



TUESDAY, SEPTEMBER 27, 2016
CITY OF COLLEGE PARK
COUNCIL CHAMBERS
7:30 P.M.

MAYOR AND COUNCIL REGULAR MEETING
AGENDA

(There will be a Worksession and a Closed Session Following the Regular Meeting)

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.

- 1. MEDITATION**
- 2. PLEDGE OF ALLEGIANCE:** Led by Councilmember Nagle
- 3. ROLL CALL**
- 4. ANNOUNCEMENTS**
- 5. CITY MANAGER'S REPORT**
- 6. ACKNOWLEDGMENTS**
- 7. PROCLAMATIONS AND AWARDS:** Recognition of Prince George's County Public School bus driver Renita Smith
- 8. AMENDMENTS TO AND APPROVAL OF THE AGENDA**
- 9. PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS** - Speakers are asked to provide their name and address for the record, and are given three minutes to address the Council.
- 10. PRESENTATIONS**
- 11. PUBLIC HEARINGS**
 - a) Public Hearing on Ordinance 16-O-07, Amending Chapter 110 "Fees And Penalties", By Repealing And Reenacting §110-1 "Fees And Interests" To Increase The Monthly Permit Parking Fee In The Downtown Parking Garage And To Include Bi-Annual Permit Parking Fees And Monthly Permit Parking Fees
 - b) Public Hearing on Ordinance 16-O-08, FY 2016 Budget Amendment #3 for the Terrapin Row Pay Stations

12. CONSENT AGENDA - Note: Consent Agenda items are routine items of business that are collectively presented for approval through a single motion. A Councilmember may request that an item be pulled from the Consent Agenda and placed under Action Items for separate discussion and action.

- 16-R-23 Resolution Of The Mayor And Council Of The City Of College Park Adopting The Recommendations Of The Advisory Planning Commission Regarding Variance Application Number CPV-2016-08, 5103 Mineola Road, College Park, Maryland, Recommending Approval Of A Variance From Sec. 27-442(E) Table IV, Footnote 8 Of The Prince George's County Zoning Ordinance, Which Prescribes A Minimum Side Yard Setback Of 7-Feet **(Appeal period ends September 27)** Motion By:
To: Adopt
Second:
Aye:
Nay:
Other:
- 16-R-24 Resolution Of The Mayor And Council Of The City Of College Park Adopting The Recommendations Of The Advisory Planning Commission Regarding Variance Application Number CPV-2016-10, 4925 Lackawanna Street, College Park, Maryland, Recommending Approval Of A Variance From Sec. 27-442(E) Table IV Of The Prince George's County Zoning Ordinance, Which Prescribes A Minimum Front Yard Setback Of 25 Feet **(Appeal period ends September 27)**
- 16-R-26 Request by the College Park City University Partnership for a Resolution of support for \$75,000 of reprogrammed funds from DHCD to continue the Homeownership Program
- 16-G-120 Approval of Minutes: September 6, 2016 Worksession and September 13, 2016 Regular Meeting

13. ACTION ITEMS

- 16-R-25 Adoption of 16-R-25, A Resolution of the Mayor and Council of the City of College Park to establish a "Candidates' Debate Workgroup" and appointments to the Workgroup Motion By:
To:
Second:
Aye: Nay:
Other:
- 16-O-07 Adoption Of 16-O-07, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 110 "Fees And Penalties", By Repealing And Reenacting §110-1 "Fees And Interests" To Increase The Monthly Permit Parking Fee In The Downtown Parking Garage And To Include Bi-Annual Permit Parking Fees And Monthly Permit Parking Fees Motion By:
To:
Second:
Aye: Nay:
Other:
- 16-O-08 Adoption Of 16-O-08, An Ordinance of the Mayor and Council of the City of College Park to Amend the Fiscal Year 2016 Operating and Capital Budget of the City of College Park, Maryland (Amendment #3) Motion By:
To:
Second:
Aye: Nay:
Other:
- 16-G-121 Appointments to Boards and Committees Motion By:
To:
Second:
Aye: Nay:
Other:

14. **MAYOR AND COUNCILMEMBER REPORTS/COMMENTS**
15. **STUDENT LIAISON'S REPORT/COMMENTS**
16. **CITY MANAGER'S REPORT/COMMENTS**
17. **GENERAL COMMENTS FROM THE AUDIENCE**
18. **ADJOURN**

