 (a) (261)) and an unimproved right-of-way is also to be considered a street (Section 27-107.01 (a) (225)). According to Section 27-107.01 (a) (263) for a through lot “any yard that does not abut a street is a side yard.” According to the City Code, a through corner lot shall have one apparent front yard with the other 2 yards abutting streets being side street yards. In order to obtain permits, the County Code definition needs to be used.
- 1.8 The property owner has a large, 70-pound German Sheppard K9 protection rescue dog that easily jumps over the existing 5-foot high fence.

Section 2      Conclusions of Law

The Mayor and Council make the following conclusions of law with regard to CEO-2015-01 for a variance to replace a worn 5-foot high wood picket fence with a board-on-board 6-foot high fence (the top foot would be lattice) and replace a 4-foot high chain link fence with a 42-inch high wood picket fence in the front yard of a corner through lot.

- 2.1 There is an extraordinary situation or condition that would support the request for a variance.

The lot is an unusual shape (generally triangular) and has an extraordinary condition in that it is a corner through-lot fronting on three rights-of-way. Based on the County definition, this lot has three front yards, one side yard and no rear yard which is unusual.

- 2.2 The denial of the variance would result in a peculiar and unusual practical difficulty to, or exceptional or undue hardship to the property owner.

Denial of the variance will result in an undue hardship by denying the owner the use of a functional back yard. Due to the uniqueness of the lot being a corner through-lot (having three frontages), the applicant does not have a legal back yard. Rather, the proposed fence will serve to help create a back yard for the property owner.

- 2.3 Granting the variance will impair the intent, purpose or integrity of the Fence Ordinance.

Granting the variance will not impair the intent, purpose or integrity of the Fence Ordinance because the applicant has demonstrated an extraordinary condition, a lot with no legal back yard. It is not the intent of the Fence Ordinance to prohibit a property owner from enjoying a back yard. Further, no new fence is proposed in the apparent front yard, and replacement of existing fences is permitted.

- 2.4 The variance is consistent with the design guidelines adopted for the historic district, if applicable.

Not applicable, the property is not located in an historic district.

- 2.5 The variance will adversely affect the public health, safety, welfare or comfort.

Granting the variance will not adversely affect the public health, safety, welfare or comfort. The fence is proposed along Patuxent Avenue and the Pontiac right-of-way which was never improved and is used as a park. Site distance for visibility and safety purposes will not be adversely affected.

- 2.6 The fence for which an appeal is requested incorporates openness and visibility as much as is practicable, provided however, that it shall not be constructed of chain link unless this material is consistent with the surrounding neighborhood.

One fence is proposed to be board-on-board with the top foot being lattice. The other fence is proposed to be a picket fence. Both these fences will incorporate sufficient openness and visibility and are consistent with the surrounding neighborhood.

- 2.7 The proposed construction, including setbacks, is characteristic of and consistent with the surrounding neighborhood. In neighborhoods where chain link is a characteristic material, alternate materials incorporating openness and visibility, may be permitted.

The portion of the fence that is located in back of the house and presents as a back yard fence is characteristic of and consistent with the surrounding neighborhood. The proposed replacement picket fence is also characteristic of and consistent with the surrounding neighborhood.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of College Park, Maryland that the findings of fact and conclusions of law of the APC are hereby adopted and a the requested variances for CEO-2015-01 to permit fencing as shown on the submitted site plan with the condition that the replacement fence along Patuxent Avenue be at least as far from the existing curb as the current fence are hereby Granted.

**ADOPTED**, by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 13<sup>th</sup> day of October 2015.

CITY OF COLLEGE PARK,  
MARYLAND

---

Janeen S. Miller, CMC  
City Clerk

---

Andrew M. Fellows, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

---

Suellen M. Ferguson  
City Attorney

2

CPV-2015-05  
4903 Laguna Road

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, MARYLAND ADOPTING THE RECOMMENDATIONS OF THE ADVISORY PLANNING COMMISSION REGARDING VARIANCE APPLICATION NUMBER CPV-2015-05, 4903 LAGUNA ROAD, COLLEGE PARK, MARYLAND, RECOMMENDING APPROVAL OF A VARIANCE FROM SECTION 27-120.01(C) OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE, "FRONT YARDS OF DWELLINGS," TO CONSTRUCT A DRIVEWAY ADDITION IN THE FRONT YARD, 13 FEET IN WIDTH BY 26.04 FEET IN LENGTH**

- WHEREAS**, the City of College Park, Maryland (hereinafter, the "City") has, pursuant to §190-1 *et seq.*, and in accordance with Section 27-924 of the Prince George's County Zoning Ordinance (hereinafter, "Zoning Ordinance"), enacted procedural regulations governing any or all of the following: departures from design and landscaping standards, parking and loading standards, sign design standards, and variances for lot size, setback, and similar requirements for land within the corporate boundaries of the City, alternative compliance from landscaping requirements, certification, revocation, and revision of nonconforming uses, and minor changes to approved special exceptions; and
- WHEREAS**, the City is authorized by the Ordinance to grant an application for a waiver or variance for lot size, setback, and similar requirements where, by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary situation or condition of the specific parcel of property, the strict application of the Zoning Ordinance would result in peculiar and unusual practical difficulties or an exceptional or undue hardship upon the owner of the property, and a variance can be granted without substantial impairment of the intent, purpose and integrity of the General Plan or Master Plan; and
- WHEREAS**, Section 27-422 (c), Table II, of the Prince George's County Zoning Ordinance prescribes a maximum lot coverage of 30% in the R-55 zoning district; and
- WHEREAS**, the Advisory Planning Commission (hereinafter "APC") is authorized by §190-3 of the City Code to hear requests for variances from the terms of the Zoning Ordinance with respect to lot size, setback, and other requirements from which a variance may be granted by the Prince George's County Board of Appeals, including variances from Section 27-442(c) of the Prince George's County Zoning Ordinance, and to make recommendations to the Mayor and Council in connection therewith; and
- WHEREAS**, Section 27-120.01 (c) of the Zoning Ordinance stipulates that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling, except a townhouse or multifamily dwelling, in the area between the front street line and the sides of the dwelling; and
- WHEREAS**, on July 23, 2015, Georgia Romas (hereinafter, the "Applicant"), submitted an application for a variance from Prince George's County Zoning Ordinance, Section 27-120.01(c), to permit construction of a driveway addition not to exceed 13 feet in width (3-feet for the original driveway and 10-feet for the

expansion) and 26.04 feet in length or 338.52 square feet of parking area in the front of the dwelling at the premises known as 4903 Laguna Road, College Park, Maryland (the “Property”);

**WHEREAS**, on September 3, 2015, the APC conducted a hearing on the merits of the application, at which time the APC heard testimony and accepted evidence, including the staff report and Exhibits 1 – 14 with respect to whether the subject application meets the standards for granting a variance set forth in the Ordinance.

**WHEREAS**, based upon the evidence and testimony presented, the APC voted 5-0-0 to recommend that the variance be granted; and

**WHEREAS**, the Mayor and Council are authorized by §190-6 to accept or deny the recommendation of the APC with respect to variance requests; and

**WHEREAS**, the Mayor and Council have reviewed the recommendation of the APC as to the Application and in particular have reviewed the APC’s findings of fact and conclusions of law; and

**WHEREAS**, no exceptions have been filed; and

**WHEREAS**, the Mayor and Council are in agreement with and hereby adopt the findings of fact and conclusions of law of the APC as to the Application as follows:

**Section 1. Findings of Fact**

- 1.1 The property, zoned R-55, is located at 4903 Laguna Road in the Hollywood subdivision.
- 1.2 The original driveway is 10-feet in width and 26.04 feet in length and encroaches into the front yard by 3-feet. A small triangular portion of the driveway expansion encroaches on the City right-of-way.
- 1.3 The property is improved with a two-story, brick-frame house which was constructed in 1964.
- 1.4 The property is rectangular in shape.
- 1.5 The property has an area of 7,050 square feet with a width of 60 feet and a length of 117.5 feet.
- 1.6 The lot coverage with the proposed driveway expansion will not exceed 23%, which is below the maximum permitted lot coverage of 30%.
- 1.7 The immediate neighborhood is zoned R-55, single-family residential.
- 1.8 There is no residential permit parking in this neighborhood.
- 1.9 Many homes in the nearby vicinity have driveways that are partially in the front yard.

- 1.10 On November 13, 2014, the applicant’s contractor applied for and was granted a driveway expansion permit (along with other improvements such as replacing a sidewalk) from Prince George’s County.
- 1.11 On December 11, 2014, Prince George’s County Department of Permitting, Inspections and Enforcement-Inspections Division issued an “OK to Pour” Order and the applicant’s contractor poured a new driveway including the expansion.
- 1.12 On May 12, 2015, the City of College Park Department of Public Services issued a violation notice notifying the applicant that their driveway was constructed without a city permit.
- 1.13 On May 18, 2015, the applicant applied for a City of College Park building permit.
- 1.14 On July 6, 2015, the Maryland-National Capital Park and Planning Commission (M-NCPPC) Permit Review Section wrote a memorandum to the Department of Permitting, Inspection and Enforcement (DPIE) stating that Permit No. 42186-2014-RGW was issued in error.
- 1.15 On July 13, 2015, DPIE wrote a letter to the petitioner stating that the driveway extension was approved and issued in error. An application for “Request for Validation of Permit Issued in Error” was attached (see Exhibit 7) as a possible remedy.

Section 2      Conclusions of Law

The Mayor and Council make the following conclusions of law with regard to CPV-2015-05 for a Variance from Section 27-120.01 (c) of the Prince George’s County Zoning Ordinance, “Front Yards of Dwellings,” to expand a driveway in the front yard to a width of 13-feet and a length of 26.04 feet.

- 2.1 The property has an extraordinary situation. Due to the narrowness of the property and size and orientation of the existing house, the side yards are not wide enough to accommodate a standard driveway without encroaching in front of the house.
- 2.2 The applicant applied for and was approved for a County permit. In reliance upon this approval, the applicant poured the driveway. It was later determined the County issued the permit in error. The strict application of the County Zoning Ordinance will result in an undue hardship upon the property owner by requiring removal of the driveway expansion.
- 2.3 Granting the variances requested will not impair the intent and purpose of the applicable County General Plan or County Master Plan, because the proposed driveway size and location is not out of character with the neighborhood and the maximum permitted lot coverage will not be exceeded.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of College Park, Maryland that the findings of fact and conclusions of law of the APC are hereby adopted and a variance from Section 27-120.01(c) to allow construction of a driveway in the front yard consistent with the as-built site plan submitted in the APC hearing is hereby Granted.

**ADOPTED**, by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 13<sup>th</sup> day of October 2015.

CITY OF COLLEGE PARK,  
MARYLAND

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

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

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

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

# 3

## BDCA Request To Install And Maintain The Berwyn Neighborhood Sign

## **MEMORANDUM**

**TO:** Mayor and Council

**FROM:** Suellen M. Ferguson, City Attorney  
Robert Stumpff, Director of Public Works

**CC:** Scott Somers

**DATE:** October 2, 2015

**RE:** Request from Berwyn District Civic Association – Installation and Maintenance of Berwyn Neighborhood Sign

### **ISSUE**

The Berwyn District Civic Association (“BDCA”) has commissioned a sign to be placed at the main entrance to the Berwyn neighborhood on private property. The BDCA has requested that the City accept, place and maintain the sign. Placement would require an easement from the owner of the private property.

### **DISCUSSION**

The BDCA commissioned a mosaic sign that it wishes to place at the entrance to the Berwyn Neighborhood and seeks to donate this sign to the City for installation and maintenance. The letter from the BDCA requesting that the City accept the sign and arrange for installation is attached. The preferred placement for the sign is at the corner of 48<sup>th</sup> Avenue and Berwyn Road, on a private property located at 4801 Berwyn Road, which is owned by Andrea M. Carpentieri. The BDCA indicates that the owner is willing to authorize the City to place and maintain the sign on her property.

If the City agrees to accept this donation and place the sign where requested, then an easement from Ms. Carpentieri at no cost would be required. Further, due to the location, it is likely that the sign may be damaged or destroyed by vehicular traffic or other means. While the City has personnel that can maintain the sign and repair damage to the pole if necessary, it does not have the expertise to repair or replace the mosaic portion of the sign if it is damaged or destroyed. If necessary to protect the public interest, the City should be authorized to move the sign to another location agreeable to BDCA.

### **RECOMMENDATION**

Acceptance of the sign donation by Mayor and Council should be conditioned on:

1. Obtaining an easement from the property owner at no cost to allow for installation and maintenance, and
2. Agreement by the City to install and maintain the sign, and to repair of the pole if necessary, but not to repair or replace the mosaic portion of the sign if it is damaged or destroyed.
3. Ability of the City to relocate the sign if necessary for the public interest to a location agreeable to the BDCA.



## BERWYN DISTRICT CIVIC ASSOCIATION, INC.

---

P.O. BOX 535

COLLEGE PARK, MARYLAND 20740

---

Mayor and Council  
City of College Park Maryland  
4500 Knox Road  
College Park, MD 20740

August 20, 2015

Dear Mayor and Council:

The Berwyn train mural painted on the side of the auto parts store at the corner of Berwyn Road and Route 1 was destroyed when the new storeowner scraped it off and repainted the wall. The community asked to use the remaining mural-maintenance money in a way that would still serve as an identifying marker for the neighborhood. The decision was to create a sign to be placed at the main entrance of the Berwyn neighborhood. An experienced mosaic artist who lives in College Park, Liza Linder, was subsequently commissioned to develop this sign. Shannon-Baum Signs and Graphics, the sign company used by the city, was asked to make the sign pole and insert-area for the mosaic.

The sign has now been completed to the satisfaction and delight of the BDCA Board. At this time, the neighborhood would like to donate the Berwyn sign to the City in order to get it properly installed. The area chosen for placement of the sign is the corner at 48<sup>th</sup> and Berwyn Road east of and directly across from the first stop sign on Berwyn Road. The owner of this property, Andrea Carpentieri, had suggested this spot before the sign was made and remains excited about it being placed on her property. We hope the City of College Park will accept her offer.

If there are any questions, you may contact Kevin Young (301-742-2050), Harry Pitt (301-220-1066), or Sandy Tyler (301-345-3692).

Sincerely,

Timothy Triplett  
Corresponding Secretary, Berwyn District Civic Association

CC: Kevin Young  
Sandy Tyler  
Harry Pitt

4

Board of License  
Commissioners  
Show-Cause Hearing  
on Backyard Sports Grill

## MEMORANDUM

**TO:** Mayor and City Council

**THROUGH:** Scott Somers, City Manager

**FROM:** Robert W. Ryan, Public Services Director

**DATE:** October 2, 2015

**SUBJECT:** Backyard Sports Grill

### ISSUE

At the Worksession on 15 Sept. 15, the Council discussed a City position with respect to a show cause hearing to be set before the Board of License Commissioners (“BOLC”) concerning DKL Investments, Inc., t/a Backyard Sports Grill (“Backyard”) for violation of its entertainment permit. A letter to the BOLC was prepared for approval by Council on September 22. However, additional information was received involving possible subsequent violations and it was decided to wait for further briefing from the Prince George’s County Police Department (“PGPD”) before taking a final position. A date for the show cause hearing has now been set for 14 October and additional information has been received from PGPD.

### SUMMARY

The initial event that generated the request for the show cause hearing by PGPD occurred on 31 July 2015 at 0204 hours. PGPD, UMPD, and City Contract Officers responded to 7313 A/B Baltimore Avenue to a report of an assault. There was an altercation which started at or outside Backyard. One of the participants went into Slices. Outside, people were banging on the window of Slices. The manager of Slices went outside and was assaulted. Three young women from Slices went outside and were also assaulted. None of the victims required medical attention.

The incident was investigated by PGPD and it was determined that secondary employment PGPD Officers had never been hired for security at Backyard as required by its entertainment permit. The owner also stated that they had hired a promoter to coordinate entertainment different nights of the week and that the promoter was part of the problem during the incident. Per BOLC R.R. 78 (attached), and, Article 2B, §16-301, of the Annotated Code of Maryland the use of a promoter is prohibited. The Office of Secondary Employment would not approve a security plan involving the use of a promoter. Using a promoter also violates the Property Use Agreement (“PUA”) with the City of College Park.

Subsequently PGPD District 1 Commanders, and Office of Secondary Employment Officers, who must approve entertainment permit security plans, met with Dr. and Mrs. Lee. The Lees were reported to have agreed to abide by the conditions of their entertainment permit security plan. Dr. Lee met with the City Council at the Worksession and discussed compliance with the

Backyard PUA. He stated that he understood use of a promoter was not allowed under the entertainment permit/security plan and the PUA with the City.

The Council authorized the City Attorney to prepare a letter to the BOLC expressing the Council's concerns and requesting strict enforcement of the terms of the BOLC approved Entertainment Permit and security plan which was on the agenda for approval on September 22. A copy of the letter is attached.

Subsequent to the Worksession, PGPD advised that a promoter/DJ was advertising an event at Backyard the weekend following the Worksession. Based on this additional information, the draft letter was removed from the agenda for the regular meeting so that it could be discussed further.

On the next Saturday, September 26, 2015, at approximately 01:30 in the morning, a fight occurred inside Backyard during which the PGPD officer working security was assaulted. It is possible that changes to the security plan will result from this incident. Staff is continuing to receive information from PGPD and BOLC concerning this incident and will provide updates as available.

As the show cause hearing is now set for October 14, 2015, the proposed letter to the BOLC has been included on the Worksession agenda for next week. Dr. Lee has been invited to the work session.

### **RECOMMENDATION**

The Council should consider the additional information regarding these incidents. The Council should determine the City position with respect to the show cause hearing and authorize any appropriate revisions to the letter to the BOLC. The Council should authorize staff to present the City's position at the BOLC show cause hearing.

