



TUESDAY, FEBRUARY 23, 2016
CITY OF COLLEGE PARK
COUNCIL CHAMBERS

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

MEDITATION

PLEDGE OF ALLEGIANCE: Councilmember Dennis

ROLL CALL

MINUTES: Regular meeting of February 9, 2016.

ANNOUNCEMENTS

ACKNOWLEDGMENT OF DIGNITARIES

ACKNOWLEDGMENT OF NEWLY APPOINTED BOARD AND COMMITTEE MEMBERS

AWARDS

PROCLAMATIONS

AMENDMENTS TO AND APPROVAL OF THE AGENDA

CITY MANAGER'S REPORT: Scott Somers

STUDENT LIAISON'S REPORT: Cole Holocker

COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

PRESENTATIONS

**Presentation of FY '16 Public School Education Grant to
Paint Branch Elementary: Emmett Hendershot, Principal**

CONSENT AGENDA

- 16-G-18 Authorization for the City to sign a Memorandum of Understanding with local communities in substantially the form attached for participation in the Inter-Municipal Bikeways Working Group
- 16-G-19 Approval of a letter in support of HB723/SB525, Transportation - Highway User Revenues - Distribution to Municipalities, in substantially the form attached

Motion By:
To: Approve
Second:
Aye: ____
Nay: ____
Other: ____

- 16-G-20 Approval of a Department of Defense request to join them in thanking the City’s Vietnam War Veterans and their families by becoming a “Commemorative Partner for the 50th Anniversary of the Vietnam War”
- 16-G-25 Approval to sign the National League of Cities Letter to Congress In Support Of Tax-Exempt Municipal Bonds

ACTION ITEMS

- | | | |
|---------|--|--|
| 16-G-21 | Approval of an amendment to the Declaration of Covenants and Agreement for University View I and II and University Village | Motion By: Brennan
To: Approve
Second:
Aye: __
Nay: __
Other: _____ |
| 16-G-22 | Authorization to schedule a Public Hearing regarding the Greater College Park RISE Zone Application | Motion By: Day
To: Approve
Second:
Aye: __
Nay: __
Other: _____ |
| 16-G-23 | Approval of a letter with comments to Maryland-National Capital Park and Planning Commission on Draft Module 1 of the Prince George’s County Zoning Ordinance Rewrite regarding Zones and Zone Regulations and Use Regulations | Motion By: Stulich
To: Approve
Second:
Aye: __
Nay: __
Other: _____ |
| 16-G-24 | Appointment to Boards and Committees | Motion By:
To: Adopt
Second:
Aye: __
Nay: __
Other: _____ |

COUNCIL COMMENTS

COMMENTS FROM THE AUDIENCE

ADJOURN

STATUS/INFORMATION REPORTS FOR COUNCIL REVIEW

1. Legislative Report – Leonard L. Lucchi, Esquire, O’Malley, Miles, Nylan & Gilmore, P.A.
-

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 at 240-487-3501 and describe the assistance that is necessary.

MINUTES

MINUTES
Regular Meeting of the College Park City Council
Tuesday, February 9, 2016
Council Chambers
7:30 p.m. – 8:19 p.m.

PRESENT: Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich, Cook and Kujawa.

ABSENT: Councilmember Day.

ALSO PRESENT: Scott Somers, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Peggy Higgins, Director of Youth, Family and Senior Services; Cole Holocker, Student Liaison; and Adler Pruitt, Deputy Student Liaison.

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

Acknowledgment Of Newly Appointed Board And Committee Members: Mayor Wojahn acknowledged Dawn Powers, who was recently appointed to the Education Advisory Committee, and thanked her for her service.

Amendments To And Approval Of The Agenda: Councilmember Stullich asked to remove item 16-G-16 (request by the University of Maryland to rename Paint Branch Parkway to Campus Drive) from the agenda to allow time for more community input. A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to adopt the agenda as amended. The motion passed 7 – 0 – 0.

City Manager’s Report: Mr. Somers reviewed the items in the red folder: a “lay on the table” stop sign request and written comments on item 16-G-16. He announced that City offices will be closed on Monday, February 15 for the Presidents Day holiday.

Announcements:

Councilmember Dennis announced the Lakeland Civic Association will hold their monthly meeting at the College Park Community Center on Thursday at 7:00 p.m.

Councilmember Kabir said the North College Park Civic Association would hold their monthly meeting at Davis Hall at 7:30 p.m. on Thursday.

Minutes: A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to adopt the minutes of the January 12, 2016 Public Hearing on Ordinance 15-O-07; January 12, 2016 Regular Meeting; January 26, 2016 Regular Meeting; and January 26, 2016 Public Hearing on Ordinance 16-O-01. The motion passed 7 – 0 – 0.

Student Liaison’s Report: Mr. Holocker had no report.

Comments From The Audience on Non-Agenda Items:

Jose Fuentes, 5704 Vassar Drive: Mr. Fuentes complained about the situation at his property that he believes was caused by the retaining wall that was constructed between his house and his next door neighbor's house. As a result, water and mud has entered his basement through a window well, which has caused a mold problem in his house. He has discussed the situation with the City Manager and others, and believes everything is against him. He said that no permit was obtained for the wall and that the City should enforce the code. He believes he is being discriminated against.

Yashvi Aware, Miss College Park 2015: She discussed the many events she has attended since she was crowned in April of 2015. She graduated from college in May of 2015 and is now a graduate student, hoping to enter medical school. She received \$2,200 in scholarships thanks to this program.