WORKSESSION FOLLOWING THE REGULAR MEETING

1. Discussion of recommendations for Development Consultant (May include a closed session to discuss a matter related to a negotiating strategy and to consult with counsel on a legal matter) – Terry Schum, Director of Planning

CLOSED SESSION

To discuss a matter related to a negotiating strategy, consider matters related to the acquisition or sale of real property for a public purpose, and consider matters relating to a proposal for a business to locate in the County

STATUS/INFORMATION REPORTS FOR COUNCIL REVIEW

1. Update of use of City Communication Tools – Bill Gardiner, Assistant City Manager

- **This agenda is subject to change. For the most current information, please contact the City Clerk at 240-487-3501.**
- **Public Comment is taken during Regular Business meetings on the second and fourth Tuesdays of the month in one of the following ways. All speakers are requested to complete a card with their name and address for the record.**
 - **To comment about a topic not on the meeting agenda: Speakers are given three minutes to address the Council during “Public Comment on Non-Agenda Items” at the beginning of each Regular Meeting.**
 - **To comment on an agenda item during a Regular Business meeting: When an agenda item comes up for consideration by the Council, the Mayor will invite public comment prior to Council deliberation. Speakers are given three minutes to address the Council on that agenda item.**
- **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.**

Proclamation

**PROCLAMATION
CITY OF COLLEGE PARK, MARYLAND
HONORING THE HEROISM OF BUS DRIVER RENITA SMITH**

WHEREAS, Prince George’s County Public School Bus Driver Renita Smith demonstrated great bravery and heroism when the bus she was driving caught fire.

WHEREAS, Ms. Smith was driving her bus at 4:45 p.m. on Monday, September 12, 2016, returning students home from Glenarden Woods Elementary School; and

WHEREAS, when she was in the 9600 block of 51st Avenue, Ms. Smith experienced a problem with the bus and noticed smoke; and

WHEREAS, there were 20 young children on board; and

WHEREAS, Ms. Smith safely evacuated each child from the bus; and

WHEREAS, Ms. Smith then went back inside to make sure no children were left on the bus shortly before it was consumed by flames; and

WHEREAS, it was because of Ms. Smith’s quick-thinking and heroic efforts that those children were saved and safely returned home to their families; and

WHEREAS, Ms. Smith is an inspiration to our community and her actions are a reminder that heroes walk among us.

NOW, THEREFORE, BE IT PROCLAIMED that the City Council, staff and residents of the City of College Park extend our deepest appreciation and gratitude to Ms. Renita Smith for her bravery on that fateful day and acknowledge that without her effective efforts this incident could have resulted in a devastating outcome.

PROCLAIMED this 27th day of September 2016.

Patrick L. Wojahn, Mayor
City of College Park

Public Hearing Ordinance 16-O-07

Notice of Public Hearing for Ordinance 16-O-07:

- Published in the Washington Post on August 18, 2016
- Posted to City Bulletin Boards on August 10, 2016
- Posted to City Website on August 12, 2016
- Posted on Cable Television Channel on August 12, 2016
- Published in the Municipal Scene on September 1, 2016

ATTEST:



Janeen S. Miller, City Clerk

ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, AMENDING
CHAPTER 110 “FEES AND PENALTIES”, BY REPEALING AND REENACTING §110-
1 “FEES AND INTERESTS” TO INCREASE THE MONTHLY PERMIT PARKING FEE
IN THE DOWNTOWN PARKING GARAGE AND TO INCLUDE BI-ANNUAL PERMIT
PARKING FEES AND MONTHLY PERMIT PARKING FEES

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the City of College Park (hereinafter, the “City”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the citizens of the municipality and to prevent and remove nuisances; and

WHEREAS, the City has constructed a parking garage in the downtown area to increase parking options and to encourage redevelopment; and

WHEREAS, the Mayor and Council have determined that it is in the public interest that the monthly permit parking fees for the Downtown Parking Garage should be raised to be comparable to those charged by other providers of parking in the area; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to create parking permit zones in the City pursuant to Chapter 151, “Permit Parking” of the City Code, and to make provision for a fee for said permits.

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

§110-1 Fees and interests.