### **ATTACHMENTS**

1. R.R. NO. 78 – USE OF PROMOTERS NOT PERMITTED:
2. PUA –Backyard Sports Grill
3. DRAFT letter to BOLC.

**R.R. NO. 78 – USE OF PROMOTERS NOT PERMITTED:**

The use of promoters or promotion companies is strictly prohibited. The licensee is responsible for the management of the business at all times. The licensee, their agent or manager (if an approved management agreement is on file with the Board) is responsible for the operation of the licensed premises to include any entertainment provided. At no time should the operation be relinquished to a promoter or promotion company.

The use of advertisements by promoters or promotion companies can be used as evidence before the Board that the licensee has relinquished control of the licensed premises.

Establishments found in violation of this Rule and Regulation are subject to a fine and/or suspension and/or revocation of the alcoholic beverage license.

Licenses issued under Section 6-201(r)(8)(i) of Article 2B of the Annotated Code of Maryland may be excepted from the some of the provisions of this Rule and Regulation.

PROPERTY USE AGREEMENT

THIS PROPERTY USE AGREEMENT (the "Agreement") is made as of the 18<sup>th</sup>  
\_\_\_\_\_ day of November, 2014, by and between DKL Investments, Inc., t/a Backyard  
Sports Grill, and Dana M. Lee (collectively "Licensee"); and the CITY OF COLLEGE PARK, a  
Maryland municipal corporation (the "City").

WITNESSETH

WHEREAS, Terrapin Main Street, LLC is the owner and Licensee is a tenant at the  
property located at 7313 A and B Baltimore Avenue, College Park, Maryland 20740 (the "Property");  
and

WHEREAS, the Property is located within the corporate limits of the City of College  
Park, Maryland; and

WHEREAS, Licensee has applied to the Board of Liquor License Commissioners of  
Prince George's County, for the transfer of a Class B, Beer, Wine and Liquor License ("License") for  
the Property, which will be operated as the Backyard Sports Grill ("Restaurant"); and

WHEREAS, the Licensee has requested the support of the City for the transfer of the  
License for the Property; and

WHEREAS, in consideration of the covenants contained in this Agreement, the City  
will voice no objection to the Licensee's application and hearing for the transfer of the License to the  
Property, subject to the terms, conditions and restrictions contained herein.

NOW THEREFORE, in consideration of the foregoing, the mutual promises contained herein,  
and other good and valuable consideration, the receipt and sufficiency of which are hereby  
acknowledged, the parties hereto agree as follows:

1. Repair and Maintenance of the Property. Licensee shall, from and after the date hereof, continue to keep the Property in good order and repair, and free of debris and graffiti.

2. Restrictions. Except with the express written consent of the City, which consent may not be unreasonably withheld, during the period that Licensee is using or has any interest in the Property, and is using the License, the use of the Property shall be restricted to the operation of the Backyard Sports Grill or another substantially similar casual dining restaurant, which receives not more than sixty percent (60%) of its average daily receipts over any three consecutive monthly periods from the sale of alcoholic beverages, and which complies strictly with the restrictions and requirements of the State of Maryland/Prince George's County Class B Beer, Wine and Liquor License. The calculation of the percentage of alcoholic beverages sold shall include the full cost of any such beverage, and not just the alcohol contained in the beverage. Licensee will provide the City, by January 15 of each year, with summaries of each month's receipts for the sales of alcoholic beverages and food for the preceding calendar year, and, at any time, such information in such form as the City may reasonably require to permit the verification of sales required in this paragraph 2 of this Agreement. Such information need not be prepared by an accountant or auditor, but must be accompanied by a general affidavit signed by the Licensees affirming the accuracy of the information provided. Licensees may be required by the City to provide information to permit verification of the sales ratios required in this paragraph, including daily register receipts and the identity of, and invoices from, its alcohol and food suppliers. Any such information provided by Licensee that is claimed to be confidential shall be so marked by Licensee and the City will treat such record as confidential as allowed by law.

3. Use of Property. Except as otherwise set forth herein, those uses of the Property permitted by the applicable zoning for the Property shall be permitted uses for the purposes of this

Agreement. In addition, the Property shall be subject to all of the restrictions imposed by the applicable zoning of the Property.

4. Noises and Nuisances. Licensee shall not permit any nuisance to be maintained, allowed or permitted on any part of the Property, and no use of the Property shall be made or permitted which may be noxious or detrimental to health or which may become an annoyance or nuisance to persons or businesses on surrounding property.

5. Operations. Licensee shall maintain and operate Backyard Sports Grill restaurant in a manner that all seats are available for dining, no area is designated solely for the consumption of alcoholic beverages, and no sales of alcoholic beverages for off-sale consumption shall be allowed, except for partially consumed bottles of wine purchased at the Restaurant and allowed off premises pursuant to Maryland law. Alcoholic beverages shall not be sold or served prior to 6:00 a.m. or after 2:00 a.m. Monday through Thursday. Alcoholic beverages shall not be sold or served prior to 6:00 a.m. or after 3:00 a.m. Friday and Saturday. Alcoholic beverages shall only be served on Sunday from 12:00 noon until 2:00 A.M. on Monday. Happy hour and like events shall be limited to 3:00 p.m. to 8:00 p.m. Happy hours may also occur during brunch on Saturdays and Sundays. Food from a regular menu must be served at all times that the premises are open for business until 12:00 a.m. At all times, at least 80% of the items listed on the regular menu shall be available for customers to order. The proposed menu provided by Licensee is attached as Exhibit A. The time for last call for alcoholic beverages shall be one-half hour prior to closing. No shooters or doubles orders will be taken within one-half hour before closing. Licensee shall ensure music levels that allow patron conversation in a normal tone of voice, and prohibit disruptive or rowdy behavior that disturbs the peaceful enjoyment of the facility by Licensee's patrons and other persons visiting the facility. Dancing is not allowed in the Restaurant. A DJ and live music will be allowed consistent with any Special Entertainment Permit

issued by the Board of License Commissioners. Windows and doors will not be opened during the time that the DJ or live band is playing music.

Cover and door charges will be charged for entry to the Restaurant during live music performances and certain occasional pay-per-view television events. The payment of a cover or door charge shall not reduce the normal price charged by Licensee for alcoholic beverages. Alcoholic beverages shall be served only to diners sitting at tables or counters inside the restaurant facility, and patrons standing or sitting at the bar or waiting for a table. The parties recognize that, during private parties, not all patrons may be seated, but that food will be served. The minimum price for alcoholic beverages, including 16 oz. beers, shall be \$2.00. Licensee may sell beer in pitchers provided the pitchers of beer are not sold for less than \$9.00 per pitcher and are sold in pitchers for convenience and accommodation. All persons seated at a table at which beer in pitchers is served will be required to produce identification demonstrating an age of at least 21 years. Licensee will maintain all dining areas, including tables and chairs, inside the restaurant facility. Licensee shall ensure that the exterior of the restaurant, including service areas, remains clean and graffiti free. The interior and exterior of the Property shall be rodent free. Licensee shall not allow grease to accumulate on the exterior of the Property. Licensee agrees to fully comply with all applicable laws, including without limitation Subtitle 12, "Health", of the Prince George's County Code, and the Code of the City of College Park. Licensee shall not engage in window advertising of the sale of beer, wine or liquor, nor off-premises leafleting of cars or on public right of way promoting the sale of beer or wine. All off-premises advertising of specials, happy hours or reduced prices for beer or wine shall be limited to promotions coupling the sale or service of food with the sale of alcoholic beverages. Licensee shall use an identification scanner system as allowed by law, designed to recognize false identification prior to making alcoholic beverage sales. After 9:00 p.m., the scanner shall be used for all persons who appear to be under the age of thirty

five (35) years. [Licensee will not accept State of Maryland vertical type licenses as proof of age. All persons who order alcohol shall be required to produce identification.

Licensee shall not rent the facilities to individuals or businesses involved in promoting or making a business or profit from producing musical, band or disc jockey events. Licensee shall not provide tables, such as a beer pong table, whose purpose is for use in drinking games. Licensee shall not sponsor or support drinking games within the Property.

6. Enforcement. The City shall have the right to enforce, by any proceeding at law or in equity, including injunction, all restrictions, terms, conditions, covenants and agreements imposed upon the Property and/or Licensee pursuant to the provisions of this Agreement. The parties agree that if Licensee should breach the terms of the Agreement, the City would not have an adequate remedy at law and would be entitled to bring an action in equity for specific performance of the terms of this Agreement. In the event of a violation of paragraph 2 of this Agreement, Licensee shall have sixty (60) days from the date of notification of the violation to adjust his operations and achieve compliance, as measured during the sixty (60) day period, with the requirements of paragraph 2 of this Agreement. In the event the City is required to enforce this Agreement and Licensee is determined to have violated any provision of this Agreement, Licensee will reimburse the City for all costs of the proceeding including reasonable attorney's fees. Should Licensee prevail in any action brought by the City to enforce a provision of this Agreement, the City shall reimburse Licensee for all costs of the proceeding including reasonable attorney's fees.

7. Waiver. Neither any failure nor any delay on the part of the City in exercising any right, power or remedy hereunder or under applicable law shall operate as a waiver thereof nor shall a single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right, power or remedy.

8. Assignment of License. In consideration for the City voicing no objection to Licensee's application for the transfer of the License, Licensee agrees that it shall not sell, transfer, or otherwise assign its rights under either the License to any entity or individual for use or operation within the City without the express prior written consent of the City, which consent will not be unreasonably withheld.

9. Assignment. This Agreement shall be binding upon, and shall inure to the benefit of, the respective affiliates, transferees, successors and assigns of the parties hereto.

10. Scope and Duration of Restrictions. The restrictions, conditions and covenants imposed by this Agreement shall be valid only so long as Licensee maintains the License at Backyard Sports Grill, or some other substantially similar casual dining restaurant.

11. Security. The Licensee shall have and maintain a Security Plan to prevent the Property and any activities from posing a threat to the peace and safety of the surrounding area. The Security Plan shall, at minimum, comply with any requirements of the Board of License Commissioners. Regardless of whether the Licensee seeks or has an entertainment license, the Security Plan shall require the following:

- a. Licensee shall operate and maintain six security/surveillance cameras installed and in operation inside the Property, one each at the front and rear entrance and the remainder in the interior. The security cameras shall be motion activated, and shall automatically record any and all movement, at the Premises 24 hours per day, 7 days per week. If the security/surveillance system is assessed and evaluated by Police George's County Police and/or University of Maryland Police, Licensee will make reasonable improvements based on those recommendations.

- b. Licensee shall diligently enforce ID policies by trained and certified managers and shall purchase and use a new ID Scanner to prevent use of fake IDs. Licensee agrees to take all necessary measures to ensure that under age persons do not obtain alcoholic beverages.
- c. All serving, bar, security and management employees will be TIPS trained.
- d. All serving, bar, security and management employees will be 21 years or older.
- e. All security and management employees will be certified in crowd control through the Maryland Fire Marshal.
- f. At least one security person will be at the door on Friday and Saturday nights, and on nights when entertainment is provided, from 9:00 p.m. to close. This person will check ID's. ID's will also be checked at the time a server is asked to serve alcohol. At the closing of the Restaurant, at least one security person will move outside to insure orderly egress from the Restaurant.
- g. The planned activities include DJ's two to three times per week, karaoke nights, and occasional live music. All security measures required by this section shall be provided at Licensee expense.

12. Notices. All notices given hereunder shall be in writing and shall be deemed to have been given when hand delivered against receipt of three (3) days after deposit with the United States Postal Service, as registered or certified mail, return receipt requested, postage prepaid, addressed:

- (i) If to Licensee:  
  
Dana M. Lee, President  
2501 Red Cedar Dr  
Mitchellville, MD 20721  
  
with copy to:

Sean T. Morris, Esquire  
The Morris Law Firm, LLC  
4845 Rugby Avenue, Suite 302  
Bethesda, Maryland 20814

(ii) If to the City:

City Manager  
City of College Park  
4500 Knox Road  
College Park, Maryland 20740

with copy to:

Suellen M. Ferguson, Esquire  
Council, Baradel, Kosmerl & Nolan P.A.  
125 West Street, 4<sup>th</sup> Floor  
P.O. Box 2289  
Annapolis, MD 21404

13. Amendments. This Agreement may not be amended or modified except in writing executed by all parties hereto, and no waiver of any provision or consent hereunder shall be effective unless executed in writing by the waiving or consenting party.

14. Severability. The provisions of this Agreement shall be deemed severable, so that if any provision hereof is declared invalid, all other provisions of this Agreement shall continue in full force and effect.

15. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Maryland.

16. Counterparts. This Agreement may be executed in any number of counterparts each of which shall constitute an original and all of which together shall constitute one agreement.

17. Headlines. The headings or titles herein are for convenience of reference only and shall not affect the meaning or interpretation of the contents of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

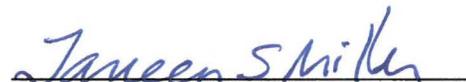
WITNESS/ATTEST

  
\_\_\_\_\_

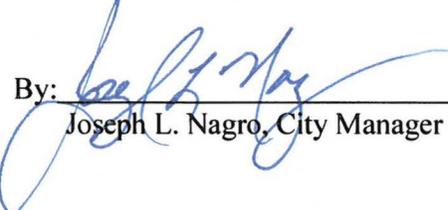
DKL INVESTMENTS, INC.

  
\_\_\_\_\_  
Dana M. Lee, Individually and  
as President

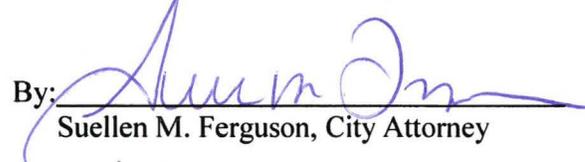
WITNESS/ATTEST

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

CITY OF COLLEGE PARK

By:   
\_\_\_\_\_  
Joseph L. Nagro, City Manager

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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

ENTREES

**Chicken Tenders**

**Chili**

**Tacos**

**Shrimp  
Fish**

**Nachos**

**Chicken Wings**

**Classic Fried  
Jerk  
Chipotle BBQ  
Buffalo  
Teriyaki**

DESSERTS

**House Salad**

**Caesar Salad**

**Add grilled chicken or shrimp**

SANDWICHES

**Backyard Burger**

**Add cheese and/or bacon**

**Po'Boy**

**Shrimp  
Catfish**

**Grilled Chicken Sandwich**

**BLT**

**Sliders**

**Crab Cake  
Pulled Pork  
Mini-Burger**

SIDES

**Collard Greens**

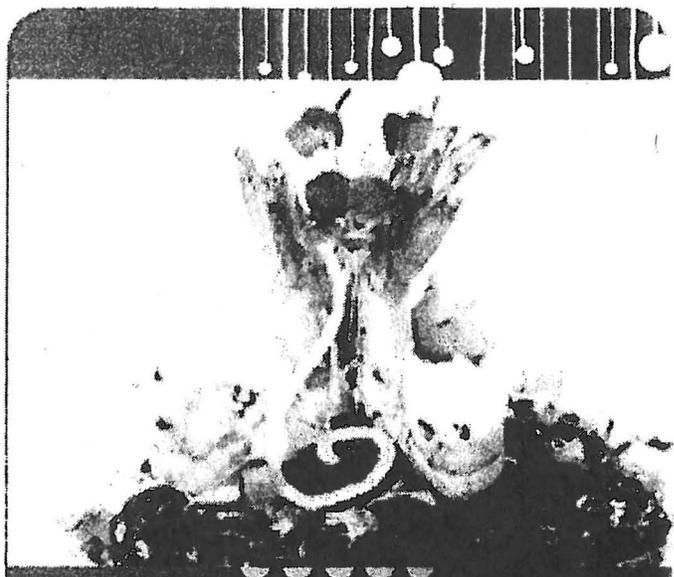
**French Fries**

**Sweet Potato Fries**

**Macaroni and Cheese**

**Sweet Potato Casserole**

**Cornbread**



ENTREES

**Chicken and Waffles**

**Riblets Platter**

**Blackened Chicken Cajun Pasta**

**Three Side Platter**

**Shrimp and Grits**

**Blackened Catfish and Grits**

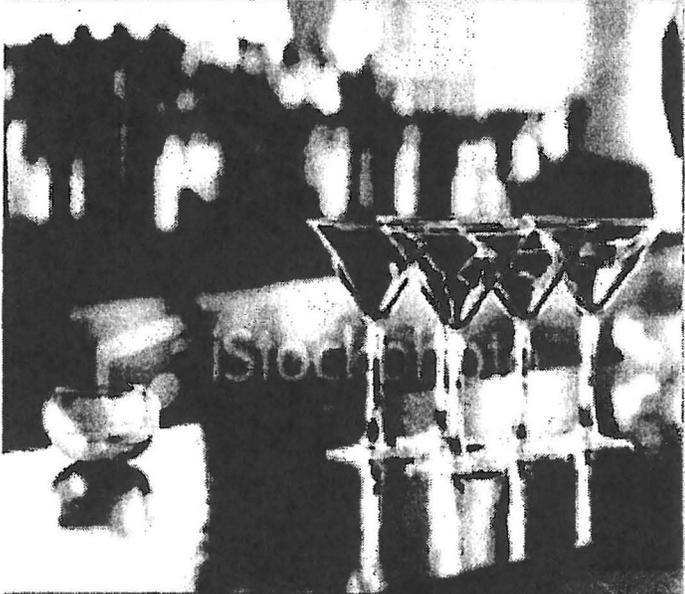
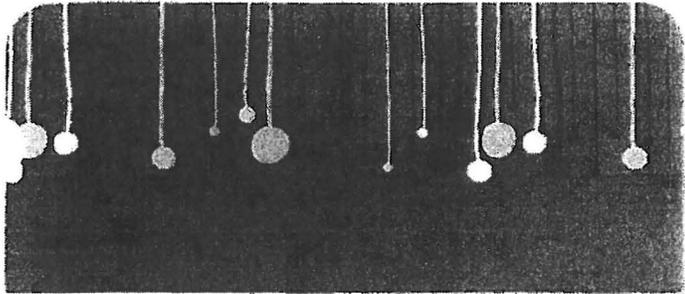
DESSERTS