PRESENTATIONS:

Mayor Wojahn and the Chair of the Education Advisory Committee Carolyn Bernache presented FY '16 Public School Education Grants to Cherokee Lane Elementary (Sheena Hardy, Principal), University Park Elementary (Toi Davis, Principal), High Point High School (Sandra Jimenez, Principal), Greenbelt Middle School (Tracey Thisse, TAG Coordinator), and Parkdale High School (Tanya Washington, Principal). The recipients thanked the City for their support.

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

- 16-G-14 Approval of 2016 Spring Field Use Requests for Duvall Field by the College Park Boys and Girls Club and Maryland Stingers Women's Rugby Club**
- 16-R-01 A Resolution Of The Mayor And Council Of The City Of College Park, Maryland To Endorse The Neighborhood Businessworks Program's Financing To Milkboy College Park, LLC**
- 16-G-15 Motion to voice no objection to the annual renewal of liquor licenses for establishments in the City, authorization for the City Manager to sign a letter to that effect, and for staff to testify to the City's position before the Board of License Commissioners**

The motion passed 7 – 0 – 0.

ACTION ITEMS:

- 16-G-17 Approval of installation of a permanent water line at the Old Town Community Garden**

A motion was made by Councilmember Stullich and seconded by Councilmember Nagle to authorize staff to pursue construction of a permanent water line to the Old Town Community Garden in an amount not to exceed \$25,000 from the Sustainability Initiatives budget, CIP Project #091004.

Councilmember Stulich said the Old Town Community Garden is the first of what we hope will be a number of community gardens in the City. In its first year, 15 residents participated for a total of 20 plots. The gardeners found ways to water their plants without water available onsite, but providing a permanent water connection will ensure the long term success of the garden.

There were no comments from the audience or the Council.

The motion passed 7 – 0 – 0.

COUNCIL COMMENTS:

Councilmember Brennan said the M-NCPPC summer camp guide is out and two Berwyn children are on the cover.

Councilmember Nagle said it would be beneficial for the City to address drainage problems city-wide and to work alone or with the County to address them.

Mayor Wojahn reviewed his participation in the Maryland Mayors Association conference and his discussion with Gov. Hogan on a variety of issues including the innovation economy in College Park.

COMMENTS FROM THE AUDIENCE: None.

ADJOURN: A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to adjourn the meeting and with a vote of 7 – 0 – 0, Mayor Wojahn adjourned the meeting at 8:19 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved

16-G-18

MEMORANDUM OF UNDERSTANDING

Inter-Municipal Bikeways Working Group

This Memorandum of Understanding is effective this _____ day of _____, 2016, by and between the City of Mount Rainier, the Town of Brentwood, the Town of North Brentwood, the City of Hyattsville, the Town of Edmonston, the Town of Colmar Manor, the Town of Cottage City, the Town of Bladensburg, the Town of Riverdale Park, the Town of University Park, the City of College Park, the Town of Berwyn Heights, and the City of Greenbelt, each of which is a municipal corporation of the State of Maryland, hereinafter referred to collectively as the Municipalities.

W I T N E S S E T H

Whereas, the Prince George’s Countywide Master Plan of Transportation Bikeways and Trails is being developed as a connected network for bicyclists, pedestrians, and other non-motorized forms of transportation, and many of these bikeways run through the Municipalities; and

Whereas, the residents of the Municipalities highly value alternative modes of transportation, especially for personal use, to exercise as well as commute to local amenities such as shops, restaurants, service venues, and even the workplace; and

Whereas, the Municipalities are promoting sustainability and making efforts to reduce the carbon footprint of both their municipality and the residents thereof, as well as reduce motorized vehicle traffic within their jurisdictions; and

Whereas, at times the infrastructure for bicycle and pedestrian paths within the Municipalities is limited, generally unmarked, less-than-safe, and needs notable development and improvement; and

Whereas, the Municipalities have decided to establish the Inter-Municipal Bikeways Working

Group for the purposes of developing, promoting, and maintaining a safe, well-marked, connected and integrated bicycle and pedestrian path network that it will serve all communities as a functional yet healthy transportation amenity in the area for generations.

NOW THEREFORE, in consideration of the sum of the foregoing, the mutual promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City of Mount Rainier, the Town of Brentwood, the Town of North Brentwood, the City of Hyattsville, the Town of Edmonston, the Town of Colmar Manor, the Town of Cottage City, the Town of Bladensburg, the Town of Riverdale Park, the Town of University Park, the City of College Park, the Town of Berwyn Heights, and the City of Greenbelt recognize their mutual interest in the development of the bicycle and pedestrian path network, and agree to work together to promote and strive to utilize resources for maintenance, and further agree as follows:

1. The “Whereas” clauses set forth above are included and incorporated as part of this Memorandum of Understanding.
2. The Inter-Municipal Bikeways Working Group be and it is hereby established to advise the municipalities and is charged with: 1. developing a short-term and long-term bicycle path network plan to compliment the Maryland National Capital Park & Planning (M-NCPPC) Trail Master Plan; 2. facilitating the development of a safe, well-marked integrated and connected bicycle path network; 3. creating agreements among municipalities and other organizations for maintenance and improvements of the bikeways; and, 4. facilitating the collection, sharing, and dissemination of information in support of the three items immediately above .

Each Municipality shall appoint at least one representative to serve on the Working Group for an initial term ending on July 1, 2016. It would be preferred that at least one of the representatives be a member of the municipality’s elected body. Subsequent appointments or the filling of vacancies shall be handled by each governing body in a manner it chooses; however, preference shall remain that subsequent members that serve shall be elected officials.