The following enumerations are the current fees, rates, charges and interests applicable in the City of College Park:

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

Chapter/Section	Description	Fee/Interest
Chapter 151, Permit Parking		
§151-4	ANNUAL Parking permits:	
	Issuance, each	\$10
	Replacement, each	\$5
	Renewal, each	\$10
	Visitor	\$1
	BI-ANNUAL PARKING PERMITS:	
	ISSUANCE, EACH	\$10
	REPLACEMENT, EACH	\$5
	RENEWAL, EACH	\$10
	VISITOR	\$1
	MONTHLY PARKING PERMITS:	
	DOWNTOWN PARKING GARAGE	\$125
	CLASS A	\$40
	CLASS B	\$60

* * * * *

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall publish this proposed ordinance or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for 7:30 p.m. on the 27th day of September, 2016, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons

interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. As soon as practicable after adoption, the City Clerk shall have a fair summary of the Ordinance and notice of its adoption published in a newspaper having a general circulation in the City of College Park and available at the City's offices. This Ordinance shall become effective on January 1, 2017 provided that a fair summary of this Ordinance is published at least once prior to the date of passage and once as soon as practical after the date of passage in a newspaper having general circulation in the City.

INTRODUCED by the Mayor and Council of the City of College Park at a regular meeting on the 9th day of August, 2016.

ADOPTED by the Mayor and Council of the City of College Park at a regular meeting on the _____ day of _____, 2016.

EFFECTIVE the 1st day of January, 2017.

ATTEST:

CITY OF COLLEGE PARK

By: _____
Janeen S. Miller, CMC, City Clerk

By: _____
Patrick L. Wojahn, Mayor

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

Suellen M. Ferguson, City Attorney

Public Hearing Ordinance 16-O-08

Notice of Public Hearing for Ordinance 16-O-08:

- Posted to City Hall Bulletin Board on September 14, 2016
- Posted to City Website on September 14, 2016
- Posted on Cable Television Channel on September 14, 2016
- Sent to Constant Contact LISTSERV on September 14, 2016

ATTEST:



Janeen S. Miller, City Clerk

ORDINANCE 16-O-08

An Ordinance of the Mayor and Council of the City of College Park to Amend the Fiscal Year 2016 Operating and Capital Budget of the City of College Park, Maryland (Amendment #3)

WHEREAS, the Mayor and Council of the City of College Park did adopt a budget for the fiscal year beginning July 1, 2015 and ending June 30, 2016 (hereinafter referred to as “Fiscal Year 2016” or “FY2016”) on May 26, 2015 by the enactment of Ordinance 15-O-03; and

WHEREAS, the Mayor and Council of the City of College Park did amend the FY2016 adopted budget on November 24, 2015 (Amendment #1) by the enactment of Ordinance 15-O-05; and

WHEREAS, the Mayor and Council of the City of College Park did amend the FY2016 adopted budget on January 26, 2016 (Amendment #2) by the enactment of Ordinance 16-O-01; and

WHEREAS, the Mayor and Council of the City of College Park desire to amend the FY2016 adopted budget in order to fund the purchase and installation of certain parking enforcement pay station equipment.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of College Park that the budget for fiscal year 2016 be, and hereby is, amended in accordance with the following schedule, with said amendments being indicated by asterisks in the right column. The individual budget amendment changes are itemized in Appendix A, attached hereto and incorporated herein by this reference.

General Fund

	<u>Budget as Adjusted</u>	<u>As Amended by this Ordinance</u>
Revenues		
Taxes	\$ 10,900,642	\$ 10,900,642
Licenses & Permits	1,193,935	1,193,935
Intergovernmental	261,772	261,772
Charges for Services	999,078	999,078
Fines & Fees	2,510,600	2,510,600
Miscellaneous Revenues	<u>194,569</u>	<u>194,569</u>
<i>Total Operating Revenues</i>	\$ 16,060,596	\$ 16,060,596

Non-Revenue Receipts		
Interfund Transfer from Parking Debt Service Fund	257,392	257,392
Use of Unassigned Reserve	<u>0</u>	<u>0</u>
Total Revenues	<u>\$ 16,317,988</u>	<u>\$ 16,317,988</u>

Expenditures		
General Government	\$ 3,102,976	\$ 3,102,976
Public Services	4,019,776	4,019,776 *
Planning, Community & Economic Development	664,463	664,463
Youth, Family & Senior Services	1,114,881	1,114,881
Public Works	5,189,981	5,189,981
Contingency	10,000	10,000
Debt Service	557,411	557,411
Interfund Transfers to Capital Projects Fund	<u>1,658,500</u>	<u>1,658,500</u>
Total Expenditures	<u>\$ 16,317,988</u>	<u>\$ 16,317,988</u>