**Sweet Potato Pie**

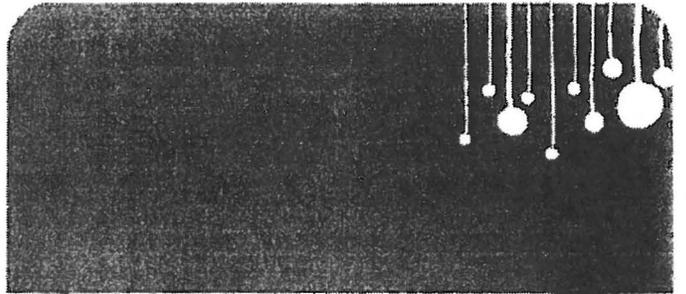
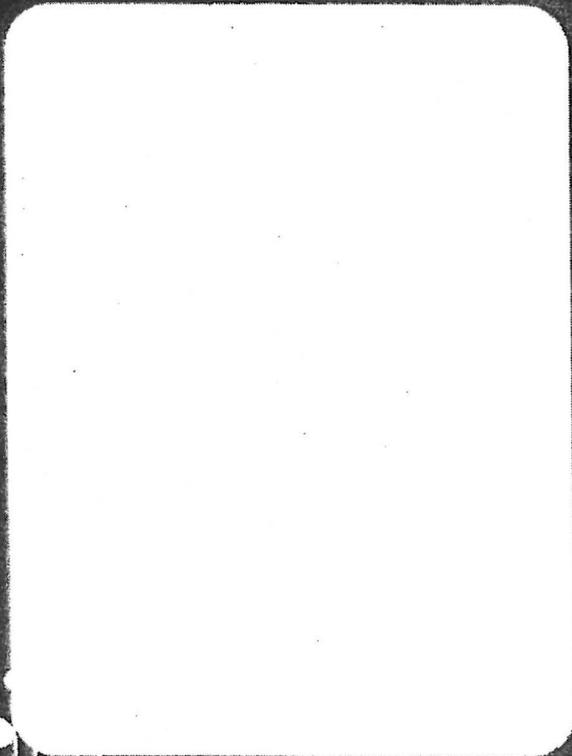
**Peach Cobbler**

**Red Velvet Cake**

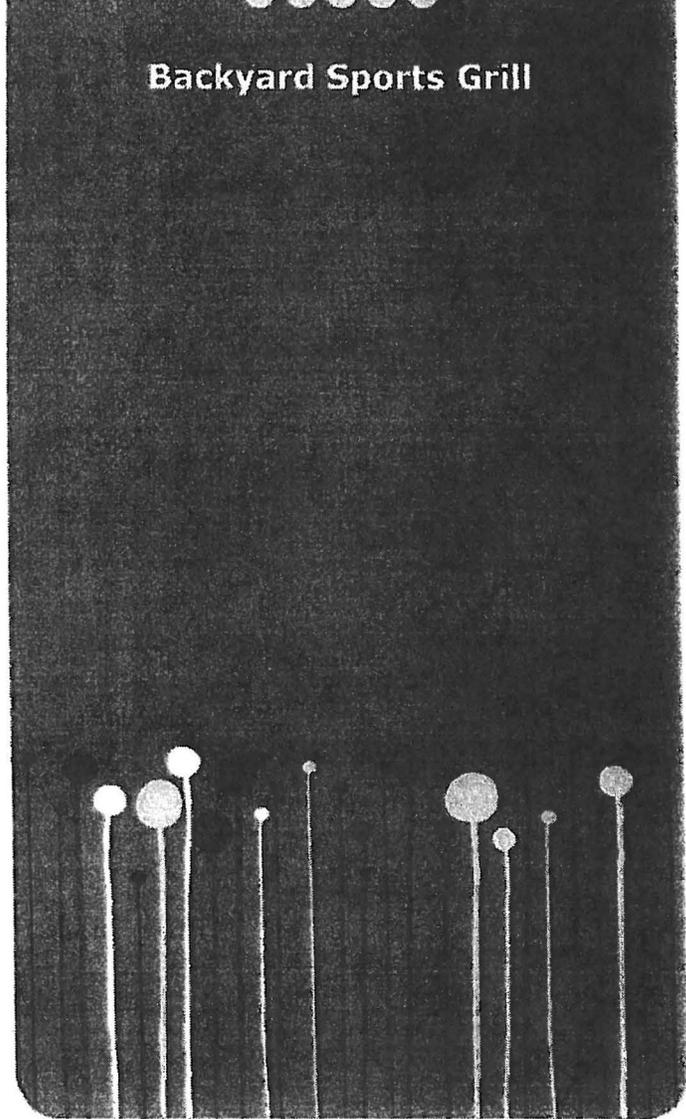
**Bread Pudding**



Backyard Sports Grill



Backyard Sports Grill



DRAFT

Charles W. Caldwell, III, Chairman  
Board of License Commissioners of Prince George's County  
9200 Basil Court, Suite 420  
Largo, Maryland 20774

Re: Show Cause Hearing – Backyard Sports Grill

Dear Chairman Caldwell:

A show cause hearing has been set before the Board of License Commissioners ("Board") for October 14 with respect to non-compliance with the security plan and use of promoters at DKL Investments, Inc., t/a Backyard Sports Grill, located at 7313 A and B Baltimore Avenue, College Park, Maryland 20740 (the "Property"). We understand that these issues are related to an incident that occurred on July 31, 2015, which led to a discovery by Prince George's County Police that security personnel required by the Security Plan applicable to the Property were not present, and that a promoter was involved in the entertainment.

The City appeared at the original Board hearing to consider granting a liquor license to this establishment, which occupies a corner property that had been the scene of security issues for the prior license holder. The Mayor and Council eventually voted not to oppose the application based on the agreement by the owners to sign a Property Use Agreement ("Agreement"). This Agreement, which was made a part of the record, specifically requires compliance, at minimum, with any Security Plan adopted by the Board and prohibits the use of promoters for entertainment. These provisions were central to the City's consideration of the liquor license for this Property.

We understand that the Board may fine the licensee, continue or revoke the Special Entertainment Permit and/or the liquor license, and/or take any other appropriate actions. The Mayor and Council voted on September 22, 2015 to support the Board's strict enforcement of the Security Plan, to require an off-duty certified police officer with jurisdiction to be present on site during any entertainment event, to emphasize that the use of promoters is prohibited and to take any other action designed to ensure that lapses in security such as the one involved here do not recur. Thank you for your consideration of our request.

Sincerely,

Andrew M. Fellows  
Mayor

cc: College Park City Council

# 5

## Comprehensive Board and Committee Review

## MEMORANDUM

**TO:** Mayor and City Council

**FROM:** Janeen S. Miller, City Clerk

**THROUGH:** Scott Somers, City Manager

**COPY:** Department Directors and Staff Liaisons

**DATE:** September 29, 2015

**RE:** 2015 Comprehensive Review of Council Advisory Boards:  
**Step 2 – General Discussion of Operational Matters**

### ISSUE

The Mayor and City Council is conducting a comprehensive review of the City's advisory boards. Step 1, the "Information Gathering" phase, took place between March 10 and September 22, when Council met with the Chairs of 16 appointed Boards to discuss the charge to each Board and get input on possible changes. Step 2 of this comprehensive review can now begin.

### SUMMARY

The Mayor and Council has now met with 16 advisory boards<sup>1</sup>. A summary of these discussions is attached. Council is requested to review and note any additional items. Specific proposed changes arising from those meetings will come back to Council for consideration in the near future.

The goal of Step 2 of this comprehensive review is to discuss operational matters, and identify and resolve any administrative issues relating to the City's advisory boards. Council and Staff should review:

- The relationship between Council, Boards and Staff Liaisons
- Communication between Council and Boards, and/or Board reports to Council
- Council direction on Board Workplans
- Budgeting funds for Boards, and a policy regulating the use of both budgeted funds and funds that are donated to City Boards
- The legal authority of Boards as appointees of Council
- Recruitment, appointment and reappointment process
- Rules and policies for Boards, and the duty of Boards to abide by City policies and state/county law
- Other matters as needed

---

<sup>1</sup> Council has not met with: 1) The Aging-In-Place Task Force, which was established as a taskforce that will be dissolved once their report is presented to Council, and 2) The Neighborhood Quality of Life Committee. Council can discuss whether these boards should be included in this review.

One of the issues that Council should address is a policy regarding funds that are donated to a Board, but held by the City. The Council will recall a situation last year where City staff questioned the propriety of a certain request for a disbursement from funds donated to a committee. A draft policy to address this situation is attached for your review (attachment 2).

The City Clerk's office maintains a list of "Important Reminders" (attachment 3) that we regularly send to Board members. This list has been updated and is attached for your review. Council should consider whether any items discussed at the Worksession should be added to this list.

### **RECOMMENDATION**

Council should begin the discussion on these topics at the October 6 Worksession.

### **Attachments**

- 1 – Summary of Changes/Requests from Step 1
- 2 – Draft financial policy re: Donated Funds
- 3 – "Important Reminders" Board memo

**2015 Board and Committee Review  
Summary of Changes/Requests**

<b>Group</b>	<b>Date (2015)</b>	<b>Notes/Changes</b>
Advisory Planning Commission	March 10	The APC will discuss at their October 1 meeting whether to submit any proposed changes to the City Code.
Airport Authority	April 14	<ol style="list-style-type: none"> <li>1. Suggested change to §11-6, purpose, from Jack Robson: “The Authority shall encourage use of the airport as an ongoing operational airport as well as an historical, recreational and educational center, and promote good community relations. It will recommend to the Mayor and Council its findings for action.”</li> <li>2. Fix the “length of term” for members at either 2 or 3 years.</li> </ol>
Animal Welfare Committee	May 12	Request to amend the original statement of purpose by adding two points: <ol style="list-style-type: none"> <li>1. Work with Animal Control Officer to provide care for animals in the shelter and at Petco</li> <li>2. Work with the Animal Control Officer to promote and facilitate adoptions</li> </ol>
Board of Election Supervisors	April 14	Nothing submitted
Cable Television Commission	April 14	Nothing submitted
Citizens Corps Council	June 9	<ol style="list-style-type: none"> <li>1. Request to remove the word “expertise” from the website description – <i>completed</i></li> <li>2. Request for recruitment</li> </ol>
Committee for a Better Environment	March 17	Nothing submitted
Education Advisory Committee	April 28	Suggested changes - Amend 99-R-4: <ol style="list-style-type: none"> <li>1. Section 1 E: <del>Promoting business school partnerships</del> “Building partnerships with other College Park entities (i.e., City-University Partnership, local school PTAs, etc.)”</li> <li>2. Section 2 A: <del>Meet not less than monthly</del> “Meet monthly during the school year”</li> </ol>
Ethics Commission	April 14	No changes to Code. Future discussion items suggested.
Farmers Market	March 17	Dissolve the Committee - <i>completed</i>
Neighborhood Quality of Life Committee	TBD	TBD
Neighborhood Watch Steering Comm.	September 22	Schedule a future Worksession to discuss either a change to the structure and/or elimination of the Committee
Noise Control Board	September 22	No changes to Code
Recreation Board	May 12	Consider changes to the membership requirement
SMCGT	March 17	Dissolve the Committee - <i>completed</i>
Tree & Landscape Board	March 17	Changes submitted
Veterans Memorial Improvement Committee	June 2	<ol style="list-style-type: none"> <li>1. Change name to “Veterans Memorial Committee”</li> <li>2. Under section IX, Flags, specify that the four flags that are flown are the US, State, County and City flags</li> </ol>

DRAFT October 1, 2015

City Policy Regarding Funds Held For City-appointed Boards Or For Outside Entities:

At times, the City is asked to hold funds for City-appointed Boards (i.e., donations to the Animal Welfare Committee and Veterans Memorial Improvement Fund) or for outside groups (i.e., donations to the College Park Estates/Yarrow Neighborhood Watch or for the Berwyn Mural) as a convenience to that group so they do not have to open their own bank account to administer the funds. Once received by the City, such funds are considered City funds that have been entrusted to the City for a specific purpose, and the City has a fiduciary and legal responsibility pertaining to their disbursement. Before the City will accept this responsibility and provide this convenience to any group, the group must provide to the City their proposed guidelines for the disbursement of said funds. These guidelines should include both the purpose(s) for the disbursement and the approval process needed. The guidelines will be reviewed by the Finance Director, City Attorney, and/or the Mayor and Council, to ensure that the funds are expended in ways that are legal and appropriate. Thereafter, expenditures will only be made within the approved donation guidelines. If a Board or outside group is unable to adhere to these rules, then the City will be unable to administer those funds on their behalf.

## MEMORANDUM

**TO:** Chairs and Members of City-appointed Authorities, Boards, Commissions and Committees  
Staff Liaisons

**FROM:** Janeen S. Miller, City Clerk and Yvette T. Allen, Assistant City Clerk

**DATE:** \_\_\_\_\_, 2015

**RE:** Important Reminders

The City Clerk's office has compiled the following list of rules pertaining to all City-appointed Boards. Please review and let us know if you have any questions.

1. The Maryland Open Meetings Act requires that all meetings of City-appointed Boards be advertised to the public in advance. Please provide the City Clerk's office with advance notice of your meeting so that we may properly advertise it on the city calendar and cable channel. We must also receive notice of, and advertise, a meeting cancellation in the same way, so please inform us of any cancellations as well.
2. Meeting rooms at City buildings must be reserved in advance through our office. Our contact information is below.
3. The Maryland Open Meetings Act requires that all meetings of City-appointed Boards be open to the public. If you believe that your Committee must meet in closed session, please contact the City Clerk in advance to discuss the request and obtain authorization. Meetings may only be closed to the public for certain reasons and specific procedures must be followed. Closed meetings must be advertised in the same manner as open meetings.
4. Committee members must be physically present in the room where the meeting is being held in order to count toward the number needed for a quorum and vote on any matter. Members may listen and participate in a discussion by telephone, but their presence on the phone does not contribute to the quorum requirement nor are they allowed to vote by telephone.
5. There must be a minute taker at your meeting so that an appropriate record may be kept. Please keep your staff liaison and your assigned contract secretary informed of any changes to meeting date, time or location. If a secretary is not present, please record your meeting so that another individual can prepare the minutes later. Approved minutes are circulated to the Mayor and City Council, and are posted on the City's website, by the City Clerk's office. Audio recordings and minutes are maintained by this office.
6. A City appointed Board must receive prior approval from the City Council before issuing a position or opinion in writing. If your Board is considering taking a position on a matter (for instance, writing a letter in support of, or opposition to, an issue) please submit a draft to the

City Clerk's office so that we may place it before the Council for their consideration. Please allow ample time for the Council to review your request.

7. Chapter 38, Ethics, of the College Park City Code requires that a member of any Board, Commission, Committee or Authority of the City of College Park, whether salaried or not, who is appointed to such position by action of the Mayor and Council, complete an annual "Financial Disclosure Statement." These are due for every new appointment, and then annually by April 30. In addition, members have an ongoing duty to report conflicts of interest as they arise using a "Report of Actual or Potential Conflict of Interest" which is also provided to every new appointment, and then annually thereafter.
8. The Chair should immediately notify the City Clerk's office of any changes to the committee roster, such as a resignation, new Chairperson, new contact information, etc. Nominations and reappointments to committees are made by the Mayor and Council and coordinated by the City Clerk's office. Please inform the Clerk's office of anyone who is interested in joining your committee, or if you have members who aren't attending meetings.
9. Members who miss three consecutive meetings may be removed from their position on the Board following the procedures set forth in Section 15-1 of the City Code. If a Board member misses three consecutive meetings, please contact the City Clerk's office to discuss.
10. Pursuant to Council Resolution 15-R-13, City-appointed Boards that wish to officially honor past members and/or spend City funds to do so, must send the recommendation of the body to the City Council for Council review and action.

We hope this information is helpful. If you have any questions, comments or concerns, please don't hesitate to contact us at 240-487-3501. We are here to support you!

Janeen S. Miller  
[jsmiller@collegeparkmd.gov](mailto:jsmiller@collegeparkmd.gov)

Yvette Allen  
[yallen@collegeparkmd.gov](mailto:yallen@collegeparkmd.gov)

# 6

## Proposed amendments to City Code/Charter regarding Finance and Budget

## MEMORANDUM

**TO:** Mayor & Council

**THROUGH:** Scott Somers, City Manager

**FROM:** Stephen Groh, Director of Finance

**DATE:** October 2, 2015

**SUBJECT:** Proposed changes to Charter and City Code related to Finance Department

I have identified several sections of the Charter and Code that are either incorrect or do not coincide with our current practice. I am requesting that changes be made to the applicable sections or Mayor & Council provide clarification:

1. “Income” should be “revenues”

In §C10-2 and §C10-3, the word “income” should be replaced in 4 locations with “revenues”. The only place where “income and expenses” is appropriate is in §C10-2C(3) referencing enterprise funds (of which we have none); all governmental funds report “revenues and expenditures” rather than “income and expenses”.

2. Newspaper advertising of budget public hearing

The City Attorney will review various sections of the Charter and Code that mention advertising in a “newspaper of general circulation” to determine how a City newsletter impacts that requirement. The constant yield public hearing (if required) is advertised separately in a newspaper of general circulation and the full page of that newspaper containing the ad must be submitted to SDAT for approval.

3. Public hearing on constant yield tax rate

Notice and hearing on constant yield is included in the §C10-3A description of the budget public hearing notice and hearing. The constant yield public hearing (if required) is a separate public hearing, relating solely to the setting of a real property tax rate in excess of the SDAT-calculated constant yield tax rate. §C10-3A(2) needs to be revised to explain that the constant yield public hearing is separate from the budget public hearing.

4. Balanced budget definition

This definition is incorrectly stated in §C10-2D. Proposed expenditures should not exceed the total of estimated revenues plus a designation of unassigned fund balance. The same definition would apply to the last 2 lines of §C10-3B.