The Working Group shall select its own Chair and other offices, and organize sub-committees as it requires. It may request expertise and information from individuals

and entities, such as staff from the Anacostia Trails Heritage Area Inc. (ATHA) or M-NCPPC, in order to carry out its mission. The Working Group's meetings shall be governed by the Maryland Open Meetings Act, and all meeting minutes shall be available to the public. The Working Group shall provide to each municipality, at a minimum, an annual report by July 30th 2016 summarizing its meetings and activities for the preceding 12 months (more frequent updates to municipalities are expected of the Working Group's representatives).

3. The Municipalities agree to contribute expertise, perspective, and mutual support via membership and participation in the Inter-Municipal Bicycle Trails Working Group.
4. The Municipalities agree to share knowledge of the bicycle paths with each other, including photos, technical and scientific data, and analyses.
5. The Municipalities agree to work collaboratively in building community support, and to solicit the support of the Federal government, State of Maryland, Prince George's County, and other entities needed to develop and maintain the bicycle paths.
6. The Municipalities agree to jointly plan and pursue actions to ensure that the bicycle paths, for its entire network, remains a valuable community resource.
7. The Municipalities agree that any position taken or request for support made by the Inter-Municipal Bikeways Working Group must be affirmatively acted upon by a majority of the Municipalities before the Inter-Municipal Working Group may state support of the position or request. All parties will be informed via email and/or a meeting 14 days in advance prior to any action being taken on a proposed position or a request for support (such as a grant).
8. The Municipalities agree that membership in the Inter-Municipal Bikeways Working Group is voluntary in nature. The Municipalities may, from time to time, amend this Memorandum of Understanding and the directives to the Working Group by adopting identical resolutions stating the amendments. Each municipality may at any time terminate its participation on the Working Group and / or withdraw from this Memorandum of Understanding by officially notifying the Working Group's Chair and the other parties.

IN WITNESS WHEREOF, the Municipalities have caused this Memorandum of Understanding to be effective as of the date and year first written above, and this Memorandum of Understanding shall automatically terminate five years from the effective date, unless it is renewed by all parties. Renewal of this Memorandum of Understanding shall be based on an evaluation of accomplishments under item 2 above.

ATTEST:

CITY OF MOUNT RAINIER

Veronica Owens, Asst. City Mgr.

By: _____
Malinda Miles, Mayor

TOWN OF BRENTWOOD

Magdalena Rojas, Clerk

By: _____
Racio Treminio-Lopez, Mayor

TOWN OF NORTH BRENTWOOD

Eleanor Traynham, Clerk

By: _____
Petrella Robinson, Mayor

CITY OF HYATTSVILLE

Laura Reams, Clerk

By: _____
Candace Hollingsworth, Mayor

TOWN OF EDMONSTON

Michelle Rodriguez, Clerk

By: _____
Tracy Gant, Mayor

TOWN OF COLMAR MANOR

Daniel Baden, Clerk

By: _____
Sadara Barrow, Mayor

TOWN OF COTTAGE CITY

Tina Pryce, Clerk

By: _____
Abel Nunez, Chair Commissioner

TOWN OF BLADENSBURG

Patricia McAuley, Clerk

By: _____
Walter Lee James, Jr, Mayor

TOWN OF RIVERDALE PARK

Jessica Barnes, Clerk

By: _____
Vernon Archer, Mayor

TOWN OF UNIVERSITY PARK

Tracey Toscano, Clerk

By: _____
Len Carey, Mayor

CITY OF COLLEGE PARK

Janeen Miller, Clerk

By: _____
Patrick Wojahn, Mayor

TOWN OF BERWYN HEIGHTS

Kerstin Harper, Clerk

By: _____
Jodie Kulpa-Eddy, Mayor

CITY OF GREENBELT

Cindy Murray, Clerk

By: _____
Emmett Jordan, Mayor

16-G-19

February 23, 2016

Senator Edward J. Kasemeyer, Chair
Senate Budget and Taxation Committee
3 West
Miller Senate Office Building
Annapolis, MD 21401

Re: Transportation – SB 585 Highway User Revenues - Distribution to Municipalities

Dear Senator Kasemeyer and Committee Members:

The College Park City Council voted to support SB 585 which would provide critical and stable transportation funding for municipalities. College Park owns and maintains approximately 50 miles of streets. The quality of these streets (including the sidewalks, curb and gutter, signage, and markings) impacts the safety of all users and influences private investment throughout the City. We dedicate significant resources to maintain and enhance the safety of our transportation systems, but we have delayed road projects due to funding constraints and have searched for other funding sources.

As you know, cuts and fluctuations in Highway User Revenues have detrimentally affected municipalities. Municipalities have limited options to raise revenue, and yet are absorbing more development and transportation demands.

SB 585 will create a stable and fair revenue-sharing system for municipal roads. On behalf of the City Council and our residents, I ask that you support this important legislation.

Sincerely,

Patrick L. Wojahn
Mayor

cc: Senator Jim Rosapepe
21st District Delegation

February 23, 2016

The Honorable Kumar P. Barve, Chair
House Environment and Transportation Committee
Room 251
House Office Building
Annapolis, MD 21401

Re: HB 723 Transportation - Highway User Revenues - Distribution to Municipalities

Dear Delegate Barve and Committee Members:

The College Park City Council voted to support HB 723 which would provide critical and stable transportation funding for municipalities. College Park owns and maintains approximately 50 miles of streets. The quality of these streets (including the sidewalks, curb and gutter, signage, and markings) impacts the safety of all users and influences private investment throughout the City. We dedicate significant resources to maintain and enhance the safety of our transportation systems, but we have delayed road projects due to funding constraints and have searched for other funding sources.