Parking Debt Service Fund

	<u>Budget as Adjusted</u>	<u>As Amended by this Ordinance</u>
Revenues		
Highways & Streets		
Parking Meter Revenue	\$ 205,000	\$ 205,000
Fines		
Parking Fines Revenue	<u>45,000</u>	<u>45,000</u>
Total Revenues	<u>\$ 250,000</u>	<u>\$ 250,000</u>

Expenditures		
Interfund Transfer to General Fund	<u>\$ 257,392</u>	<u>\$ 257,392</u>
Total Expenditures	<u>\$ 257,392</u>	<u>\$ 257,392</u>

BE IT FURTHER ORDAINED that:

1. Except as amended herein, and by Ordinance 15-O-05 (Amendment #1) and Ordinance 16-O-01 (Amendment #2), Ordinance 15-O-03 (original budget adoption) shall remain unmodified and in full force and effect;

2. In addition to the projected General Fund operating revenue of \$16,060,596, the amount of \$0 is appropriated from the unassigned reserve and the sum of \$257,392 is transferred from the Parking Debt Service Fund;
3. This budget amendment Ordinance provides funding for the purchase and installation of certain parking enforcement pay stations, as itemized in Appendix A, attached hereto and incorporated herein by this reference. The net result is no change in the \$0 budgeted use of unassigned reserve and no change in the Capital Improvement Program (C.I.P.); and
4. This Ordinance shall become effective at the expiration of twenty (20) calendar days following its adoption.

AND BE IT FURTHER ORDAINED by the Mayor and Council of the City of College Park that, upon introduction of this Ordinance, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing shall follow the publication by at least seven days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time.

A public hearing will be held on the proposed Ordinance at 7:30 p.m. on the 27th day of September, 2016 in the Council Chambers, City Hall, 4500 Knox Road, College Park, Maryland. The public hearing will be held in connection with a regular Council meeting. All persons interested will have an opportunity to be heard. After the public hearing, the Council may adopt the proposed Ordinance, with or without amendment, by the affirmative vote of at least six (6) members of the Council. It shall become effective at the expiration of twenty (20) days following its adoption. After its adoption, the City Clerk shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter, the ordinance or a fair summary thereof and shall have copies of the adopted Ordinance available at City offices.

Introduced on the 13th day of September, 2016

Adopted on the _____ day of September, 2016

Effective on the _____ day of October, 2016

ATTEST:

CITY OF COLLEGE PARK

Janeen S. Miller, CMC, City Clerk

Patrick L. Wojahn, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Suellen M. Ferguson, City Attorney

CITY OF COLLEGE PARK, MARYLAND
Appendix A to Ordinance 16-O-08
Itemized FY2016 Budget Amendment #3 Changes

Program	Description	Increase (Decrease)
Revenues- Unassigned Reserve Transfer 399.00	Use of Unassigned Reserve in Adjusted Budget (Amendment #2)	\$ 0
Publ Services- Parking Enf-2011	Add budget for the purchase and installation of 5 parking pay stations on Hartwick, Guilford and Knox Roads adjacent to the Terrapin Row student housing development, including purchase of pay stations, electrical installation and concrete pads	100,000
Publ Services- Contract Police- 2030	Reduce budget for contract police hourly wages as all budgeted funds were not expended in FY2016	<u>(100,000)</u>
Revenues- Unassigned Reserve Transfer 399.00	Use of Unassigned Reserve in Amended Budget (Amendment #3)	<u>\$ 0</u>

16-R-23
CPV-2016-08
5103 Mineola
Road

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK ADOPTING THE RECOMMENDATIONS OF THE ADVISORY PLANNING COMMISSION REGARDING VARIANCE APPLICATION NUMBER CPV-2016-08, 5103 MINEOLA ROAD, COLLEGE PARK, MARYLAND, RECOMMENDING APPROVAL OF A VARIANCE FROM SEC. 27-442(E) TABLE IV, FOOTNOTE 8 OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE, WHICH PRESCRIBES A MINIMUM SIDE YARD SETBACK OF 7-FEET