5. Unassigned fund balance

In §C10-2E, “unappropriated fund balance account” should be “unassigned fund balance”.

6. Lapse of C.I.P. appropriations

Some C.I.P. projects take years to complete, especially if we are waiting for grant awards or developer contributions (i.e., Duvall Field), and should not automatically “be deemed abandoned” at a certain date. §C10-6 should be amended to end with “until expended, revised or repealed”. The Council looks at the C.I.P. projects each year during the budget process and may repeal an appropriation if it chose to do so.

7. Amendments to budget after adoption

Although our budget amendment process is in compliance with the Charter, it does not follow the description in §C10-5A, B and C. This section should be streamlined to comply with current practice and in compliance with State law.

8. Budget transfers

§C10-5D possibly includes 2 different requirements for budget transfers in subsections (1) and (2). We are currently using method (2) for budget transfers (either intra-departmental between programs in one department or inter-departmental between different departments). Budget transfers are also used to transfer funds between different C.I.P. projects. These budget transfers are authorized by the City Manager and notification of inter-departmental budget transfers is sent to Mayor & Council. Council should clarify whether Council action (by ordinance rather than resolution) should be required, following method (1).

9. Wording in personal property tax section

§C-10-11B includes “as is now provided by law for the collection of such taxes due Prince George’s County” at the end of the section that is incorrect and should be removed. It does not relate to the City’s collection of personal property taxes.

10. Independent audit

§C12-1B contains incorrect wording near the end of the section “but the designation for any particular fiscal year shall be made not later than 30 days after the beginning of such fiscal year” which should be removed.

11. Authorization for write-off of uncollectable accounts

In Code §4-4(H)(1), account balance should be increased from \$100 to \$1,000 and the reference to Article 95, §22 should be updated.

12. Authorized signatures

Code §42-2 specifies different signatures for the payroll account versus all other accounts. In no case are any checks signed by the Mayor. Checks are signed by the City Manager and Director of Finance. The Deputy Director of Finance may substitute for either. Same issue in §42-3, 42-4 and 42-6, eliminating the Mayor and adding Deputy Director of Finance.

13. Exclusions from purchasing procedures

Code §69-2A excludes utilities with exclusive franchises from the purchasing procedures. Purchases of materials and services from Prince George’s County should also be excluded.

14. Newspaper advertising of bids (RFPs)

Code §69-3B requires newspaper advertisement of bids and RFPs. We are currently required to advertise them on eMarylandMarketplace (eMM) and do not advertise in the newspapers anymore. For the past several years, we have been requesting information on the Bid Proposal Form as to how the bidder learned of the RFP; bidders have indicated eMM consistently, even for bids in which we spent \$1,000 each to advertise in The Washington Post and The Baltimore Sun.

15. Dollar limit for professional service contracts

Code §69-4D limits the City Manager's power to approve contracts for professional services to no more than \$7,500. In practice, we use \$30,000 as the threshold for all Mayor & Council required awards, whether for goods or services.

16. Notification to Mayor & Council of City Manager awards under \$30,000

On a day-to-day basis, the City Manager is approving purchases under \$30,000 using existing vendors or informal negotiations performed by department staff. The City Manager does not generally notify Mayor & Council of such awards unless specifically requested to do so. Code §69-2C creates an undue level of reporting that is not our current practice.

=====

Proposed Action on these Changes:

Once Council decides on the various items listed above, the City Attorney will prepare the necessary Ordinance and Charter Amendments for introduction in several weeks.

7

Permit Parking in the  
5200 Block of  
Mineola Road

## MEMORANDUM

**TO:** Mayor and Council

**FROM:** Jim Miller, Parking Enforcement Manager  
Robert Ryan, Director of Public Services

**THROUGH:** Scott Somers, City Manager 

**DATE:** September 28, 2015

**SUBJECT:** Petition Request for Installation of Residential Permit Restricted Parking for a portion of the 5200 block of Mineola Road

### ISSUE

Residents of 5203-5215 Mineola Road have submitted a petition (attached) to the City Clerk's Office, requesting that residential permit parking be authorized on this section of their street. The area covers the mid-block of their street to the intersection with 52<sup>nd</sup> Place. The stated reason for the permit parking zone is that vehicles belonging to non-residents of the street are parking within the proposed area on a daily basis, causing residents to park away from their houses.

### SUMMARY

Following a study by the Parking Division of the Department of Public Services, it has been determined that the petition submitted covers less than one half of the one long block of Mineola Road, based on house numbers. Mineola Road, from the intersection with 51<sup>st</sup> Avenue, and extending east to the intersection with 52<sup>nd</sup> Place, is comprised of both the 5100 and 5200 blocks, and is not bisected by a north-south road, as are adjacent parallel streets. An aerial photo of this block is attached. The petition does not include those properties located at 5200, 5201 or 5202 Mineola Road within the area to be considered for permit parking. The total number of houses included in the petition area is twelve. The total number of houses with a 5200 number designation is fifteen.

Under §184-9, Permit Parking in Restricted Residential Areas, the Mayor and Council may designate certain residential areas for permit parking upon a determination that such action is reasonably necessary to enhance or maintain the quality of life and peace and good order therein by reducing noise, traffic hazards and congestion, litter, trash and refuse caused by the entry of outside traffic into such areas. Regulations allowing permit parking to be requested by a resident petition are found in Chapter 151, as follows:

*§151-1 Promulgation of Rules and Regulations*

*Under the provisions of § 184-9, Permit parking in restricted residential areas, of the Code of the City of College Park, the following rules and regulations are promulgated:*

*A. A request for permit parking may be initiated by the Mayor and Council or by petition from one or more residents.*

*B. Permit parking requests must be for a minimum area of both sides of a street one standard city block in length or the equivalent.*

This block of Mineola does not appear to be a standard city block, as it encompasses housing with 5100 and 5200 house numbers and covers a physical area of two blocks. Clearly, if a road bisected from north to south, as in the adjacent streets, the “standard” block would include the houses with 5200 house numbers and a separate block would include the houses with the 5100 house numbers. In any event, this petition does not include all of the 5200 house numbers in the permit area, leaving out 5200, 5201 and 5202 and including 5203-5215 and 5204-5212.

Section 151-2, Petition requirements, states as follows:

*A. The petition must clearly state:*

*(1) Why permit parking is considered necessary.*

*(2) The limits of the desired permit parking area.*

*(3) The desired days and times that permit parking would be in force.*

*(4) That the parking permits may carry a charge that will reimburse the city for all or part of the costs of the necessary materials and the administration of the program.*

*B. Petitions shall be signed by one person, usually the head of the household, representing one single-family residence or by the owner or his/her agent representing all of his/her tenants in a multifamily structure. The address of each petitioner must be shown.*

*C. The petitioners, each representing one single-family residence in the affected area, must represent two-thirds (2/3) of the single-family dwelling units in the affected area.*

In order for this petition request to be validated, signatures from at least two-thirds (2/3) of those households located in the affected area are required. The petition includes signatures by persons from eight of the fifteen houses with 5200 numbers. This represents 53% of the houses, which fails under §151-2(C). If only 5203 to 5215 are considered, then the eight signatures from twelve houses comprise 66%, or 2/3, of the single-family dwellings, which is the required number, and the petition complies with the City Code. However, including only these house numbers does not follow a block pattern geographically or by the numbers.

## **RECOMMENDATION**

This is provided for informational purposes only. It is the staff recommendation that 5200 through 5215 Mineola should be considered the “standard city block” for purposes of this petition, and that the petition fails, on the basis that the signatures provided constitute only 53% of the 5200 block of Mineola. The petitioners will be notified of this determination and of their

option to collect additional signatures to submit a valid petition. If additional signatures are submitted and the petition is validated, a public hearing under §151-3 would be set after public notice.

Attachments:

Petition Request dated 8/30/15 (received 9/3/15)

Aerial photo of the 5100-5200 block of Mineola Road

**PETITION FOR PERMIT PARKING CITY OF COLLEGE PARK,  
MARYLAND**

DATE: 8/30/15

We, the residents, request permit parking for the section of our street between 5203 Mineola Rd and 5215 Mineola Rd with each residence having 2 (two) parking permits only.

Contact Name: Brian Chopra  
Phone number: 301-792-2738

The name and address of each petitioner must be printed legibly or typewritten. The petitioners must represent two-thirds of the single-family dwelling units in the affected area. For each multi-family dwelling, the signature of the owner or agent is required. Duplicate this form for additional signatures. For further information, see Chapter 151 of the College Park City Code.

Permit parking is considered necessary because: (1) too many cars parked on the section of our street forcing us to park away from our houses and (2) non-residents use our street to park on a regular basis.

The desired days and times that permit parking is requested to be enforced: 24 hours, 7 days a week.

The undersigned understand and acknowledge that there will be a fee for parking permits.

(NOTE: MUST BE PRINTED LEGIBLY)

NAME	SIGNATURE	ADDRESS
<u>BETTY L. RODENHUSEN</u>	<u>Betty L. Rodenhussen</u>	<u>5209 Mineola Rd.</u>
<u>Brian Chopra</u>	<u>Bi Chopra</u>	<u>5213 Mineola Road</u>
<u>Marial Briggioni</u>	<u>Marial Briggioni</u>	<u>5212 Mineola Rd</u>
<u>Ellen Hynes</u>	<u>Ellen Hynes</u>	<u>5210 Mineola Rd</u>
<u>David Zubres</u>	<u>David Zubres</u>	<u>College Park, MD</u>
<u>Ismael Reyes</u>	<u>[Signature]</u>	<u>5208 Mineola Rd.</u>

Jose A Ventura ~~Jose A Ventura~~ 5207 Mineola B.d.  
Jordan Schakner Jordan Schakner 5206 Mineola  
GAGVIC ZAKARIA GAGVIC ZAKARIA 5203 MINEOLA

Return completed form to the City Clerk's Office, 4500 Knox Road, College Park, MD 20740, 240-487-3501.



# 8

## Comments on MDOT Draft 2016 – 2021 Consolidated Transportation Plan

## MEMORANDUM

**TO:** Mayor and Council

**FROM:** Terry Schum, Planning Director

**THROUGH:** Scott Somers, City Manager

**DATE:** October 2, 2015

**SUBJECT:** Maryland Department of Transportation (MDOT) Draft  
Consolidated Transportation Program (CTP) 2016 - 2021

### ISSUE

The Maryland Secretary of Transportation has released the MDOT CTP for FY 2016 – 2021. This is MDOT's six-year capital investment program for transportation. The annual fall CTP tour meeting for public officials will be in Prince George's County on October 22, 2015 at 2:00 pm at the County Administration Building, County Council Conference Room #2027, 14741 Governor Oden Bowie Drive, Upper Marlboro. The City typically submits comments to the Secretary on the plan. Last year's letter is included as Attachment 1.

### SUMMARY

Attached for your information are selected pages from the CTP that relate to College Park's interests including the detailed project sheets for the programs listed below. The full document can be viewed at [www.ctp.maryland.gov](http://www.ctp.maryland.gov). The new MDOT Secretary Pete Rahn's stated goal for the agency is to "deliver projects better, faster and cheaper" and consistent with the following 2035 goals from the Maryland Transportation Plan: 1) Safety and Security, 2) System Preservation, 3) Quality of Service, 4) Environmental Stewardship, 5) Community Vitality and 6) Economic Prosperity.

Highlights from the CTP of particular interest to the City are:

- US 1, Baltimore Avenue from College Avenue to MD 193: This project has been moved from the design and engineering program to the construction program with a total of \$33.4 million added for construction beginning in 2019. In practice, however, the design and engineering will continue through 2018 and right-of-way acquisition will begin soon. Design for the undergrounding of utilities has been suspended and utility companies will be contacted in the near future to provide their plans for overhead relocation. The City is still actively seeking improvements to the roadway design including a more consistent street section throughout the project area that includes space between the curb and sidewalk for landscaping, streetlighting and utilities.

- US 1, Baltimore Avenue from MD 193 to I-95: This represents phases 2 and 3 of the Route 1 reconstruction project and is the first time it has been listed separately from phase 1 in the CTP. There is no funding during the 6-year budget period shown for this project.
- I-95/I-495, Capital Beltway: This project is to construct a full Interchange at Greenbelt Metro Station and has been moved into the construction program with funding shown beginning in FY2017. Engineering is underway and is being facilitated to accommodate the possible relocation of the FBI Headquarters to the site. It is no longer anticipated that beltway widening from Route 1 to the interchange will be part of this project.
- I-95/I-495, Capital Beltway Widening and Managed Lanes: This is a study to determine the feasibility of widening the beltway to add managed lanes to address the increase in traffic and severe congestion particularly in Montgomery and Prince George's Counties. The project is on hold and no funding is budgeted for FY2016-FY2021.
- I-495 at US Interchange: This is a new project that has just been initiated by SHA under the system preservation program as a safety improvement. It is not specifically called out in the CTP although it has been funded for preliminary engineering in the amount of \$500,000. It proposes to remove the eastbound I-495 to northbound US 1 ramp, realign the northbound US 1 to eastbound I-495 ramp and realign the Edgewood Road entrance. The schedule calls for the design to be complete in 2017 and construction to start in 2019. There has been no citizen involvement to date and it would be helpful to have SHA staff present the project at a City Council worksession.
- Purple Line: The Governor recently announced his commitment to move forward with this project and to seek additional funding commitments from Montgomery and Prince George's Counties. The total estimated cost of the project has been decreased by \$343 million. The process to select a concessionaire to design, build, finance, operate and maintain the system began in FY2014 and is expected to be completed in late 2015.
- Bikeways Network Program: This program provides funding for on and off-road bicycle facilities to provide a functional bicycle network. Over \$12 million is shown budgeted over the CTP period. The City is eligible to apply for this funding through annual grant cycles and was recently awarded \$95,000 to remove sound barrier walls to make access to the trolley trail at Paint Branch Parkway more visible and safe.

## **RECOMMENDATION**

It is recommended that the Mayor send a letter to the Secretary of Transportation reflecting the City's comments on the Draft CTP for 2016 – 2021 including support for US 1 construction funding and continued refinement of the design, and a request for a presentation on the new safety improvement project at I-495 and US 1.

## **ATTACHMENTS**

1. Excerpts from CTP
2. Letter to MDOT Secretary dated October 14, 2014

October 14, 2014

James T. Smith, Jr.  
Secretary, Maryland Department of Transportation (MDOT)  
7201 Corporate Center Drive, POB 548  
Hanover, Maryland 21076

Re: Draft Consolidated Transportation Program (CTP) 2015-2020

Dear Secretary Smith:

The College Park City Council reviewed the FY 2015-2020 Draft CTP, and appreciates the passage of the Transportation Infrastructure Investment Act of 2013 as a sustainable funding source that has enabled important projects to move forward. The City also supports the vision and goals of the Maryland Transportation Plan and new priorities that include an emphasis on transit, transit-oriented development and bicycle and pedestrian travel. While the reconstruction of US 1 remains the City's highest priority, College Park, as a state-designated sustainable community and revitalization area, has needs in these priority areas and welcomes the opportunity to work with MDOT to achieve our shared goals.

The following is the City Council's specific comments on the Draft CTP:

#### US 1, Baltimore Avenue Reconstruction

This project has reached the 90% design milestone but remains unfunded for construction. Given the schedule and allocation of funding for right-of-way acquisition and utility relocation design, it appears that the proposed Fall 2016 date for the project to be advertised for construction is optimistic. A briefing to the City Council on the status of the project design has been requested and is anticipated next month. As you know, the City has entered into a Letter of Agreement with the State Highway Administration (SHA) to pay for the design for the undergrounding of overhead utilities and is interested in pursuing a joint application for a TIGER grant to help offset some of the total costs of the project. It will be important going forward to maintain close collaboration between the City and SHA to address final design decisions, schedules and funding to keep this long-delayed project on track.

#### Full Interchange at Greenbelt Metro Station

This is a project that will have a direct impact on the residential neighborhoods of north College Park and the City has requested to be included in design coordination meetings for the project. The City supports the Greenbelt Station site for the FBI Headquarters Consolidation and Relocation as well as the full interchange to make this transit-oriented development more

feasible. We want and need to be a full participant in the process especially as related work along the Capital Beltway could result in significant noise, visual and property impacts.

#### Purple Line

The City looks forward to the selection of a concessionaire this fall under the P3 program and to working with the consultant team on final alignment and station design issues.

#### SHA Sidewalk Program

The City is pleased to be working with SHA to construct sidewalk and pedestrian safety improvements along the section of US 1 from MD 193 to I-495. A recent letter from the City has indicated our willingness to assist SHA staff with outreach efforts to property owners and to maintain the improvements.

#### I-95/I-495, Capital Beltway Widening and Managed Lanes

The City does not support the widening of the Capital Beltway and would like to see this project dropped from the CTP. It is preferable to focus on more limited operational improvements in specific locations.

Thank you once again for the opportunity to provide input on the 2015-2020 Draft CTP.

Sincerely,

Andrew Fellows  
Mayor

cc: State Senator James Rosapepe and 21<sup>st</sup> District Delegates  
Prince George's County Councilmember Eric Olson  
Prince George's County Councilmember Mary Lehman  
UMD Vice President for Administrative Affairs Carlo Colella  
Victor Weissberg, Prince George's County Department of Public Works and Transportation

## Maryland's Transportation Vision and Project Selection

The 2035 Maryland Transportation Plan (MTP) was developed in coordination with stakeholder groups and the public to guide transportation policies and investments. The MTP includes goals, strategies, and performance measures, and provides a strategic framework to guide MDOT in making transportation decisions and investments.

Each year, MDOT evaluates the performance of the Maryland transportation system through the Annual Attainment Report on Transportation System Performance (AR). The AR reviews performance trends for all modes of transportation, indicating the progress towards achieving the goals and objectives in the MTP as implemented through the Consolidated Transportation Program (CTP).