As you know, cuts and fluctuations in Highway User Revenues have detrimentally affected municipalities. Municipalities have limited options to raise revenue, and yet are absorbing more development and transportation demands.

SB 585 will create a stable and fair revenue-sharing system for municipal roads. On behalf of the City Council and our residents, I ask that you support this important legislation.

Sincerely,

Patrick J. Wojahn
Mayor

Cc: Delegate Barbara Frush, 21st District
Delegate Joseline Peña-Melnyk, 21st District
Delegate Ben Barnes, 21st District

16-G-20



OFFICE OF THE DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

RECEIVED

DEC 23 2015

Mayor

City of College Park
Administration Office

19 DEC 2015

ADMINISTRATION

The Honorable Andrew Fellows
Mayor of College Park
4500 Knox Road
College Park, MD 20740-3330

Dear Mayor Fellows:

I write to invite you and the City of College Park to join the more than 8,000 states, communities, businesses, and organizations who have become a Commemorative Partner for the 50th Anniversary of the Vietnam War. The Commemorative Partner Program assists in thanking our Vietnam Veterans and their families in their hometowns. We owe these Veterans a special debt of gratitude for their service during a turbulent time in our Nation's history, and our goal is to honor every Veteran, consistent with the primary objectives established by Congress for this Commemoration in Public Law 110-181. Just as we honored Veterans who served in World War I, World War II, and the Korean War, we are determined to thank and honor our Vietnam Veterans for their service, valor, and sacrifice more than 50 years ago.

We would greatly appreciate your City joining us in this effort. The only requirement for a Commemorative Partner is to conduct at least two events per year through 2018, during which you take the opportunity to distinctly thank and honor our Vietnam Veterans and their families. The events can be as simple or as grand as you desire, and in conjunction with other events you've already planned. If your City participates in this program, the information on your events can be included on the Commemoration website (<http://www.vietnamwar50th.com/>).

The point of contact for the Commemorative Partner Program is Ms. Yvonne Schilz who can be reached at (703) 697-4919 or yvonne.e.schilz.civ@mail.mil. Alternatively, you may also contact our Commemoration Director, Major General (Retired) James Jackson at (703) 697-4902, or james.t.jackson54.civ@mail.mil.

I appreciate your consideration in becoming a Commemorative Partner. Enclosed is information regarding the Commemoration. We look forward to the chance to work in close partnership with the City of College Park to recognize the service, valor, and sacrifice of our Vietnam Veterans and their families.

Thank you.

Sincerely,

Michael L. Rhodes
Director

Enclosure:
As stated



Fact Sheet

The United States of America Vietnam War Commemoration

The United States of America Vietnam War Commemoration

In accordance with Public Law 110-181 SEC.598, Congress authorized the Secretary of Defense to conduct a program to commemorate the 50th anniversary of the Vietnam War and "in conducting the commemorative program, the Secretary shall coordinate, support, and facilitate other programs and activities of the Federal Government, State and local governments, and other persons and organizations in commemoration of the Vietnam War."

To that end, The United States of America Vietnam War Commemoration was formed. The congressionally-mandated objectives for the Commemoration are:

1. To thank and honor veterans of the Vietnam War, including personnel who were held as prisoners of war, or listed as missing in action, for their service and sacrifice on behalf of the United States and to thank and honor the families of these veterans.
2. To highlight the service of the Armed Forces during the Vietnam War and the contributions of federal agencies and governmental and nongovernmental organizations that served with, or in support of, the Armed Forces.
3. To pay tribute to the contributions made on the home front by the people of the United States during the Vietnam War.
4. To highlight the advances in technology, science, and medicine related to military research conducted during the Vietnam War.
5. To recognize the contributions and sacrifices made by the allies of the United States during the Vietnam War.

One of the major ways the Commemoration plans to accomplish these objectives is by recruiting Commemorative Partners throughout America. The Commemorative Partner Program is designed for federal, state and local communities, veterans' groups, and other nongovernmental organizations to assist a grateful nation in thanking and honoring our Vietnam Veterans and their families.

It costs nothing to become a Commemorative Partner. Commemorative Partners participate by planning and conducting events and activities that will recognize and honor the service, valor, and sacrifice made by Vietnam Veterans and their families. America has a strong tradition of honoring veterans and their families on key dates, such as Memorial Day, National POW/MIA Day, and Veterans Day. Commemorative Partners may consider using those days to specifically highlight the men and women who served during the Vietnam era and their families, former Vietnam prisoners of war, the families of unaccounted for personnel, and the brave men and women who made the ultimate sacrifice.

Currently, there are more than 5,200 Commemorative Partners throughout America. Join the nation, get involved and become a Commemorative Partner today! Visit the Commemoration website for more information, stories about other partners, and application forms at www.VietnamWar50th.com.

Current as of February 2014

www.VietnamWar50th.com



Fact Sheet

The United States of America
Vietnam War Commemoration

The United States of America Vietnam War Commemoration Commemorative Partner Program

The Commemorative Partner Program is designed for federal, state and local communities, veterans' organizations and other nongovernmental organizations to assist a grateful nation in thanking and honoring our Vietnam Veterans and their families. Commemorative Partners participate in the Commemoration by planning and conducting events and activities that recognize Vietnam Veterans and their families' service, valor, and sacrifice. Commemorative Partners must commit to conduct two events each year from 2015-2017.