- WHEREAS,** the City of College Park, Maryland ("City") has, pursuant to §190-1 *et seq.* of the Code of the City of College Park ("City Code"), and in accordance with Sec. 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 coverage, 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 § 190-1 *et seq.* to grant an application for a variance 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 Advisory Planning Commission ("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 coverage, setback, and other requirements from which a variance may be granted by the Prince George's County Board of Appeals, including variances from Sec. 27-442(e) Table IV, footnote 8, of the Zoning Ordinance, and to make recommendations to the Mayor and Council in connection therewith; and
- WHEREAS,** Sec. 27-442(e) Table IV, footnote 8, of the Zoning Ordinance prescribes a minimum side yard setback of 7 feet in the R-55 zoning district; and
- WHEREAS,** on July 26, 2016, Vickey Bennett ("Applicant"), submitted an application for a variance from Sec. 27-442(e) Table IV, footnote 8, to permit a waiver of the western side yard setback to allow for a roof to be placed over an existing patio at the premises known as 5103 Mineola Road, College Park, Maryland ("Property"); and
- WHEREAS,** on September 1, 2016, 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, Exhibits 1 – 8, and the staff presentation with respect to whether the subject application meets the standards for granting a variance set forth in §190-4 of the City Code; and

WHEREAS, based upon the evidence and testimony presented, the APC voted 7-0-0 to recommend that the variance be granted; and

WHEREAS, the Mayor and Council are authorized by §190-6 of the City Code 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 for a variance and in particular have reviewed the APC's findings of fact and conclusions of law; and

WHEREAS, no exceptions have been filed.

NOW THEREFORE, the Mayor and Council are in agreement with and hereby adopt the findings of fact and conclusions of law of the APC with regard to CPV-2016-08 for a waiver from Sec. 27-442 (e) Table IV, footnote 8 of the Zoning Ordinance to allow for a roof to be placed over an existing patio, as follows:

Section 1. Findings of Fact

- 1.1 The Property is located at 5103 Mineola Road in the Hollywood subdivision.
- 1.2 The Property and the surrounding neighborhood is zoned R-55, single-family residential.
- 1.3 The property is rectangular in shape with a width of 50-feet and a length of 100-feet.
- 1.4 The property has an area of 5,000 square feet.
- 1.5 The original house was constructed in 1950, with a side door entrance but no rear door entrance.
- 1.6 The lot coverage is currently 17%. With the proposed roof, it will be 22% which meets the maximum permitted lot coverage of 30%.
- 1.7 The western side yard is improved with an existing patio along the side of the house, which has been covered with wood planking. The variance would allow a roof to be placed over the patio area, which would not be enclosed.
- 1.8 There are a number of side yard patios in the neighborhood that are covered.
- 1.9 A driveway in the front yard was removed and grass planted. The apron remains.
- 1.10 Joseph Peterson, the Applicant's husband, testified that he has a need for a handicapped accessible entrance due to health conditions. The covered patio would allow the easiest, weather protected access to the house. The side entrance can more readily be made handicapped accessible than the front entrance which is at the top of a number of steps.

Section 2 Conclusions of Law

- 2.1 The property has exceptional conditions due to the unique combination of a narrow lot, the position of the house on the lot, and the location of a door on the side of the house.
- 2.2 The strict application of the Zoning Ordinance will result in a peculiar and unusual practical difficulty to the Applicant and her husband by preventing them from taking full advantage of the side entrance when they have need of an accessible, weather-proof entrance.
- 2.3 Waiving the setback requirement of 7 feet will not substantially impair the intent, purpose or integrity of any applicable County General Plan or County Master Plan because covered side yard patios with no side yard setback are a common feature in this neighborhood. There will still be a sufficient separation between the adjoining house and this will not create a health and safety hazard, if the recommended conditions are applied.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of College Park, Maryland to approve CPV-2016-08 and grant a waiver from Section 27-442(e) Table IV, footnote 8, which prescribes a minimum side yard setback to allow for a roof over the existing patio with the following two conditions:

- 1. The patio shall not be enclosed unless another variance is requested.
- 2. A gutter shall be installed to the proposed roof with a down-spout that directs away from the adjoining property to the west.

ADOPTED, by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 27th day of September 2016.