*MDOT's Vision and Mission is to provide a well-maintained, sustainable and multimodal transportation system that facilitates the safe, convenient, affordable and efficient movement of people, goods, and services within and between population and business centers.*

### 2035 MTP GOALS

★ Safety and Security	Enhance the safety of transportation system users and provide a transportation system that is resilient to natural or man-made hazards.
★ System Preservation	Preserve and maintain the State's existing transportation infrastructure and assets.
★ Quality of Service	Maintain and enhance the quality of service experienced by users of Maryland's transportation system.
★ Environmental Stewardship	Ensure that the delivery of the State's transportation infrastructure program conserves and enhances Maryland's natural, historic and cultural resources.
★ Community Vitality	Provide options for the movement of people and goods that support communities and quality of life.
★ Economic Prosperity	Support a healthy and competitive Maryland economy.

The 2035 MTP is located at: [www.mdot.maryland.gov/MTP](http://www.mdot.maryland.gov/MTP) and the 2015 AR is located at: [www.mdot.maryland.gov/AR](http://www.mdot.maryland.gov/AR)

#### BICYCLE & PEDESTRIAN MASTER PLAN



MDOT has an updated Bicycle and Pedestrian Master Plan that establishes a 20-year vision to support cycling and walking as modes of transportation in Maryland. The Plan provides guidance and investment strategies to support cycling and walking, both on-road and off-road, as part of Maryland's multimodal transportation network.

For more information, visit: [www.mdot.maryland.gov/bikewalkplan](http://www.mdot.maryland.gov/bikewalkplan)

## Transportation Funding Announcement on June 25, 2015 to Advance Maryland's Economy

Governor Hogan announced \$1.97 billion to fund highway and bridge improvements across the State. The \$1.97 billion preserves \$625 million for planned projects and adds \$1.35 billion for new projects to be underway by 2018. The \$1.35 billion in new projects includes \$845 million for new major construction projects and \$500 million for new minor projects to fix bridges and improve roads. This CTP will eliminate all known structurally deficient bridges on the State system.

The \$845 million in newly funded top priority highway projects were identified by local and state elected officials in their county priority letters presented annually to MDOT. Each of these important highway projects improves safety and reduces congestion.

### \$845 Million in New Major Highway Construction Projects

★ MD 404	Widening MD 404 from two to four lanes with a median and shoulders from US 50 to the Denton Bypass
★ I-270	Implementing Innovative Congestion Reduction Strategies from the I-270 Y split to I-370
★ US 113	Widening US 113 from two to four lanes, with a median, from Five Mile Branch Road to north of Public Landing Road (phase 4)
★ US 219	Upgrading and realigning US 219 north of I-68 and building a new interchange at I-68 (Includes \$90 million in special federal Appalachian Development Highway System funding)
★ MD 175/ MD 295	Reconstructing the MD 175/MD 295 interchange to improve access to Fort George G. Meade
★ US 50	Reconfiguring traffic lanes along Eastbound US 50 over the Severn River Bridge to provide an additional lane to reduce congestion
★ I-95/I-495	Upgrading the existing partial interchange at the Greenbelt Metro Station to a full interchange to support the proposed FBI Headquarters and Transit Oriented Development at the Station
★ US 1	Reconstructing US 1 to a four lane divided highway with a median and bicycle/pedestrian safety improvements from College Avenue to MD 193
★ MD 140	Widening Northbound MD 140 (Reisterstown Road) to add a third lane from Painters Mill Road to Garrison View Road
★ MD 2/4	Widening MD 2/4 (Solomons Island Road) to provide a third through lane and auxiliary lane in each direction (phase 2)
★ MD 5	Improving the intersection at MD 5 (Point Lookout Road) and Moakley Street/Abell Street
★ MD 5	Improving safety along MD 5 (Point Lookout Road) from Camp Brown Road to the Ranger Station
★ MD 85/ I-270	Reconstructing the I-270/MD 85 interchange and MD 85 between Spectrum Drive and Shockley Drive/Crestwood Drive to reduce congestion and rebuild two structurally deficient bridges

## Baltimore Transit Improvements

Providing safe, efficient and reliable transit services with world-class customer service is a priority for MDOT. In order to be more open and transparent on transit performance, the Maryland Transit Administration (MTA) this fall will post a Transit Performance Improvement Plan on its website. It will focus on reliability, ridership, on-time performance, and farebox recovery, and will be updated quarterly.

MDOT has reached out to stakeholders to identify the most important transportation needs to improve transit in the Baltimore Region. Using an MTA Stakeholder Work Group, MDOT has been reaching out to business leaders, local jurisdictions and transit users to better understand their needs and interests for improving transit and transit performance. Hearing from elected officials, business leaders and transit users is vital to developing a path forward.

The Maryland Department of Transportation is committed to working with all of MTA's customers to improve the region's transit system. MTA also will pull from the wealth of data and stakeholder outreach from the Bus Network Improvement Plan that included outreach to more than 1,100 stakeholders in the region. Once alternatives are identified based on the stakeholder's priorities, MDOT staff will identify costs and begin to implement those improvements that can be advanced.

Key transportation improvement areas include:

- Providing a more reliable and timely transit experience
- Improving transit connections, integrating all of the public and private transit services
- Marketing and mapping all of the transit options to make the transit experience easier
- Providing better connections to jobs
- Providing better, more robust real-time transit information
- Making transit more flexible and efficient
- Considering bus priority signals and lanes
- Enhancing safety and security

For more information, visit [www.mdot.maryland.gov/MTAStakeholderGroup](http://www.mdot.maryland.gov/MTAStakeholderGroup)

“The Maryland Department of Transportation is committed to working with all of MTA's customers to improve the region's transit system.”

## Purple Line Progress

On June 25, 2015, Governor Hogan announced his commitment to move forward with a more cost-effective and streamlined version of the Purple Line. MDOT is currently implementing a Public-Private Partnership (P3) delivery method for the Purple Line. The Purple Line is a proposed 16-mile light rail line extending from Bethesda in Montgomery County to New Carrollton in Prince George's County. It will provide a direct connection to the Metrorail Red, Green and Orange lines; at Bethesda, Silver Spring, College Park, and New Carrollton. The Purple Line also will connect to MARC, Amtrak, and local bus services.

A shortlist of four proposer teams was selected in January 2014, the Request for Proposals was released in July 2014, and P3 proposals are due in late 2015. The expected outcome of the P3 process will be a 35-year, performance-based agreement between MDOT and the selected private partner. The private partner, also referred to as the concessionaire, will be responsible for key aspects of final design, construction, financing, operations and maintenance of the Purple Line asset over the agreement term. In addition to state transportation funds, the Purple Line is funded with federal funds, local contributions and private partner investments.

For more information, visit [www.purplelinemd.com](http://www.purplelinemd.com)





**PROJECT:** US 1, Baltimore Avenue

**DESCRIPTION:** Reconstruct US 1 from College Avenue to MD 193 (Segment 1). Bicycle and pedestrian facilities will be included where appropriate (1.5 miles).

**PURPOSE & NEED SUMMARY STATEMENT:** Major traffic congestion is experienced along this segment of US 1. This project would improve traffic operations, pedestrian circulation, and safety. This project would also accommodate planned revitalization within College Park.

**SMART GROWTH STATUS:**  Project Not Location Specific  Not Subject to PFA Law  
 Project Inside PFA  Grandfathered  
 Project Outside PFA  Exception Will Be Required  
 PFA Status Yet To Be Determined  Exception Granted

**ASSOCIATED IMPROVEMENTS:**  
 US 1, MD 193 to I-95, Segments 2 and 3 (Line 32)

**STATE GOALS:** Maryland Transportation Plan (MTP) Goals/Selection Criteria:

- Safety & Security
- System Preservation
- Quality of Service
- Environmental Stewardship
- Community Vitality
- Economic Prosperity

**EXPLANATION:** This project will improve traffic operations while enhancing bicycle and pedestrian mobility and safety.

**STATUS:** Engineering and Right-of-Way underway.

**SIGNIFICANT CHANGE FROM FY 2015 - 20 CTP:** Added \$33.4 million to Construction. Funding provided by the Governor's Investment in Highways and Bridges Initiative. This is a breakout project (Segment 1) of US 1 from College Avenue to I-95 (Line 32).

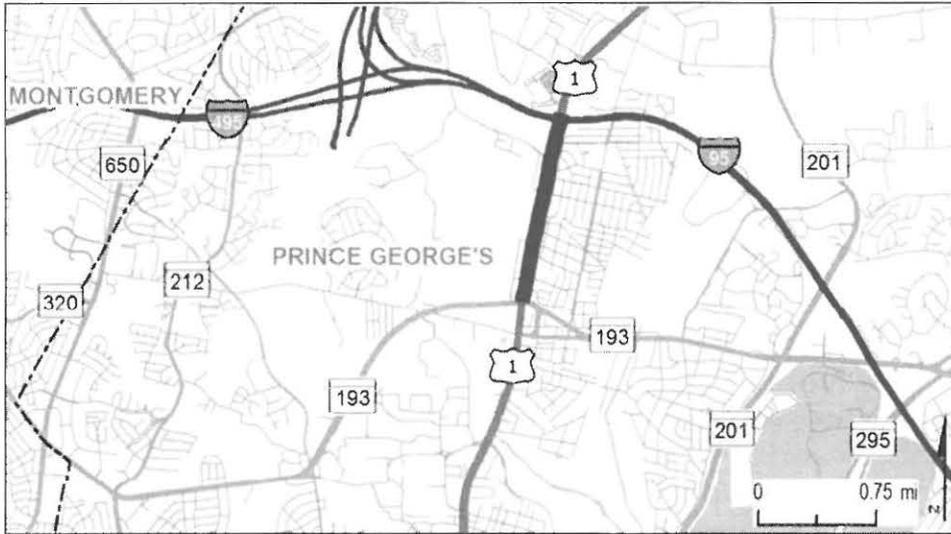
POTENTIAL FUNDING SOURCE:		<input checked="" type="checkbox"/> SPECIAL <input checked="" type="checkbox"/> FEDERAL <input type="checkbox"/> GENERAL <input checked="" type="checkbox"/> OTHER								
PHASE	PROJECT CASH FLOW									
	TOTAL ESTIMATED COST (\$000)	EXPEND THRU 2015	CURRENT YEAR 2016	BUDGET YEAR 2017	FOR PLANNING PURPOSES ONLY				SIX YEAR TOTAL	BALANCE TO COMPLETE
					2018	2019	2020	2021		
Planning	0	0	0	0	0	0	0	0	0	0
Engineering	8,589	3,771	1,500	1,500	1,818	0	0	0	4,818	0
Right-of-way	14,130	51	2,500	4,000	4,829	2,750	0	0	14,079	0
Construction	33,359	0	0	0	0	6,947	9,876	10,209	27,032	6,327
<b>Total</b>	<b>56,078</b>	<b>3,822</b>	<b>4,000</b>	<b>5,500</b>	<b>6,647</b>	<b>9,697</b>	<b>9,876</b>	<b>10,209</b>	<b>45,929</b>	<b>6,327</b>
of Federal-Aid	8,259	3,681	1,260	1,500	1,818	0	0	0	4,578	0

**CLASSIFICATION:**

STATE - Intermediate Arterial  
 FEDERAL - Other Principal Arterial  
 STATE SYSTEM : Secondary

**Annual Average Daily Traffic (vehicles per day)**

CURRENT (2015) - 54,450  
 PROJECTED (2035) - 73,350



**PROJECT:** US 1, Baltimore Avenue

**DESCRIPTION:** Reconstruct US 1 from MD 193 to I-95 (Capital Beltway) (Segments 2 and 3) (1.1 miles). Bicycle and pedestrian facilities will be included where appropriate.

**JUSTIFICATION:** Major traffic congestion is experienced along this segment of US 1. This project would improve traffic operations, pedestrian circulation, and safety. This project would also accommodate planned revitalization within College Park.

**SMART GROWTH STATUS:**  Project Not Location Specific  Not Subject to PFA Law  
 Project Inside PFA  Grandfathered  
 Project Outside PFA  Exception Will Be Required  
 PFA Status Yet To Be Determined  Exception Granted

**ASSOCIATED IMPROVEMENTS:**

US 1, College Avenue to MD 193, Segment (15)  
 I-95/I-495, American Legion Bridge to Woodrow Wilson Bridge (Line 16)  
 MD 201 Extended/US 1, I-95/I-495 to north of Muirkirk Road (Line 28)

**STATUS:** Project on hold.

**SIGNIFICANT CHANGE FROM FY 2015 - 20 CTP:** Moved segment 1 from US1 from College Avenue to MD 193 to Construction Program (Line15).

POTENTIAL FUNDING SOURCE:		<input checked="" type="checkbox"/> SPECIAL <input checked="" type="checkbox"/> FEDERAL <input type="checkbox"/> GENERAL <input checked="" type="checkbox"/> OTHER									
PHASE	TOTAL COST (\$000)	EXPEND THRU 2015	CURRENT YEAR 2016	BUDGET YEAR 2017	PROJECT CASH FLOW					SIX YEAR TOTAL	BALANCE TO COMPLETE
					FOR PLANNING PURPOSES ONLY						
					2018	2019	2020	2021			
Planning	1,338	1,338	0	0	0	0	0	0	0	0	
Engineering	0	0	0	0	0	0	0	0	0	0	
Right-of-way	0	0	0	0	0	0	0	0	0	0	
Construction	0	0	0	0	0	0	0	0	0	0	
<b>Total</b>	<b>1,338</b>	<b>1,338</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
of Federal-Aid	0	0	0	0	0	0	0	0	0	0	

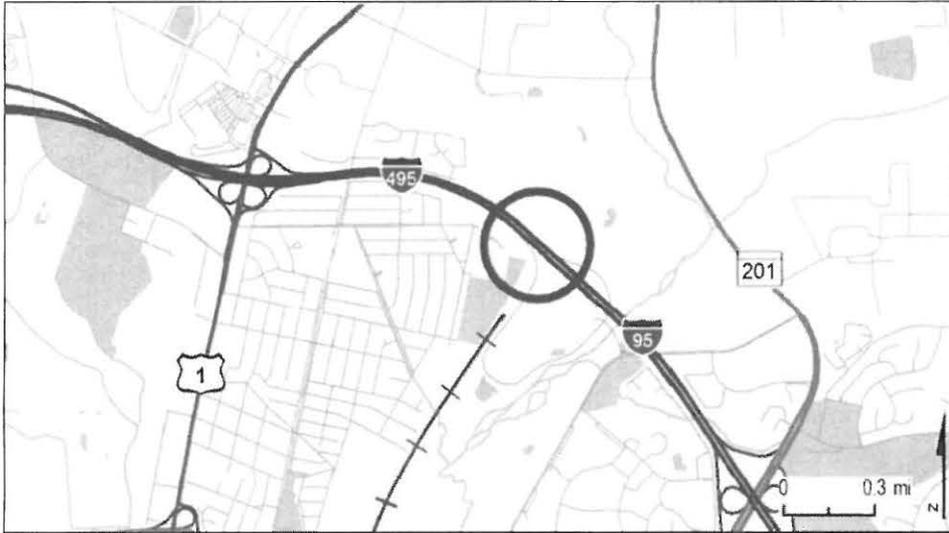
**CLASSIFICATION:**

STATE - Intermediate Arterial  
 FEDERAL - Other Principal Arterial

**STATE SYSTEM:** Secondary

**Annual Average Daily Traffic (vehicles per day)**

**CURRENT (2015) - 49,850**  
**PROJECTED (2035) - 79,250**



**PROJECT:** I-95/I-495, Capital Beltway

**DESCRIPTION:** Construct a full interchange along I-95/I-495 at the Greenbelt Metro Station.

**PURPOSE & NEED SUMMARY STATEMENT:** This interchange would improve traffic operations on mainline I-95/I-495 and provide access for a proposed joint use development at the Greenbelt Metro Station.

**SMART GROWTH STATUS:**  Project Not Location Specific  Not Subject to PFA Law  
 Project Inside PFA  Grandfathered  
 Project Outside PFA  Exception Will Be Required  
 PFA Status Yet To Be Determined  Exception Granted

**ASSOCIATED IMPROVEMENTS:**  
 I-95/I-495, American Legion Bridge to Woodrow Wilson Bridge (Line 16)

**STATE GOALS:** Maryland Transportation Plan (MTP) Goals/Selection Criteria:  
 Safety & Security  Environmental Stewardship  
 System Preservation  Community Vitality  
 Quality of Service  Economic Prosperity

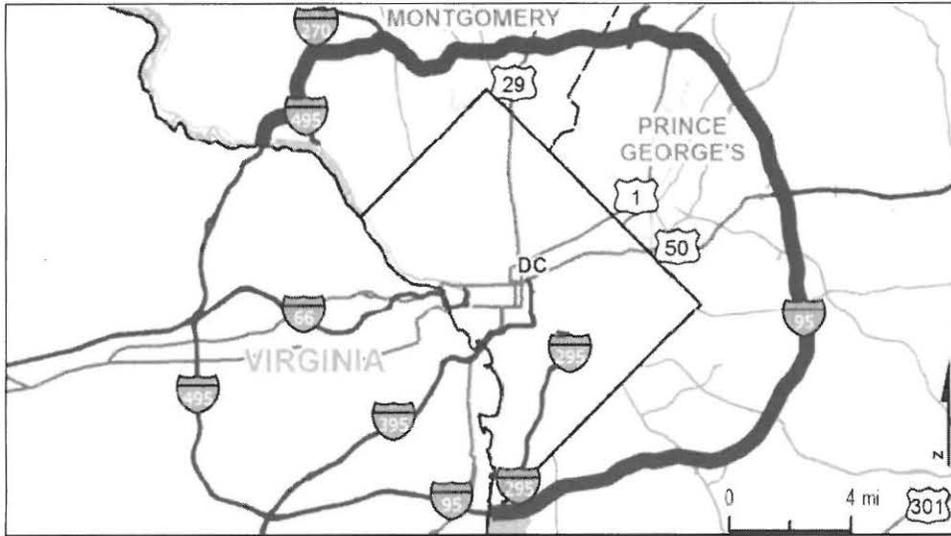
**EXPLANATION:** This project will enhance access connectivity between the Metro Station and I-95/I-495 (Capital Beltway). The improved connectivity will help support planned growth in the vicinity of the Station, a designated transit-oriented development (TOD) site.