Commemorative events and activities should be dignified, memorable occasions that show a sensitivity and appreciation for the solemnity of war and the losses suffered by many. Events or activities should meet one or more of the congressionally-mandated objectives of the program, and as a minimum, with an emphasis on objective one:

1. To thank and honor veterans of the Vietnam War, including personnel who were held as prisoners of war or listed as missing in action, for their service and sacrifice on behalf of the United States and to thank and honor the families of these veterans.
2. To highlight the service of the Armed Forces during the Vietnam War and the contributions of Federal agencies and governmental and nongovernmental organizations that served with, or in support of, the Armed Forces.
3. To pay tribute to the contributions made on the home front by the people of the United States during the Vietnam War.
4. To highlight the advances in technology, science, and medicine related to military research conducted during the Vietnam War.
5. To recognize the contributions and sacrifices made by the allies of the United States during the Vietnam War.

It costs nothing to become a Commemorative Partner. To become an official Commemorative Partner, organizations must submit an application and a signed Statement of Understanding. To obtain an application go to www.VietnamWar50th.com and then to the Commemorative Partner Program webpage for further information on how to apply. Once an application is submitted, the approval process should take no longer than 30 days. Partners are kept informed of an application's status through electronic notifications. Once approved, the Commemoration will provide the Commemorative Partner with a starter kit composed of materials for developing and implementing their programs. Commemorative Partners receive a commemorative flag, Commemorative Partner certificate and other materials, and authorization to use The United States of America Vietnam War Commemoration Commemorative Partner seal for approved purposes.

- For questions regarding the program application process: WHS.VNWar50th_CPP@mail.mil
- For online application forms:
http://www.VietnamWar50th.com/commemorative_partners/online_application_forms
- To download printer-friendly application forms:
http://www.VietnamWar50th.com/commemorative_partners/application_forms



Fact Sheet

The United States of America
Vietnam War Commemoration

Vietnam Veteran Lapel Pin *... a lasting memento of the nation's thanks!*

- **Purpose:** To recognize, thank and honor United States military veterans who served during the Vietnam War period.
- **Eligibility:** Living United States veterans who served on active duty in the U.S. Armed Forces from November 1, 1955 to May 15, 1975, regardless of location, are eligible to receive one lapel pin.
- **Presentation:** These lapel pins will be presented in a dignified manner to each Vietnam veteran during public events held in their communities by Commemorative Partners. Accompanying remarks should reflect the nation's thanks for their service and sacrifice. In the rare instance when an honoree cannot attend a public event, the pin may be presented during a private ceremony.
- **Symbolism:**
 - **Eagle** - The eagle represents courage, honor and dedicated service to our nation. As one of the most recognizable and notable American symbols, it is emblazoned with distinction on numerous military insignia.
 - **Blue Circle** - The color blue matches the canton of the American flag and signifies vigilance, perseverance and justice. The circle shape and blue color also match the official seal of the Commemoration.
 - **Laurel Wreath** - A time-honored symbol representing victory, integrity and strength.
 - **Stripes** - The stripes behind the eagle represent the American flag.
 - **Stars** - The six stars represent the six allies who served, sacrificed and fought alongside one another: Australia, New Zealand, the Philippines, the Republic of Korea, Thailand, and the United States.
 - **Message** - "A Grateful Nation Thanks and Honors You" is embossed on the back, closest to the heart of the wearer, along with the Commemoration's name.



16-G-25

March 2, 2016

The Honorable Kevin Brady
Chairman
Committee on Ways and Means
United States House of Representatives
1102 Longworth House Office Building
Washington, DC 20515

The Honorable Sander M. Levin
Ranking Member
Committee on Ways and Means
United States House of Representatives
1106 Longworth House Office Building
Washington, DC 20515

The Honorable Orrin G. Hatch
Chairman
Committee on Finance
United States Senate
219 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Ron Wyden
Ranking Member
Committee on Finance
United States Senate
219 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Brady, Ranking Member Levin, Chairman Hatch, and Ranking Member Wyden:

As leaders in state and municipal government, we are writing to stress the importance of maintaining the current tax exemption for municipal bonds. It has been estimated that at the combined state and local levels, we must spend \$3.6 trillion by the year 2020 to meet our infrastructure needs, and the importance of building and maintaining our public infrastructure has never been more apparent.¹ Tax exemption of interest on municipal bonds was implemented more than 100 years ago at the dawn of the U.S. income tax system, and we strenuously oppose any reduction or elimination of this tax exemption. Any such change will inhibit our ability to make critical infrastructure investments. Proposals to change this commitment to tax-free municipal bonds would not only be costly for state and local taxpayers, but also result in fewer projects, fewer jobs and further deterioration of our infrastructure.

Three quarters of all public infrastructure projects in the United States are built by the states and local governmental entities and tax-exempt bonds are the primary financing mechanism for these essential projects. Municipal bonds have a very strong repayment record – much higher than corporate bonds – allowing state and local governments to borrow responsibly for capital projects, and providing a safe and reliable investment option for our citizens.