CITY OF COLLEGE PARK,

Janeen S. Miller, CMC
City Clerk

Patrick L. Wojahn, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Suellen M. Ferguson
City Attorney

16-R-24
CPV-2016-10
4925
Lackawanna
Street

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK ADOPTING THE RECOMMENDATIONS OF THE ADVISORY PLANNING COMMISSION REGARDING VARIANCE APPLICATION NUMBER CPV-2016-10, 4925 LACKAWANNA STREET, COLLEGE PARK, MARYLAND, RECOMMENDING APPROVAL OF A VARIANCE FROM SEC. 27-442(E) TABLE IV OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE, WHICH PRESCRIBES A MINIMUM FRONT YARD SETBACK OF 25 FEET

- WHEREAS**, the City of College Park, Maryland ("City") has, pursuant to §190-1 *et seq.* of the Code of the City of College Park ("City Code"), and in accordance with Sec. 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 coverage, 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 § 190-1 *et seq.* to grant an application for a variance 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 Advisory Planning Commission ("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 coverage, setback, and other requirements from which a variance may be granted by the Prince George's County Board of Appeals, including variances from Sec. 27-442(e) Table IV of the Zoning Ordinance, and to make recommendations to the Mayor and Council in connection therewith; and
- WHEREAS**, Sec. 27-442(e) Table IV of the Zoning Ordinance prescribes a minimum front yard setback of 25 feet in the R-55 zoning district; and
- WHEREAS**, on August 15, 2016, Benjamin and Tracy Busch ("Applicants"), submitted an application for a variance from Sec. 27-442(e) Table IV, to permit a 6-foot variance from the front yard setback to construct a front portico at the premises known as 4925 Lackawanna Street, College Park, Maryland ("Property"); and
- WHEREAS**, on September 1, 2016, 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, Exhibits 1 – 7, and the staff presentation with respect to whether the subject application meets the standards for granting a variance set forth in §190-4 of the City Code; and

WHEREAS, based upon the evidence and testimony presented, the APC voted 7-0-0 to recommend that the variance be granted; and

WHEREAS, the Mayor and Council are authorized by §190-6 of the City Code 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 for a variance and in particular have reviewed the APC's findings of fact and conclusions of law; and

WHEREAS, no exceptions have been filed.

NOW THEREFORE, the Mayor and Council are in agreement with and hereby adopt the findings of fact and conclusions of law of the APC with regard to CPV-2016-10 for a 6-foot variance from Sec. 27-442 (e) Table IV, to permit construction of the proposed portico.

Section 1. Findings of Fact

- 1.1 The Property is located at 4925 Lackawanna Street in the Hollywood on the Hill subdivision.
- 1.2 The Property and immediate neighborhood are zoned R-55, single-family residential.
- 1.3 This corner property has an area of 9,375 square feet and is improved with a 2-story, brick and frame house, a rear stone patio and a 4-foot high chain-link perimeter fence.
- 1.4 The original house, including the portico, was constructed in 1948.
- 1.5 The Applicant removed the original portico several years ago because the roof and posts had rotted. The house was originally built within one foot back from the front setback line, so that the original steps and portico already encroached into the front yard. Applicant could have replaced the original portico without a variance. However, the Applicant proposes to reconstruct the steps with a slightly expanded portico of six inches on both sides and one foot in front to offer better weather protection and safety.
- 1.6 Existing lot coverage is 8.3%. Proposed lot coverage with the slightly expanded portico is 8.4%, which meets the maximum permitted lot coverage limitation of 30%.
- 1.7 The property is mostly rectangular in shape. The southern property is 75-feet wide. The northern property line along Lackawanna Street is 55-feet wide. The eastern property line along 50th Avenue right-of-way is 105 feet long and the western property line is 125-feet long.
- 1.8 A character defining feature of the neighborhood is a front porch portico.
- 1.9 The new portico will be built on the existing concrete base but designed with a pitched frame roof requiring an extra 6-inches on each side to accommodate rain drip and 12-inches in front to cover a step, in order to provide better weather protection and safety.

Section 2 Conclusions of Law

- 2.1 The property has an extraordinary situation in that the portico was an existing, non-conforming, feature of the house. The original house sits at the front street setback line, so that the original portico and steps already encroached into the front yard. Expanding the portico by 1-foot is de minimis.
- 2.2 The location of the house is such that the strict application of the Zoning Ordinance results in peculiar and unusual practical difficulties for the Applicants by preventing replacement of the original rotted porch without a variance. The proposal will minimally enlarge the existing 6-foot by 6-foot structure to 7-feet by 7-feet in order to accommodate a pitched roof and extension over the front step to address safety concerns.
- 2.3 Granting the setback variance of 6 feet will not substantially impair the intent, purpose or integrity of any applicable County General Plan or County Master Plan because the new construction replaces an existing structure. There will be no noticeable impact to the appearance of the neighborhood since the new porch only extends an additional 1-foot from the original and is in keeping with the character of the neighborhood where similarly-sized porticos are a common feature.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of College Park, Maryland to approve CPV-2016-10 and grant a variance from Section 27-442(e) Table IV, for a 6-foot front yard setback variance.