**STATUS:** Engineering underway. Right-of-Way to begin during current fiscal year. Construction to begin during budget fiscal year. Pending \$50.0 million contribution from Prince George's County.

**SIGNIFICANT CHANGE FROM FY 2015 - 20 CTP:** Moved from the Development and Evaluation Program to the Construction Program. Funding provided by the Governor's Investment in Highways and Bridges Initiative.

POTENTIAL FUNDING SOURCE:		<input checked="" type="checkbox"/> SPECIAL <input checked="" type="checkbox"/> FEDERAL <input type="checkbox"/> GENERAL <input type="checkbox"/> OTHER								
PHASE	TOTAL ESTIMATED COST (\$000)	PROJECT CASH FLOW							SIX YEAR TOTAL	BALANCE TO COMPLETE
		EXPEND THRU 2015	CURRENT YEAR 2016	BUDGET YEAR 2017	FOR PLANNING PURPOSES ONLY					
					.....2018.....	.....2019.....	.....2020.....	.....2021.....		
Planning	1,561	1,561	0	0	0	0	0	0	0	0
Engineering	6,781	2,199	1,500	1,500	1,582	0	0	0	4,582	0
Right-of-way	8,764	0	50	250	2,000	3,232	3,232	0	8,764	0
Construction	135,000	0	0	9,113	22,195	30,929	31,540	30,786	124,563	10,437
<b>Total</b>	<b>152,106</b>	<b>3,760</b>	<b>1,550</b>	<b>10,863</b>	<b>25,777</b>	<b>34,161</b>	<b>34,772</b>	<b>30,786</b>	<b>137,909</b>	<b>10,437</b>
95 Federal-Aid	116,709	3,173	1,170	8,278	18,546	25,193	25,690	26,519	105,396	8,140

**CLASSIFICATION:**  
 STATE - Principal Arterial  
 FEDERAL - Interstate  
**STATE SYSTEM:** Primary  
**Annual Average Daily Traffic (vehicles per day)**  
 CURRENT (2015) - 220,400  
 PROJECTED (2035) - 286,300



**PROJECT:** I-95/I-495, Capital Beltway

**DESCRIPTION:** Study to widen I-495 and determine the feasibility of managed lanes from the American Legion Bridge to the Woodrow Wilson Bridge (42.2 miles).

**JUSTIFICATION:** Increasing growth and development in Montgomery and Prince George's counties and the concurrent increase in traffic causes the Capital Beltway to experience severe congestion.

**SMART GROWTH STATUS:**  Project Not Location Specific  Not Subject to PFA Law  
 Project Inside PFA  Grandfathered  
 Project Outside PFA  Exception Will Be Required  
 PFA Status Yet To Be Determined  Exception Granted

**ASSOCIATED IMPROVEMENTS:**

- I-95/I-495, Branch Ave. Metro Access Phase 2 (Line 1)
- I-95/I-495, Greenbelt Metro Station (Line 2)
- I-95/I-495, Bridge Replacement over Suitland Road (Line 3)
- I-95/I-495, Bridge Replacement over Suitland Parkway (Line 4)
- MD 4, Interchange at Suitland Parkway (Line 8)
- Purple Line Study (MTA Program)

**STATUS:** Project on hold.

**SIGNIFICANT CHANGE FROM FY 2015 - 20 CTP:** None.

POTENTIAL FUNDING SOURCE:		<input checked="" type="checkbox"/> SPECIAL <input checked="" type="checkbox"/> FEDERAL <input type="checkbox"/> GENERAL <input type="checkbox"/> OTHER									
PHASE	TOTAL		PROJECT CASH FLOW							SIX YEAR TOTAL	BALANCE TO COMPLETE
	ESTIMATED COST (\$000)	EXPEND THRU YEAR	CURRENT YEAR	BUDGET YEAR	FOR PLANNING PURPOSES ONLY						
		2015	2016	2017	2018	2019	2020	2021			
Planning	11,044	11,044	0	0	0	0	0	0	0	0	
Engineering	0	0	0	0	0	0	0	0	0	0	
Right-of-way	0	0	0	0	0	0	0	0	0	0	
Construction	0	0	0	0	0	0	0	0	0	0	
<b>Total</b>	<b>11,044</b>	<b>11,044</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
90% Federal-Aid	9,717	9,717	0	0	0	0	0	0	0	0	

**CLASSIFICATION:**

STATE - Principal Arterial

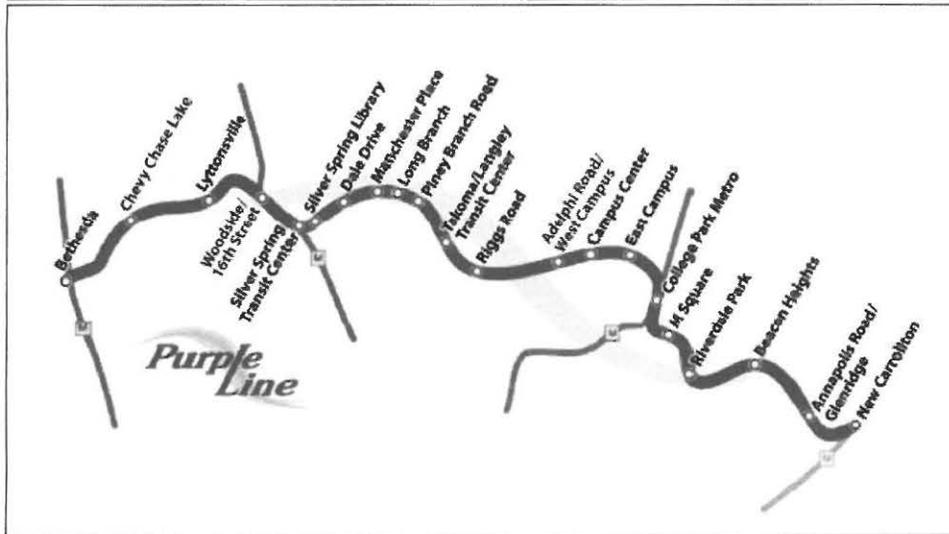
FEDERAL - Urban Interstate

STATE SYSTEM : Primary

**Annual Average Daily Traffic (vehicles per day)**

CURRENT (2015) - 104,050 - 133,250

PROJECTED (2035) - 133,250 - 277,100



**PROJECT:** Purple Line

**DESCRIPTION:** The Purple Line is a 16-mile double track light rail line that will operate between Bethesda in Montgomery County and New Carrollton in Prince George's County. The Bethesda to Silver Spring segment will include a parallel hiker/biker trail. The line will include direct connections to Metrorail in four locations, all three MARC Train lines, and Amtrak. The project includes track, stations, railcars, and two operation and maintenance facilities.

**PURPOSE & NEED SUMMARY STATEMENT:** The Purple Line will provide faster, more reliable transportation between residential and major employment areas. It will enhance access to existing radial Metrorail lines, increase capacity of congested roadways, support economic development consistent with local master plans, and reduce environmental impacts.

**STATE GOALS:** Maryland Transportation Plan (MTP) Goals/Selection Criteria:

- Safety & Security
- System Preservation
- Quality of Service
- Environmental Stewardship
- Community Vitality
- Economic Prosperity

**EXPLANATION:** The Purple Line will serve a corridor that currently lacks rail transit service and includes important commercial, institutional, and residential communities. Electrically powered trains will reduce air pollution and greenhouse gas emissions associated with cars and buses. Transit travel times in corridor will be reduced.

- SMART GROWTH STATUS:**
- Project Not Location Specific
  - Not Subject to PFA Law
  - Project Inside PFA
  - Project Outside PFA
  - PFA Status Yet to Be Determined
  - Grandfathered
  - Exception Will Be Required
  - Exception Granted

**ASSOCIATED IMPROVEMENTS:**

- Paul S. Sarbanes Transit Center - Line 6
- Takoma/Langley Park Transit Center - Line 27
- Purple Line: Montgomery County Funded Projects - Line 35

**STATUS:** Solicitation process underway to select concessionaire to design, build, finance, operate and maintain.

POTENTIAL FUNDING SOURCE:		<input checked="" type="checkbox"/> SPECIAL	<input checked="" type="checkbox"/> FEDERAL	<input type="checkbox"/> GENERAL	<input checked="" type="checkbox"/> OTHER					
PHASE	TOTAL		CURRENT YEAR	BUDGET YEAR	PROJECTED CASH REQUIREMENTS FOR PLANNING PURPOSES ONLY				SIX YEAR TOTAL	BALANCE TO COMPLETE
	ESTIMATED COST (\$000)	EXPEND THRU 2015			2018	2019	2020	2021		
Planning	53,007	53,007	0	0	0	0	0	0	0	0
Engineering	231,941	155,554	29,007	12,663	9,537	10,328	7,557	7,295	76,387	0
Right-of-way	255,623	16,878	94,357	82,112	62,276	0	0	0	238,745	0
Construction	920,868	0	86,768	224,396	231,939	162,710	67,943	117,112	890,868	30,000
<b>Total</b>	<b>1,461,439</b>	<b>225,439</b>	<b>210,132</b>	<b>319,171</b>	<b>303,752</b>	<b>173,038</b>	<b>75,500</b>	<b>124,407</b>	<b>1,206,000</b>	<b>30,000</b>
Federal-Aid	935,432	27,432	131,000	181,000	131,000	116,000	116,000	116,000	791,000	117,000

**SIGNIFICANT CHANGE FROM FY 2015 - 20 CTP:** Total Estimated Cost decreased by \$343.0M due to reductions in project scope and adjustments to private investment through a public private partnership to design, build, finance, operate, and maintain the project.

**USAGE:** Daily ridership estimated at 72,000 in 2040.

Note: Total estimated cost does not include investments by concessionaire or future availability payments.  
#1042



**PROJECT:** Bikeways Network Program

**DESCRIPTION:** Program funds are made available to local jurisdictions and other eligible entities for projects that address gaps in the statewide bicycle network and that advance the goals outlined in the Maryland Bike and Pedestrian Master Plan

**JUSTIFICATION:** Infrastructure for walking and biking is a core element of Maryland's multimodal transportation strategy. The program helps implement MDOT's Bicycle and Pedestrian Master Plan and Strategic Trails Plan by filling priority missing links in the statewide bicycling network, connecting and extending on-road and off-road bicycle facilities and improving connections to transit, work, schools, shopping and other destinations. By creating a more integrated and safe network of bicycle facilities, the program also helps advance the Maryland Transportation Plan's goals of economic development and environmental stewardship, while strengthening the health and quality of life for

**SMART GROWTH STATUS:**  Project Not Location Specific  Not Subject to PFA Law

Project Inside PFA  Grandfathered  
 Project Outside PFA  Exception Will Be Required  
 PFA Status Yet to Be Determined  Exception Granted

**ASSOCIATED IMPROVEMENTS:** Sidewalk Program (SHA Line SW-2), Transportation Enhancements Program (TSO Line -1)

**STATUS:** A total of 95 bikeways projects have been awarded in four grant cycles. Approximately 25 bikeways projects are complete. Additional projects will be solicited through annual grant cycles.

**SIGNIFICANT CHANGE FROM FY 2015 - 20 CTP:** None.

POTENTIAL FUNDING SOURCE: <input checked="" type="checkbox"/> SPECIAL <input checked="" type="checkbox"/> FEDERAL <input type="checkbox"/> GENERAL <input type="checkbox"/> OTHER											
PHASE	TOTAL				PROJECTED CASH REQUIREMENTS					SIX YEAR TOTAL	BALANCE TO COMPLETE
	ESTIMATED COST (\$000)	EXPEND THRU 2015	CURRENT YEAR 2016	BUDGET YEAR 2017	FOR PLANNING PURPOSES ONLY						
					.....2018.....	.....2019.....	.....2020.....	.....2021.....			
Planning	0	0	0	0	0	0	0	0	0	0	
Engineering	0	0	0	0	0	0	0	0	0	0	
Right-of-way	0	0	0	0	0	0	0	0	0	0	
Construction	16,295	4,026	4,310	3,454	2,405	1,900	200	0	12,269	0	
Total	16,295	4,026	4,310	3,454	2,405	1,900	200	0	12,269	0	
Federal-Aid	1,295	1,174	121	0	0	0	0	0	121	0	

**PROJECTS MOVED FROM THE D&E PROGRAM TO THE CONSTRUCTION PROGRAM**

<b><u>PROJECT DESCRIPTION</u></b>	<b><u>ADDITIONAL COST (\$ MILLIONS)</u></b>
<b>Motor Vehicle Administration</b>	
Project Core (Enterprise Management System)	12.0
<b>Maryland Aviation Administration</b>	
International Concourse Extension at BWI Marshall Airport	100.0
<b>State Highway Administration</b>	
US 50, John Hanson Highway; US 50, MD 70 to MD 2 (Anne Arundel)	26.6
MD 175, Annapolis Road; MD 175, from Brock Ridge to MD 295 Interchange (Anne Arundel)	109.1
MD 140, Reisterstown Road; MD 140, from Garrison View Road to Painters Mill Road (Baltimore)	14.1
MD 2/4, Solomons Island Road; MD 2/4, from Fox Run Blvd. to Commerve Lane (Calvert)	39.6
MD 404, Shore Highway; MD 404, US 50 to MD 309 and west of Hillsboro Road to Holly Road (Talbot, Queen Anne's, Caroline)	177.7
MD 85, Buckeystown Pike; MD 85, from Crestwood Boulevard to Spectrum Drive (Frederick)	114.7
US 1, Baltimore Avenue; US 1, from MD 193 to College Ave. (Prince George's)	56.1
I-95/I-495, Capital Beltway; I-95/I-495, Access to Greenbelt Metro Station (Prince George's)	152.1
MD 5, Point Lookout Road; MD 5, Camp Brown Road to Ranger Station (St. Mary's)	18.3
MD 5, Point Lookout Road; MD 5, at Abell Street/Moakley Street (St. Mary's)	13.0
US 113, Worcester Highway; US 113, Public Landing to Massey Branch (Phase 4). (Worcester)	88.6
	<hr/>
<b>Total</b>	<b>921.9</b>

**GENERAL AVIATION GRANTS-IN-AID**  
**Fiscal Year 2016**

The following is a list of General Aviation Airport Grants in the Consolidated Transportation Program. Additional information can be found under the respective Maryland Aviation Administration section.

**MARYLAND AVIATION ADMINISTRATION**

<u>COUNTY</u>	<u>AIRPORT</u>	GRANT AMOUNT (\$000's)			Total
		Federal	State	Local/Owner	
Allegany	Greater Cumberland Regional	1,246	331	156	1,733
Anne Arundel	Tipton Airport	434	331	127	892
Baltimore City	Pier 7 Heliport	-	131	15	146
Carroll County	Carroll County Regional	252	14	14	280
Dorchester County	Cambridge-Dorchester Airport	2,790	155	155	3,100
Frederick County	Frederick Municipal Airport	2,758	322	209	3,289
Garrett County	Garrett County Airport	208	34	19	261
Harford County	Harford County	-	675	75	750
Montgomery County	Montgomery County Airpark	629	297	122	1,048
Prince George's County	College Park Airport	-	60	20	80
Queen Anne's County	Bay Bridge Airport	50	115	40	205

**BICYCLE AND PEDESTRIAN RELATED PROJECTS**

The Maryland Department of Transportation has various funding programs for bicycles and pedestrian programs. Program funds are used for both design and construction. Several programs are administered as competitive grant programs, in which available funds are awarded to projects managed by local governments and other partners. Funds that have been awarded through these programs, but not yet spent are identified below as "ongoing grant awards and earmarks".

**TOTAL ESTIMATED FUNDS PROGRAMMED FOR BICYCLE AND PEDESTRIAN IMPROVEMENTS**

	Ongoing Grant Awards and Earmarks	Projects currently funded for construction as of July 2015	FY16-21 Ped/Bike Program Funding <sup>^</sup>
Retrofit Sidewalk Program		8,580,000	30,600,000
Retrofit Bicycle Program		7,398,000	19,200,000
ADA Program		28,300,000	60,700,000
Urban Reconstruction		2,441,823	18,542,100*
Primary/Secondary Program		8,357,964	8,357,964**
Bikeways Program	8,782,457	--	12,269,000
Bikeshare Program	1,256,300	--	0
Transportation Enhancements Program/Alternatives	15,883,000	--	46,125,000***
Recreational Trails	4,373,500	--	5,610,000***
Safe Routes to School Program	7,932,556	--	0^^
Federal Earmark Projects	18,211,917	--	0^^^
<b>Total</b>	<b>56,439,730</b>	<b>55,077,787</b>	<b>201,404,064</b>

<sup>^</sup>Includes planning, design and construction funds

\*Funding is estimated as a portion of total program funding based on recent bike/ped expenditures

\*\*Additional funding is expected as major projects advance to construction and bicycle and pedestrian costs are itemized

\*\*\*Funding is estimated based on projected federal appropriations and historic program spending on bicycle and pedestrian projects

^^ This program was consolidated into Transportation Alternatives under the federal transportation bill, MAP-21

^^^ No additional earmark projects are expected at this time

# 9

## EAC Recommendations for the use of \$80,000 Education Improvement Fund

## MEMORANDUM

**TO:** Mayor and Council

**FROM:** Carolyn Bernache, Education Advisory Committee Chair

**DATE:** October 1, 2015

**RE:** Education Advisory Committee Recommendations regarding Mayor and Council Use of Education Enhancement Fund

### **Background**

In the FY 16 budget, Mayor and Council budgeted an \$80,000 line item for educational enhancement of neighborhood public schools. There are 10 neighborhood public schools with at least 14 College Park children. They are Hollywood Elementary, Paint Branch Elementary, Greenbelt Middle, Parkdale High School, Berwyn Heights Elementary, Cherokee Lane Elementary, University Park Elementary, Buck Lodge Middle, Hyattsville Middle, and High Point High School.