Tax-exempt municipal bonds finance highways, bridges, transit systems, airports, water and wastewater systems, schools, higher education facilities, and many other basic infrastructure projects. Tax-exempt bonds bring affordable capital to these projects, saving an average of 25 to 30 percent on interest costs compared to taxable bonds. In an age of constrained federal and state budgets, the ability to save billions of dollars on infrastructure financing is critical for state and

¹ “Failure to Act, The Impact of Current Infrastructure Investment on America’s Economic Future.” Page 7, Report, American Society of Civil Engineers, January 15, 2013.
http://www.asce.org/uploadedFiles/Infrastructure/Failure_to_Act/Failure_to_Act_Report.pdf

local governments and their taxpayers. If issuing affordable debt is no longer an option and unfunded projects begin to further mount, state and local governments will have to seek additional infrastructure support at the federal level through federal highway legislation and other sources.

Simply put, any change to the tax treatment of municipal bonds will have a serious impact on the cost to state and local governments of financing critical infrastructure projects. Yet proposals have been offered by both parties to limit the long-lived tax exemption for these bonds.

The cost savings state and local governments realize through tax-exempt municipal bonds occur because investors are willing to accept a lower rate of interest in exchange for that interest being exempt from taxation. If the tax-exemption is capped or eliminated investors will demand a higher interest rate on municipal bonds thereby increasing the cost to municipal issuers. As a result, municipalities will have to either curtail infrastructure projects or raise taxes on sales, property or income. Additionally, if changes to the tax treatment of these bonds are enacted, a tax risk premium will be built into interest rates demanded by future investors. The potential impact of the change is more than theoretical: in December of 2012 the municipal bond market experienced a spike in rates as investors recognized a cap on exemption was under consideration.²

We urge you to take into account the consequences that any change in the taxation of municipal bonds will have on the taxpayers in every state and reject any proposed changes to the tax deductibility of municipal bond interest.

Thank you for your consideration of our concerns.

² Tax-Status Threat Fuels Worst Losses Since Whitney: Muni Credit. December 21, 2012
<http://www.bloomberg.com/news/articles/2012-12-21/tax-status-threat-fuels-worst-losses-since-whitney-muni-credit>

16-G-21

MOTION:

I move that the request by Clark Enterprises, Inc. to amend the Declaration of Covenants and Agreement in order to remove the requirement to provide 109 parking spaces for the existing University View I and II student housing development on the adjoining University View Village I and II properties be approved, subject to the Amendment in the form substantially attached. The Amendment contains the following generally described conditions:

- 1. The owners shall provide funding in the amount of \$111,500 to be deposited with the City for the purposes of providing an on-site bikeshare station, bikeshare memberships for University I and II residents and community-oriented transportation measures.**
- 2. The owners shall provide an additional 60 on-site bicycle parking spaces.**
- 3. The owners agree to provide other options to meet residential vehicular parking needs at such time as parking on the University of Maryland campus is no longer available.**

COMMENTS:

- Clark has decided not to pursue the development of additional student housing on the View Village properties and to put this property on the market for sale. The existing Covenants and Agreement is an impediment to the sale and future redevelopment of the property.
- Neighborhood input was solicited to formulate conditions that would help to mitigate the impact of this request.

16-G-22

MOTION:

I move that the City Council authorize a public hearing to receive comment on the possible City participation in the Greater College Park RISE Zone application with Prince George's County, the Town of Riverdale Park, and the University of Maryland.

DISCUSSION:

The Regional Institution Strategic Enterprise Zone (RISE) is a new State program to encourage investment and job creation near universities committed to community economic development. Certain qualified development and businesses within a designated RISE Zone would be eligible for real property tax credits and other benefits. The minimum real property tax credit is 50% on the increase to the assessed value for the first year, and a 10% credit for each of the following four years.

The RISE Zone application requires that participating local governments hold a public hearing on the proposed application, and also pass a resolution stating the level of tax credits it will offer during the five-year term of the designation. Evidence of the public hearing and the Council resolution must be included in the application.

Subsequent to the public hearing, the Council may vote on a resolution officially authorizing the City's participation in the RISE Zone and setting the specific tax credits it would offer. The draft Greater College Park RISE Zone application will be available prior to the public hearing.

16-G-23

MOTION:

I move that a letter, in substantially the form attached, be sent to the Prince George's County Planning Department with the City's comments on Module 1 of the Prince George's County Zoning Ordinance Rewrite that addresses zones and zone regulations, use regulations and interpretations and definitions.

Comments:

- The Maryland-National Capital Park and Planning Commission has undertaken a multi-year process for comprehensively rewriting the County Zoning Ordinance and Subdivision Regulations. It is being released in phases and is expected to be completed in fall 2017.
- The purpose of the Zoning Rewrite is to align the Zoning Ordinance with the Prince George's County General Plan and to make it more current and user-friendly.
- Public comment during all phases of the rewrite is encouraged and may be made through the Park and Planning website.

February 23, 2016

Mr. Chad Williams
M-NCPPC Project Coordinator
Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland

Re: Prince Georges County Zoning Rewrite

Dear Mr. Williams:

The City of College Park applauds Prince George's County for undertaking the arduous process of rewriting the Zoning Ordinance and Subdivision Regulations. The current zoning code is outdated and cumbersome and the proposed new format and many of the recommendations contained in Module 1 reflect best practices that are welcomed. The City has some concerns, however, about the shift to more by-right development and how that will impact public and municipal participation in the development review process. We look forward to reviewing future modules so that this picture will become clearer.