ADOPTED, by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 27th day of September 2016.

CITY OF COLLEGE PARK,

Janeen S. Miller, CMC
City Clerk

Patrick L. Wojahn, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Suellen M. Ferguson
City Attorney

16-R-26
CPCUP
Grant Funds



**CITY OF COLLEGE PARK, MARYLAND
REGULAR COUNCIL MEETING AGENDA ITEM**

AGENDA ITEM NUMBER 16-R-26

Prepared By: Bill Gardiner
Assistant City Manager

Meeting Date: Sept. 27, 2016

Presented By: Terry Schum
Director of Planning

Consent Agenda: Yes

Originating Department: Administration

Action Requested: Approve a resolution in support of the College Park City-University Partnership (CPCUP) Community Legacy Grant Application

Strategic Plan Goal: Goal 1: One College Park

Background/Justification:

The CPCUP has been awarded \$75,000 in reprogrammed Maryland Department of Housing and Community Development (DHCD) funds for CPCUP's Homeownership Program. The Homeownership Program provides \$15,000 forgivable loans to full-time University and City employees who purchase a home in the City (other conditions apply).

DHCD requires a resolution of support from the City in order for CPCUP to receive the funds. The City is not competing for these funds; has provided \$50,000 to CPCUP for the Homeownership Program; and has passed a resolution supporting a CPCUP application for additional funding from DHCD.

Fiscal Impact:

None

Council Options:

- #1: Approve Resolution 16-R-26 in support of the Partnership's Community Legacy Application
- #2: Do not approve 16-R-26

Staff Recommendation:

#1

Recommended Motion:

I move to approve Resolution 16-R-26 in support of the Community Legacy award to the College Park City University Partnership for additional funding for their Homeownership program.

Attachments:

- 1. Letter from the College Park City University Partnership
- 2. Resolution 16-R-26



Eric Olson, Executive Director
eolson@collegeparkpartnership.org
240-416-3184

Valerie Woodall, Program Associate
vwoodall@collegeparkpartnership.org
845-649-2477

COLLEGE PARK CITY-UNIVERSITY PARTNERSHIP

September 2, 2016

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

RE: Support for the Partnership's DHCD Grant submission to continue the Homeownership program

Dear Mayor Wojahn and City Council Members,

Thank you again for your budget support of \$50,000 toward the Partnership's Homeownership Program. We have added City of College Park employees to the program and have created an agreement to couple the City and Partnership funds if a homebuyer can qualify for both programs. The program is going very well.

I'm glad to report that due to the success of our program, the Maryland Department of Housing and Community Development has awarded us an additional \$75,000 in reprogramming funds for the program. We also have a request into DHCD for \$250,000 for the FY17 grant round. In order to receive the \$75,000, we are required to have a resolution of support from the City of College Park. We have provided a sample resolution, based on a prior resolution the City Council provided for a previous request. We respectfully ask for your support of this resolution.

As you know, the program is an effort to improve our local economy, reduce commutes, and encourage more people to live near work. The program, which was launched in the summer of 2015, provides \$15,000 forgivable loans to full-time, benefits-eligible employees of the University of Maryland (and now, employees of the City of College Park) to purchase a home in College Park. The home must be their permanent residence. The program has been supported by a \$100,000 DHCD Community Legacy Grant, a \$50,000 grant from the University of Maryland and a \$50,000 grant from the City to date. This project complements the City of College Park's current New Neighbors Program and augments the effort to stabilize our residential areas through homeownership. Each home purchased through our program helps bolster the City's economy, neighborhoods, and reduce commutes.

Thank you for your time and consideration. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Olson".

Eric Olson
Executive Director

**RESOLUTION
OF THE MAYOR AND COUNCIL
OF THE CITY OF COLLEGE PARK**

The City of College Park has approved the College Park City-University Partnership's application and receipt of financing for a Community Legacy Grant (the "Project") dated August 26, 2016 ("The Application") either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, The City of College Park recognizes that there is a significant need for reinvestment and revitalization in the community; and,

WHEREAS, the College Park City-University Partnership proposes to continue and expand its Homeownership Program (the "Project") the purpose of which is to contribute to the reinvestment and revitalization in the Sustainable Community Area; and,

WHEREAS, the Department, through Community Legacy, may provide some or all of the financing for the Project (the "Project Financing") in order to assist in making it financially feasible; and,

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and,

WHEREAS, the applicable law and regulations require approval of the Project, and the Project financing by the City of College Park and, where appropriate, by the chief elected executive official of the local subdivision;

NOW, THEREFORE BE IT RESOLVED THAT, the City of College Park hereby endorses the Project; and, HEREBY approves the request for financial assistance in the form of a grant or loan up to the amount of \$75,000; and,

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating his approval thereof; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

READ AND PASSED THIS 27th day of September, 2016.