At the April 28, 2015 Council review with Education Advisory Committee Chair Carolyn Bernache regarding the Education Advisory Committee (EAC), the Council identified a twofold vision for College Park's local schools: 1) enhance academic achievement of students in a practical way; and, 2) promote the good news about College Park's local schools. Towards that purpose, the Council asked the City's EAC to make a recommendation to the Council for the allocation of the \$80,000.

### **Recommendation**

The Committee has three recommendations:

- 1) That each of the 10 neighborhood schools be allotted up to \$5,000 to support academic achievement by aligning dollars with each individual school's Data Wise, a new Prince George's County Public School literacy initiative.

Through the Prince George's County Public School's Systematic Improvement Data Wise process, each school individually reviews data regarding their student population and student performance on County and State-mandated testing. Using this data, an area of need is determined and a plan for addressing the need developed and implemented, followed by a review of subsequent results. The process is then repeated.

One of the strengths of this approach is it allows each individual school to develop an academic plan based on the data of that school to determine their focus for improving student literacy performance.

The Committee proposes that flexible guidelines be developed and each school submit a detailed plan as to correlation between the use of funds and its Data Wise process. Use of these funds could include the school's being able to provide professional development opportunities

for teachers such as funding substitutes and allowing teachers to participate in professional development opportunities during schools; pay teachers to attend after-school professional development sessions and/or purchase relevant books or instructional materials.

**Total: \$50,000** (10 schools x \$5,000 each)

- 2) That each of the 10 neighborhood schools be eligible for a \$1,000 grant based upon the submission of an identified staff person within the school to communicate the good news of the school on a regular basis. Upon Council approval, details would be developed.

**Total: \$10,000** (10 schools x \$1,000 each)

- 3) That each of the 4 schools with the highest percentage of College Park students receive an additional \$5,000 to support their technology needs. These Tier 1 schools are Hollywood, Paint Branch, Greenbelt Middle and Parkdale High.

Of the 737 College Park students attending public elementary school 45% or 330 of the 737 attend Hollywood and 33% or 245 attend Paint Branch. Of the 200 College Park students attending public middle school, 86% or 172 attend Greenbelt Middle and of the 329 College Park students attending public high school, 65% or 214 attend Parkdale.

**Total: \$20,000** (4 schools x \$5,000)

It is noted these recommendations are for the use of the newly budgeted educational enhancement funds and are in addition to the Public School grants that the Mayor and Council currently provides for neighborhood schools at a Tier 1 and Tier 2 level.

The City's public school grants are not tied to a specific program and allow each school to initiate or enhance individual programs not covered in their school budget. In the past these grants have funded parent involvement initiatives, robotics clubs, gardening projects which support reading, writing, science and math and purchasing books for classroom libraries. These grants have also provided needed hardware to support the continued use of technology and software for specialized programs.

# 10

## Agenda items for October 22 Four Cities Meeting in Greenbelt

(Please think about any items you want to  
add to the upcoming agenda)

# 11

## Appointments to Boards and Committees

**City of College Park**  
**Board and Committee Appointments**

Shaded rows indicate a vacancy or reappointment opportunity.  
The date following the appointee's name is the initial date of appointment.

<b>Advisory Planning Commission</b>			
Appointee	Represents	Appointed by	Term Expires
Larry Bleau 7/9/02	District 1	Mayor	12/15
Rosemarie Green Colby 04/10/12	District 2	Mayor	04/18
Christopher Gill 09/24/13	District 1	Mayor	09/16
James E. McFadden 2/14/99	District 3	Mayor	04/16
Kate Kennedy 08/11/15	District 1	Mayor	08/18
VACANT		Mayor	
Mary Cook 8/10/10	District 4	Mayor	11/17
<p>City Code Chapter 15 Article IV: The APC shall be composed of 7 members appointed by the Mayor with the approval of Council, shall seek to give priority to the appointment of residents of the City and assure that there shall be representation from each of the City's four Council districts. Vacancies shall be filled by the Mayor with the approval of the Council for the unexpired portion of the term. Terms are three years. The Chairperson is elected by the majority of the Commission. Members are compensated. Liaison: Planning.</p>			

<b>Aging-In-Place Task Force</b>			
Appointee	Position Filled:	Resides In:	Term Expires
Cory Sanders 07/15/14	Resident 1	District 1	Upon completion and submission of final report to the City Council.
Darlene Nowlin 10/14/14	Resident 2	District 4	
VACANT	Resident 3		
Lisa Ealley 01/27/15	Resident 4	District 1	
Judy Blumenthal 01/27/15	Resident 5	District 1	
Dave Dorsch	Resident 6	District 3	
Helen Barnes	Resident 7	District 3	
VACANT	Resident 8		
Denise C. Mitchell	Councilmember 1	District 4	
Patrick L. Wojahn 11/25/14	Councilmember 2	District 1	
P. J. Brennan 11/25/14	Councilmember 3	District 2	
Fazlul Kabir 11/25/14	Councilmember 4	District 1	
<p>Established April 2014 by Resolution 14-R-07. Council positions expanded from 2 to 4 by Resolution 14-R-34 October 2014. Final report of strategies and recommendations to Council anticipated January 2015. Composition: 8 City residents (with the goal of having two from each Council District) and 4 City Council representatives, for a total of 12. Quorum = 5. Task Force shall elect Chairperson from membership. Not a compensated committee. Liaison: Director of Youth, Family and Seniors Services.</p>			

<b>Airport Authority</b>			
Appointee	Resides in	Appointed by	Term Expires
James Garvin 11/9/04	District 3	M&C	07/14
Jack Robson 5/11/04	District 3	M&C	03/17
Anna Sandberg 2/26/85	District 3	M&C	03/16
Gabriel Iriarte 1/10/06	District 3	M&C	04/16
Christopher Dullnig 6/12/07	District 2	M&C	01/17
David Kolesar 04/28/15	District 1	M&C	04/18
Dave Dorsch 08/11/15	District 3	M&C	08/18
City Code Chapter 11 Article II: 7 members, must be residents and qualified voters of the City, appointed by Mayor and City Council, <i>term to be decided by appointing body</i> . Vacancies shall be filled by M&C for an unexpired portion of a term. Authority shall elect Chairperson from membership. Not a compensated committee. Liaison: City Clerk's Office.			

<b>Animal Welfare Committee</b>			
Appointee	Resides in	Appointed by	Term Expires
Lois Donaty 07/14/15	District 2	M&C	07/18
Dave Turley 3/23/10	District 1	M&C	03/16
Christiane Williams 5/11/10	District 1	M&C	03/18
Patti Stange 6/8/10	Non resident	M&C	02/17
Taimi Anderson 6/8/10	Non resident	M&C	02/18
Suzie Bellamy 9/28/10	District 4	M&C	04/17
Nick Brennan 05/26/15	District 2	M&C	05/18
10-R-20: Up to fifteen members appointed by the Mayor and Council for three-year terms. Not a compensated committee. Liaison: Public Services.			

<b>Board of Election Supervisors</b>			
Appointee	Represents	Appointed by	Term Expires
John Robson (Chief) 5/24/94	Mayoral appt	M&C	03/17
Terry Wertz 2/11/97	District 1	M&C	03/17
Mary Katherine Theis 02/24/15	District 2	M&C	03/17
Janet Evander 07/16/13	District 3	M&C	03/17
Maria Mackie 08/12/14	District 4	M&C	03/17
City Charter C4-3: The Mayor and Council shall, not later than the first regular meeting in March of each year in which there is a general election, appoint and fix the compensation for five qualified voters as Supervisors of Elections, one of whom shall be appointed from the qualified voters of each of the four election districts and one of whom shall be appointed by the Mayor with the consent of the Council. The Mayor and Council shall designate one of the five Supervisors of Elections as the Chief of Elections. This is a compensated committee; compensation is based on a fiscal year. Per Council action (item 11-G-66) effective in March, 2013: In an election year all of the Board receives compensation. In a non-election year only the Chief Election Supervisor will be compensated. Liaison: City Clerk's office.			

<b>Cable Television Commission</b>			
Appointee	Resides in	Appointed by	Term Expires
Jane Hopkins 06/14/11	District 1	Mayor	09/17
Blaine Davis 5/24/94	District 1	Mayor	12/15
James Sauer 9/9/08	District 3	Mayor	10/16
Tricia Homer 3/12/13	District 1	Mayor	03/16
Normand Bernache 09/23/14	District 4	Mayor	09/17
City Code Chapter 15 Article III: Composed of four Commissioners plus a voting Chairperson, appointed by the Mayor with the approval of the Council, three year terms. This is a compensated committee. Liaison: City Manager's Office.			

<b>College Park City-University Partnership</b>			
Appointee	Represents	Appointed by	Term Expires
Carlo Colella	Class A Director	UMD President	06/30/18
Edward Maginnis	Class A Director	UMD President	06/30/18
Michael King	Class A Director	UMD President	06/30/16
Brian Darmody	Class A Director	UMD President	06/30/17
Andrew Fellows	Class B Director	M&C	06/30/17
Maxine Gross	Class B Director	M&C	06/30/18
Senator James Rosapepe	Class B Director	M&C	06/30/16
Stephen Brayman	Class B Director	M&C	06/30/17
David Iannucci (07/15/14)	Class C Director	City and University	06/30/17
Dr. Richard Wagner	Class C Director	City and University	06/30/16
The CPCUP is a 501(c)(3) corporation whose mission is to promote and support commercial revitalization, economic development and quality housing opportunities consistent with the interests of the City of College Park and the University of Maryland. The CPCUP is not a City committee but the City makes appointments to the Partnership. Class B Directors are appointed by the Mayor and City Council; Class C Directors are jointly appointed by the Mayor and City Council and the President of the University of Maryland.			

<b>Citizens Corps Council</b>			
Appointee	Represents	Appointed by	Term Expires
Spiro Dimakas		M&C	10/17
Yonaton Kobrias 10/14/14		M&C	10/17
VACANT	Neighborhood Watch	M&C	
Dan Blasberg 3/27/12		M&C	03/18
David L. Milligan (Chair) 12/11/07		M&C	02/17
Resolution 05-R-15. Membership shall be composed as follows: A Citizen Corps Coordinator for each neighborhood shall be nominated and appointed by the Mayor and Council and serve as a potential member of the CPCCC for the term of their respective office in the neighborhood group. Mayor and Council shall nominate and appoint 5 to 7 residents to serve as community coordinators and to serve on the CPCCC. At least one member of the CPCCC shall be the Neighborhood Watch Coordinator, and at least one member shall represent each of the other Citizen Corps programs such as CERT, Fire Corps, Volunteers In Police Service, etc. Each member of the CPCCC shall serve for			

a term of 3 years, and may be reappointed for an unlimited number of terms. The Mayor, with the approval of the City Council, shall appoint the Chair and Co-Chair of the CPCCC from among the members of the committee. The Director of Public Services shall serve as an ex officio member. Not a compensated committee. Liaison: Public Services.

<b>Committee For A Better Environment</b>			
Appointee	Resides in	Appointed by	Term Expires
Janis Oppelt 8/8/06	District 1	M&C	09/15
Suchitra Balachandran 10/9/07	District 4	M&C	01/17
Donna Weene 9/8/09	District 1	M&C	12/15
Kennis Termini 01/14/14	District 1	M&C	01/17
Matt Dernoga 12/09/14	District 1	M&C	12/17
Karen Garvin 04/28/15	District 1	M&C	04/18
Susan Keller 05/26/15	District 1	M&C	05/18
City Code Chapter 15 Article VIII: No more than 25 members, appointed by the Mayor and Council, three year terms, members shall elect the chair. Not a compensated committee. Liaison: Planning.			

<b>Education Advisory Committee</b>			
Appointee	Represents	Appointed by	Term Expires
Cory Sanders 09/24/13	District 1	M&C	09/15
Charlene Mahoney	District 2	M&C	02/17
Maia Sheppard 07/15/14	District 2	M&C	07/16
VACANT	District 3	M&C	
Melissa Day 9/15/10	District 3	M&C	03/17
Carolyn Bernache 2/9/10	District 4	M&C	12/16
Doris Ellis 9/28/10	District 4	M&C	12/16
Tricia Homer	District 1	M&C	04/16
Peggy Wilson 6/8/10	UMCP	UMCP	05/16
Resolutions 97-R-17, 99-R-4 and 10-R-13: At least 9 members who shall be appointed by the Mayor and Council: at least two from each Council District and one nominated by the University of Maryland. Two year terms. The Committee shall appoint the Chair and Vice-Chair of the Committee from among the members of the Committee. Not a compensated committee. Liaison: Youth and Family Services.			

<b>Ethics Commission</b>			
Appointee	Represents	Appointed by	Term Expires
Edward Maginnis 09/13/11	District 1	Mayor	08/15
Joe Theis 05/12/15	District 2	Mayor	05/17
James Sauer 12/09/14	District 3	Mayor	12/16
Gail Kushner 09/13/11	District 4	Mayor	01/16
Robert Thurston 9/13/05	At Large	Mayor	02/16
Alan C. Bradford 1/23/96	At-Large	Mayor	07/15
Frank Rose 05/08/12	At-Large	Mayor	05/14

City Code Chapter 38 Article II: Composed of seven members appointed by the Mayor and approved by the Council. Of the seven members, one shall be appointed from each of the City's four election districts and three from the City at large. 2 year terms. Commission members shall elect one member as Chair for a renewable one-year term. Commission members sign an Oath of Office. Not a compensated committee. Liaison: City Clerk's office.

<b>Housing Authority of the City of College Park</b>			
Bob Catlin 05/13/14		Mayor	05/01/19
Betty Rodenhausen 04/09/13		Mayor	05/01/18
John Moore 9/10/96		Mayor	05/01/19
Thelma Lomax 7/10/90		Mayor	05/01/20
Carl Patterson 12/11/12	Attick Towers resident	Mayor	05/01/16

The College Park Housing Authority was established in City Code Chapter 11 Article I, but it operates independently under Article 44A Title I of the Annotated Code of Maryland. The Housing Authority administers low income housing at Attick Towers. The Mayor appoints five commissioners to the Authority; each serves a five year term; appointments expire May 1. Mayor administers oath of office. One member is a resident of Attick Towers. The Authority selects a chairman from among its commissioners. The Housing Authority is funded through HUD and rent collection, administers their own budget, and has their own employees. The City supplements some of their services.

<b>Neighborhood Quality of Life Committee</b>			
Name:	Represents:	Appointed By:	Term Ends:
Mayor and City Council of the City of College Park			Term in office
Chief David Mitchell	UMD DPS (UMD Police)	University	02/16
Dr. Andrea Goodwin	UMD Administration – Rep 1	University	02/16
Marsha Guenzler-Stevens (Stamp Student Union)	UMD Administration – Rep 2	University	04/16
Matthew Supple (Fraternity-Sorority Life)	UMD Administration – Rep 3	University	04/16
Gloria Aparicio- Blackwell (Office of Community Engagement)	UMD Administration – Rep 4	University	04/16
Karyn Keating-Volke	City Resident 1	City Council	02/17
Aaron Springer	City Resident 2	City Council	10/15

Bonnie McClellan	City Resident 3	City Council	04/16
Christine Nagle	City Resident 4	City Council	04/16
Bob Schnabel	City Resident 5	City Council	08/17
Ryan Belcher	City Resident 6	City Council	09/17
Cole Holocker	UMD Student 1	City Council	11/16
Adler Pruitt	UMD Student 2	City Council	09/17
Taylor Roethle	UMD Student 3	IFC	09/17
VACANT	UMD Student 4		
VACANT	UMD Student 5	Nat'l Pan-Hell. Council, Inc. / United Greek Council	
Drew Hogg	Graduate Student	GSG Representative	09/17
VACANT	Student Co-Operative Housing	City Council	
Maj. Dan Weishaar	PG County Police Dept.	PG County Police	
Bob Ryan	Director of Public Services	City Council	10/15
Jeannie Ripley	Manager of Code Enforcement	City Council	
Lisa Miller	Rental Property Owner	City Council	02/16
Richard Biffl	Rental Property Owner	City Council	02/16
Paul Carlson	Rental Property Owner	City Council	03/16
Established by Resolution 13-R-20 adopted September 24, 2013 to replace the Neighborhood Stabilization and Quality of Life Workgroup. Amended October 8, 2013 (13-R-20.Amended). Amended February 11, 2014 (14-R-03). Amended July 15, 2014 to change the name (14-R-23). City Liaison: City Manager's Office. Two year terms. Main Committee to meet four times per year. This is not a compensated committee.			

<b>Neighborhood Watch Steering Committee</b>			
	Resident of:	Appointed By:	Term Expires:
Robert Boone 04/12/11	District 1	M&C	03/17
Aaron Springer 02/14/12	District 3	M&C	05/16
Nick Brennan 04/22/14	District 2	M&C	04/16
Created on April 12, 2011 by Resolution 11-R-06 as a three-person Steering Committee whose members shall be residents. Coordinators of individual NW programs in the City shall be ex-officio members. Terms are for two years. Annually, the members of the Steering Committee shall appoint a Chairperson to serve for a one-year term. Meetings shall be held on a quarterly basis. This Resolution dissolved the Neighborhood Watch Coordinators Committee that was established by 97-R-15. This is not a compensated committee. Liaison: Public Services.			