We believe that College Park may present some unique challenges in mapping and implementing the new codes to align with Plan George's 2035. The City's Master Plan has not been updated since 1989 yet areas of the City such as Route 1 and the College Park Metro Area have fairly new plans that address the need for revitalization. The City has been urbanizing for some time and working to preserve and enhance our existing residential neighborhoods. The City is also working more collaboratively with the University of Maryland (UMD) to leverage their growth to the benefit of the City. The new code should be a tool that facilitates this effort. It is also an opportunity to provide a more inclusive role for municipalities in the planning and zoning process. After a review of Module 1, the City offers the following comments for your consideration:

1. For communities inside the beltway, replacing the existing Open Space (OS) zone with an Agricultural Land (AL) zone that provides for agriculture and forestry as well as single-family lots greater than 5 acres isn't a good fit. College Park has both O-S and Reserved Open Space (R-O-S) property but the distinctions between them on the ground aren't really clear. The City suggests that two different Public Land (PL) zones might be more appropriate: a PL-P zone with the primary purpose of preserving and protecting environmental features and a PL-R zone for parks and recreational facilities.
2. The UMD campus is zoned Rural Residential (R-R) but obviously does not fit this description. Even though UMD is exempt from zoning and permit requirements, there should be another zoning category applied to campus to more accurately reflect the intensity of its use. For example, an Urban Campus (UC) zone that recognizes a high-density, mixed-use campus environment would better describe the land use conditions.

3. The City supports the minor changes to the regulations under the proposed Single-Family Residential-6.7 (SFR -6.7) zone that will replace the existing One-Family Detached (R-55) zone. College Park has many properties that are “grandfathered” in this zone. Since the grandfather provisions footnoted in the regulations today will be replaced with new “Transitional Provisions” that have not been drafted, it will be important for the City to review and comment on these provisions.
4. The Multiple-Family, Medium- Density Residential (R-18) zone is found in College Park, particularly in the Old Town neighborhood, but many of these properties are nonconforming. Rather than transition to the Multifamily Residential-20 (MFR-20) zone which retains the same density of up to 20 dwelling units per acre, the City recommends consideration of the Multifamily Residential-12 (MFR-12) zone. This zone would more realistically reflect an appropriate density based on lot size.
5. The City is concerned about the elimination of the Development District and Transit District Overlay Zones (DDOZ and TDOZ) as well as the Mixed-Use-Infill (M-U-I) and Mixed-Use-Transportation (M-X-T) zones that have been instrumental in promoting redevelopment along the Route 1 corridor and in the College Park Metro Area. It will be difficult to translate the character and urban design standards developed in the specific plans for these areas to more generic base zones. The Route 1 Development District Plan (DDP) and the College Park/Riverdale Park Transit District Development Plan (TDDP) were developed fairly recently with extensive citizen involvement and support. It is important to retain the site-specific nuance captured in these plans as well as the flexibility that has been key to attracting new development. This is particularly true if the Planned Development (PD) zones are not part of the initial map amendment.

The City recommends a possible compromise that retains these plans intact until such time as a new Master Plan for the area is developed. The base zone could be called Mixed-Use-Development (M-U-D) in order to correspond with the MU-PD zone. The by-right standards would be those contained in the respective plans. Modifications from the standards would be allowed through the PD process.

6. The standards in the Regional Transit-Oriented (RTO) Center Base Zones that make a distinction between the core (within a ¼ mile of a transit station) and edge (within a ½ mile of a transit station) may be too restrictive. It is important that actual site conditions be considered when applying these standards. It would be a mistake to create a situation where the new base zones appear to be downzoning and work against redevelopment efforts.
7. The proposed new Campus Activity Center Planned Development (CAC-PD) zone is almost identical to the Local Transit-Oriented Planned Development (LTO-PD) zone so is probably unnecessary.
8. The Boarding or Rooming House use is carried forward from the current ordinance and the definition is unchanged. This use has been problematic in College Park and is not used as originally intended. The City recommends that this use be eliminated. If it

cannot be eliminated, the definition should be changed to clarify that the dwelling shall be owner-occupied or “operated by a responsible individual” [taken from definition of Group Residential Facility]. The number of guests and guest rooms (bedrooms) needs to be clearly stated to remove any ambiguity. It might also be appropriate to require that a special exception be obtained in order to address the impact to the character of the neighborhood prior to approval.

9. Urban agriculture should be defined as it is a growing trend. Food production should be encouraged as an accessory use on rooftops and permitted in all yards in single-family zones.
10. The definition of a fast-food restaurant under Eating and Drinking Establishments that includes how food items are paid for and what they are served on seems outdated and is not an important land-use distinction. It is recommended that the fast food category be deleted and a new category of drive-through restaurant be created. Drive-through restaurants should not be permitted in the MFR-20 and MFR-48 zones as they are defined as primarily multifamily zones with supportive, walkable retail.
11. Medical Cannabis is a permitted use in the State of Maryland and should be included in the code as a new use with use-specific standards for growing, processing, and dispensing. A dispensary is typically considered a retail activity but might also be placed in the Health Care Uses category.
12. Various types of group living arrangements are defined and permitted in the code such as convent or monastery, assisted living facility, group residential facilities for populations with special needs, fraternity and sorority house, etc. The City suggests that there may be an opportunity to define a new use for students who lease single-family homes in neighborhoods near a college or university and to further regulate this use in terms of occupancy, parking and other standards. This use could be called “University Group Home.”
13. Add “Bike-Share Station” as a permitted accessory use under Transportation Uses in all zones.
14. Add “Dog Park” as a permitted accessory use to Parks and Greenways under the Open Space Use category.
15. The definition of Home Garden and Home-Based Agriculture are very similar and might be combined. The City recommends that gardens be allowed in the front yard and that regulations for garden fences be developed.
16. Add “Library, Personal” as a new accessory use permitted in all zones. This use is sometimes known as a “Little Free Library” and is a “take-a-book, return-a-book” exchange that is becoming increasingly common in neighborhoods. It should be considered similar to a freestanding mailbox in terms of being an allowable encroachment into required yards.

17. Both “Hookah Bars and Electronic Cigarette Stores” are becoming more popular and have some unique characteristics that might warrant them to be addressed in use-specific standards. Consider adding these as new uses in the code.
18. The City is still discussing the merits of allowing accessory dwelling units and home housing for poultry in single-family zones. We intend to provide more input on these uses at a later date.

Thank you very much for your outreach on the Zoning Rewrite and for the recent presentation at a Four Cities meeting in College Park. We look forward to future presentations on the Modules to be released in the coming months and to providing comments on these as well.

Sincerely,

Patrick L. Wojahn
Mayor

16-G-24

Appointments to Boards and Committees

16-G-24

Mayor Wojahn:

Appoint Ian Henderson to the Neighborhood Quality of Life Committee

Councilmember Kabir:

Appoint Daniel Walfield to the Committee for a Better Environment

Councilmember Cook:

Appoint Denise Mitchell to the Neighborhood Quality of Life Committee

Legislative Report

TO: Bill Gardner, Assistant City Manager
FROM: Len Lucchi and Eddie Pounds, City Lobbyists
DATE: February 19, 2016
RE: Weekly Report

Here is a listing on the status of pertinent bills:

1. Fiscal bills

- a. HB 723 – Transportation – Highway User Revenues – Distribution to Municipalities – This is the MML bill to gradually restore HUR revenues to municipalities. It has a hearing on February 25th before the Environment and Transportation Committee. **No change in status.**
- b. HB 1455 – Transportation – Highway User Revenue – Distribution – The bill restores HUR revenues to both cities and counties. **It has a hearing on March 10th before the Environment and Transportation Committee.**
- c. SB 585 – Transportation – Highway User Revenues – Distribution to Municipalities – This is the Senate version of the MML bill. It has a hearing on March 2nd before the Budget and Taxation Committee. **No change in status.**

2. College Park bills

- a. HB 1138 – Prince George’s County – School Facilities Surcharge – Student Housing Exemptions – This bill had a hearing before the House Delegation on February 8th and has been assigned to the County Affairs Committee.
- b. SB 780 – Prince George’s County – School Facilities Surcharge – Student Housing Exemptions – This bill has been assigned to the Prince George’s Senate Delegation, chaired by Senator Rosapepe. Bill will be heard on March 1st before the Education, Health and Environmental Affairs Committee.
- c. SB 782 – Creation of a State Debt – Prince George’s County – Hollywood Streetscape – This bill requests \$200,000 from the State’s capital budget.
- d. SB 560 – One Maryland Economic Development Tax Credits – Business Incubators and Regional Institution Strategic Enterprise Zones – Bill expands the eligibility criteria for a project tax credit or a start-up tax credit to include a business that locates or expands a business incubator in a RISE Zone. The incubator must create a minimum of 25 new, full-time jobs within 24 months. Bill has a hearing scheduled on February 24th before the Budget & Taxation Committee.

3. County Bills

- a. PG/MC 111-16 – Prince George’s County – Land Use – Zoning Powers and Review – This bill had two hearings before the Bi-County Committee on February 11th and 12th. The Committee decided to hold the bill indefinitely.
- b. PG 438-16 – Task Force to Study a Promise Scholarship Program in Prince George’s County – HB 1087 – Bill establishes a task force to study a promise scholarship program in the County. Assigned to the County Affairs Committee. Received a favorable vote on February 17th.

- c. PG 404-16 – Prince George’s County – Authority to Impose Fees for Use of Disposable Bags – HB 1130 – Bill would allow retailers to charge up to 5 cents for use of plastic disposable bags. Assigned to the County Affairs Committee. Committee decided to hold the bill.
- d. PG 418-16 – Prince George’s County – Authority to Prohibit the Use of Disposable Bags – HB 1137 – Bill would allow the County to enact a law prohibiting the use of certain disposable paper and plastic bags. Assigned to the County Affairs Committee. Committee decided to hold the bill.

4. Municipal bills

- a. House Bill 277 – Municipalities – Authority to Serve Citations for Violations of County Laws – This bill had a hearing on February 9th before the Environment and Transportation Committee. There does not seem to be much of an appetite for municipalities to take on a county responsibility.
- b. House Bill 852 – Local Government – Municipal Elections – Tie Votes – This bill requires municipalities to establish procedures for tie votes. It has a February 26th hearing before the Ways and Means Committee. MML is opposing.
- c. Senate Bill 248 – Municipalities - Vacant or Blighted Buildings – Registration and Remediation – This bill also had a hearing on February 9th before the Education, Health, and Environmental Affairs Committee. This bill was introduced and failed last year. It was submitted mainly for Annapolis. There did not seem to be an interest among other municipalities to put a spotlight on these properties.
- d. Senate Bill 326 – Municipal Elections – Certificates of Candidacy – Proof of Filing – This bill was submitted because of a problem in a single municipality. The hearing is scheduled for February 25th before the Education, Health and Environmental Affairs Committee.
- e. Senate Bill 760 – Municipalities – Municipal Elections – Regulations Concerning Write-In Votes – This bill requires municipalities to establish procedures to allow write-in votes. It has a February 25th hearing before the Education, Health and Environment Committee. MML is opposing.