<b>Noise Control Board</b>			
Appointee	Represents	Appointed by	Term Expires
Mark Shroder 11/23/10	District 1	Council, for District 1	01/19
Harry Pitt, Jr. 9/26/95	District 2	Council, for District 2	03/16
Alan Stillwell 6/10/97	District 3	Council, for District 3	09/16
Suzie Bellamy	District 4	Council, for District 4	12/16
Adele Ellis 04/24/12	Mayoral Appt	Mayor	04/16
Bobbie P. Solomon 3/14/95	Alternate	Council - At large	05/18
Larry Wenzel 3/9/99	Alternate	Council - At large	02/18
<p>City Code Chapter 138-3: The Noise Control Board shall consist of five members, four of whom shall be appointed by the Council members, one from each of the four election districts, and one of whom shall be appointed by the Mayor. In addition, there shall be two alternate members appointed at large by the City Council. The members of the Noise Control Board shall select from among themselves a Chairperson. Four year terms. This is a compensated committee. Liaison: Public Services.</p>			

<b>Recreation Board</b>			
Appointee	Represents	Appointed by	Term Expires
Eric Grims 08/12/14	District 1	M&C	08/17
Sarah Araghi 7/14/09	District 1	M&C	07/15
Alan C. Bradford 1/23/96	District 2*	M&C	02/17
VACANT	District 2	M&C	
Adele Ellis 9/13/88	District 3	M&C	02/17
VACANT	District 3	M&C	
Barbara Pianowski 3/23/10	District 4	M&C	05/17
Judith Oarr 05/14/13	District 4	M&C	05/16
Bettina McCloud 1/11/11	Mayoral	Mayor	02/17
	Mayoral	Mayor	
<p>City Code Chapter 15 Article II: 10 members: two from each Council district appointed by the Mayor and Council and two members nominated by the Mayor and confirmed by the Mayor and Council. The Chairperson will be chosen from among and by the district appointees. 3 year terms. Not a compensated committee. Liaison: Public Services.</p> <p>*Although Mr. Bradford lives in what is now considered District 1, his residence was part of District 2 when he was appointed. The designation of his residence was changed to District 1 during the last redistricting. He is still considered an appointment from District 2.</p> <p>** Effective April 2012: Jay Gilchrist, Director of UMD Campus Recreation Services, changed his status from Rec Board member (Mayoral Appointment) to UM liaison to the Rec Board, similar to the M-NCPPC representative.</p>			

<b>Tree and Landscape Board</b>			
Member	Represents	Appointed by	Term Expires
Christine O'Brien 08/11/15	Citizen	M&C	08/17
John Krouse	Citizen	M&C	10/16
Eric Hoffman 08/11/15	Citizen	M&C	08/17
Mark Wimer 7/12/05	Citizen	M&C	10/16
Joseph M. Smith 09/23/14	Citizen	M&C	09/16
Janis Oppelt	CBE Chair Liaison		
John Lea-Cox 1/13/98	City Forester	M&C	04/17
Steve Beavers	Planning Director		
Brenda Alexander	Public Works Director		
City Code Chapter 179-5: The Board shall have 9 voting members: 5 citizens appointed by M&C, plus the CBE Chair or designee, the City Forester or designee, the Planning Director or designee and the Public Works Director or designee. Two year terms. Members choose their own officers. Not a compensated committee. Liaison: City Clerk's office.			

<b>Veterans Memorial Improvement Committee</b>			
Appointee	Represents	Appointed by	Term Expires
Deloris Cass 11/7/01		M&C	12/15
Joseph Ruth 11/7/01	VFW	M&C	12/15
Blaine Davis 10/28/03	American Legion	M&C	12/15
Rita Zito 11/7/01		M&C	02/15
Doris Davis 10/28/03		M&C	12/15
Mary Cook 3/23/10		M&C	11/17
Arthur Eaton		M&C	11/16
Seth Gomoljak 11/6/14		M&C	11/17
VACANT			
Resolution 01-G-57: Board comprised of 9 to 13 members including at least one member from American Legion College Park Post 217 and one member from Veterans of Foreign Wars Phillips-Kleiner Post 5627. Appointed by Mayor and Council. Three year terms. Chair shall be elected each year by the members of the Committee. Not a compensated committee. Liaison: Public Works.			

12

Information Report:  
Davis Hall A/V Services

## INFORMATION REPORT

**TO:** Mayor and Council

**THROUGH:** Scott Somers, City Manager

**FROM:** Sarah Price, Information Systems Manager  
Stephen Groh, Director of Finance

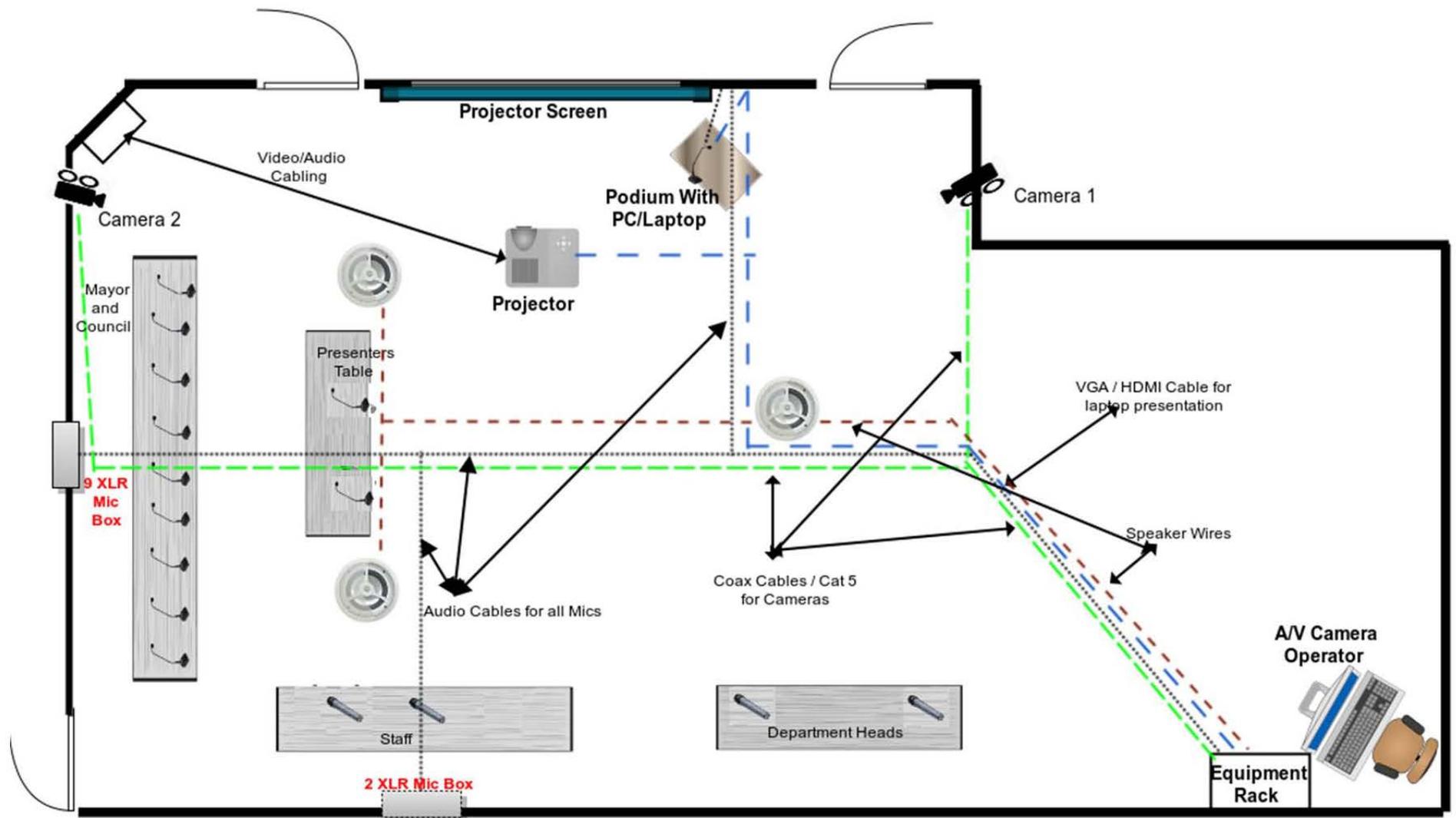
**DATE:** September 30, 2015

**SUBJECT:** Audio-Visual Broadcasting from Davis Hall

Staff has been asked to investigate the feasibility and cost of installing audio/visual (A/V) equipment in the Davis Hall multipurpose room to enable the broadcasting of periodic Council meetings or worksessions in the same manner that is currently performed in the Council Chambers at City Hall. This would include all A/V equipment needed to record and broadcast to our P.E.G. channels and send a live stream to Granicus. It would allow presenters to send their PowerPoint slides to the projector and to the TV broadcast. It includes cameras, microphones, relocation of the existing projector screen (which is currently located behind where the Mayor & Council would sit), audio mixer, character generator (to insert titles for each agenda item), recording capability, podium and switching equipment for the camera operator.

IT staff has developed a proposed layout, which is attached. We have been working with an A/V vendor that we use at City Hall to spec the equipment needed to accommodate this plan in the most cost-effective manner possible. Although we have not yet finalized the equipment list, we are able to project that the cost of equipment and installation will be in the \$25,000-30,000 range. This work can be funded from existing P.E.G. grants and would not require any General Fund budgeted funds. The timetable for equipment order and installation is about 2 months.

We will update Mayor & Council as this project continues.



# 13

Information Report:  
Review of the two  
Resolutions for the  
Revitalization Tax  
Credits approved on  
September 22

**RESOLUTION OF THE MAYOR AND COUNCIL  
OF THE CITY OF COLLEGE PARK TO GRANT A WAIVER PURSUANT TO §175-13  
OF THE CITY CODE, UPON FINDING THAT THE PURPOSES OF THE LAW WILL  
BE EQUALLY WELL SERVED BY DOINGS SO, TO THE HOTEL AT UMCP, LLC,  
AND TO APPROVE A REVITALIZATION TAX CREDIT FOR THE REAL PROPERTY  
LOCATED AT 7777 BALTIMORE AVENUE, COLLEGE PARK, FOR A PERIOD OF  
FIVE YEARS BEGINNING IN THE FIRST FISCAL YEAR AFTER COMPLETION**

WHEREAS, the State of Maryland, pursuant to 9-318(g) of the Tax-Property Article, Annotated Code of Maryland, has authorized the establishment of revitalization districts by resolution for the purpose of encouraging redevelopment; and

WHEREAS, Section 9-318(g) of the Tax-Property Article, Annotated Code of Maryland, also authorizes the City to grant a property tax credit against the City's real property tax for a property located within the revitalization district that is constructed or substantially redeveloped in conformance with adopted eligibility criteria and reassessed as a result of the construction or redevelopment at a higher value than that assessed prior to the construction or redevelopment; and

WHEREAS, the Mayor and Council determined that it was in the public interest to provide for the establishment of revitalization tax districts, to set the criteria for designation of such districts and to authorize the granting of a property tax credit against the City's real property tax for properties within a revitalization district and to adopt eligibility criteria for granting the credit and as a result adopted Chapter 175, "Taxation", Article V "Revitalization Tax Credit" of the City Code; and

WHEREAS, THE HOTEL AT UMCP, LLC, as developer and ground lessee of the property located at 7777 Baltimore Avenue, College Park, MD 20782, part of Tax Map 33, parcel 140 in the 21<sup>st</sup> District ("Property"), has applied for revitalization tax credit; and

WHEREAS, the detailed site plan (“DSP”) for the Property was filed and accepted by the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) prior to application for the tax credit, and the approved project (“Project”) is under construction; and

WHEREAS, the Mayor and Council, in §175-13, authorized the waiver of certain criteria for the granting of a real property tax credit and the reduction of the amount or duration of the tax credit set out in §175-11 when granting the waiver; and

WHEREAS, has THE HOTEL AT UMCP, LLC applied for a waiver of the requirement that the application be filed no later than the acceptance of the DSP by M-NCPPC; and

WHEREAS, the Property is located in Tax Credit District One, and so must meet four out of ten eligibility requirements; and

WHEREAS, the Property meets eight out of ten of the eligibility requirements; and

WHEREAS, the Property will be reassessed at a higher value as a result of the redevelopment; and

WHEREAS, the Mayor and Council I have determined that the requested waiver should be granted with conditions.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of College Park that, based upon the Application dated June 18, 2015, and the information provided during the Council session item held for this matter, that the purposes of Article V, Revitalization Tax Credit, of Chapter 175 will be equally well served by a waiver of the requirement of §175-12(a) that an application must be filed prior to the acceptance of a DSP by M-NCPPC; and it is further

**RESOLVED**, that the requested waiver of §175-12(a) be and it is hereby granted subject to the following requirements:

- a. THE HOTEL AT UMCP, LLC’s compliance with the Agreement dated March 24, 2015 between the City and THE HOTEL AT UMCP, LLC.
  - b. That THE HOTEL AT UMCP, LLC obtain all required building permits.
  - c. Application of revised City Code provisions for 175-10, 175-11 and 175-12.
  - d. Agreement by THE HOTEL AT UMCP, LLC not to contest taxability of the Property;
- and it is further

**RESOLVED**, that amended §§175-10, 11 and 12, amended effective September 29, 2015, shall apply to this grant and waiver of the revitalization tax credit; and it is further

**RESOLVED**, that a five year Revitalization Tax Credit for the real property located at 7777 Baltimore Avenue, beginning in the fiscal year following completion, to be reimbursed to THE HOTEL AT UMCP, LLC after proof of payment of the City taxes reflected on the County tax bill in each fiscal year, is approved as authorized in §175-11 of the City Code. Reimbursement of the Revitalization Tax Credit is subject to the conditions stated herein. No reimbursement of the real property taxes will occur prior to the receipt of such evidence.

**ADOPTED** by the Mayor and City Council of the City of College Park, Maryland at a regular meeting on the 22<sup>nd</sup> day of September, 2015.

**EFFECTIVE** the 22<sup>nd</sup> day of September, 2015.

**WITNESS:**

**THE 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

**RESOLUTION OF THE MAYOR AND COUNCIL  
OF THE CITY OF COLLEGE PARK TO GRANT A WAIVER PURSUANT TO §175-13  
OF THE CITY CODE, UPON FINDING THAT THE PURPOSES OF THE LAW WILL  
BE EQUALLY WELL SERVED BY DOINGS SO, TO 8321 COLLEGE PARK HOTEL,  
LLC, AND TO APPROVE A REVITALIZATION TAX CREDIT FOR THE REAL  
PROPERTY LOCATED AT 8319 BALTIMORE AVENUE, COLLEGE PARK, FOR A  
PERIOD OF FIVE YEARS BEGINNING IN THE FIRST FISCAL YEAR AFTER  
COMPLETION**

WHEREAS, the State of Maryland, pursuant to 9-318(g) of the Tax-Property Article, Annotated Code of Maryland, has authorized the establishment of revitalization districts by resolution for the purpose of encouraging redevelopment; and

WHEREAS, Section 9-318(g) of the Tax-Property Article, Annotated Code of Maryland, also authorizes the City to grant a property tax credit against the City's real property tax for a property located within the revitalization district that is constructed or substantially redeveloped in conformance with adopted eligibility criteria and reassessed as a result of the construction or redevelopment at a higher value than that assessed prior to the construction or redevelopment; and

WHEREAS, the Mayor and Council determined that it was in the public interest to provide for the establishment of revitalization tax districts, to set the criteria for designation of such districts and to authorize the granting of a property tax credit against the City's real property tax for properties within a revitalization district and to adopt eligibility criteria for granting the credit and as a result adopted Chapter 175, "Taxation", Article V "Revitalization Tax Credit" of the City Code; and

WHEREAS, 8321 COLLEGE PARK HOTEL, LLC, as owner of the property located at 8319 Baltimore Avenue, College Park, MD 20782 ("Property"), has applied for revitalization tax credit; and

WHEREAS, the detailed site plan (“DSP”) for the Property was filed and accepted by the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) prior to application for the tax credit, and the approved project (“Project”) is under construction; and

WHEREAS, the Mayor and Council, in §175-13, authorized the waiver of certain criteria for the granting of a real property tax credit and the reduction of the amount or duration of the tax credit set out in §175-11 when granting the waiver; and

WHEREAS, 8321 COLLEGE PARK HOTEL, LLC has applied for a waiver of the requirement that the application be filed no later than the acceptance of the DSP by M-NCPPC; and

WHEREAS, the Property is located in Tax Credit District One, and so must meet four out of ten eligibility requirements; and

WHEREAS, the Property meets eight out of ten of the eligibility requirements; and

WHEREAS, the Property will be reassessed at a higher value as a result of the redevelopment; and

WHEREAS, the Mayor and Council I have determined that the requested waiver should be granted with conditions.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of College Park that, based upon the Application dated June 18, 2015, and the information provided during the Council session item held for this matter, that the purposes of Article V, Revitalization Tax Credit, of Chapter 175 will be equally well served by a waiver of the requirement of §175-12(a) that an application must be filed prior to the acceptance of a DSP by M-NCPPC; and it is further

**RESOLVED**, that the requested waiver of §175-12(a) be and it is hereby granted subject to the following requirements 8321 COLLEGE PARK HOTEL, LLC’s compliance with the Declaration of Covenants and Agreement Regarding Land Use dated April 9, 2013 between Crown Real Properties, LC and the City; and it is further

**RESOLVED**, that amended §§175-10, 11 and 12, amended effective September 29, 2015, shall apply to this grant and waiver of the revitalization tax credit; and it is further

**RESOLVED**, that a five year Revitalization Tax Credit for the real property located at 8319 Baltimore Avenue, beginning in the fiscal year following completion, to be reimbursed to 8321 COLLEGE PARK HOTEL, LLC after proof of payment of the City taxes reflected on the County tax bill in each fiscal year, is approved as authorized in §175-11 of the City Code. Reimbursement of the Revitalization Tax Credit is subject to the conditions stated herein. No reimbursement of the real property taxes will occur prior to the receipt of such evidence.

**ADOPTED** by the Mayor and City Council of the City of College Park, Maryland at a regular meeting on the 22<sup>nd</sup> day of September, 2015.

**EFFECTIVE** the 22<sup>nd</sup> day of September, 2015.

**WITNESS:**

**THE 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