BY ORDER: I hereby certify that Resolution Number 16-R-26 is true and correct and duly adopted by the City Council of the City of College Park.

ATTEST/WITNESS:

CITY OF COLLEGE PARK

Janeen S. Miller, City Clerk

By: _____
Name: Patrick L. Wojahn, Mayor

16-G-120 Minutes

WORKSESSION MINUTES
College Park City Council
Tuesday, September 6, 2016
Council Chambers
7:30 p.m. – 11:13 p.m.

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

ABSENT: None.

ALSO PRESENT: Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Steve Halpern, City Engineer; Miriam Bader, Senior Planner; Bob Stumpff, Director of Public Works; Leo Thomas, Jr., Deputy Director of Finance; Bob Ryan, Director of Public Services; Steve Beavers, Community Development Coordinator; Chris Keosian, Student Liaison; Brandon Carroll, Deputy Student Liaison.

Mayor Wojahn opened the Worksession at 7:30 p.m.

CITY MANAGER’S REPORT:

- College Park Day – September 24 from 11 - 4
- Red folder items

AMENDMENTS/APPROVAL OF AGENDA:

- Reordered several items
- Approved agenda as amended (Stullich/Brennan) 8 – 0 – 0.

AGENDA ITEMS:

1. **Resolution Of The Mayor And Council Of The City Of College Park Adopting The Recommendations Of The Advisory Planning Commission Regarding Variance Application Number CPV-2016-09, 4709 Guilford Road, College Park, Maryland, Recommending Approval Of A Variance From Sec. 27-442(C) Table II Of The Prince George’s County Zoning Ordinance, Which Prescribes A Maximum Lot Coverage At 30 Percent.** Consent
2. **Discussion of duties of the City’s Board of Election Supervisors – should they be organizing debates? Guest: Jack Robson, Chief, Board of Election Supervisors:** Recommendation to establish a Workgroup to study the issues and bring recommendations to Council. Members could include current/past elected officials and/or candidates, civic association leaders. Include Robson, Miller, Ferguson. Contact League of Women Voters for assistance; what are their criteria? Bring appointments to next Worksession.
3. **Discussion of FY 2018 Homestead Tax Credit Rate. Guest: Bob Catlin:** HTC has been 4% since FY 2009. The HTC is a percentage rate limiting the increase in real property assessment from one fiscal year to the next, for owner-occupied properties only. Thus, it is important when assessments jump. Council wants to know the impact of dropping the HTC

from 4% to 2%, and what the average increase in the assessments is. Look at how much every 1% increase or decrease would mean. Change is made by ordinance. Any adjustment would have to be discussed at the October 4 W/S for introduction on October 11, PH and adoption on October 25, in order to certify the rate by November deadline.

4. **Discussion of CBE recommendation for a sustainability project with the University of Maryland. Steve Beavers, Janis Oppelt and Alan Hew (CBE) and former Mayor Andy Fellows:** This project is no longer with the Environmental Finance Center. Now Connected Campus Community (C3). Projects re: sustainability and resiliency involving faculty, staff and students. Identify project areas we want to focus on; 50 projects will be explored; could be joint projects with other municipalities. CBE supports Zero Waste and stormwater management. Council agreed. Mr. Fellows will provide an update by January. Concern about not duplicating efforts with other entities like CPCUP.
5. **Two Reports on the Old Parish House:**
 - a. **Update on repair project. Terry Schum, Miriam Bader, Thomas Tultavull, Architect:** Roof rafters and ties are undersized for roof load, causing an unsafe condition and outward stress on the walls. OPH has been closed since May. Tultavull has designed the roof repair work which will be done from the interior through ceiling. Need to determine what ceiling finish to restore; RFP will ask for bid alternatives. Current acoustics of the room are considered good, which is important to the College Park Arts Exchange for performances. Other work to be included on this RFP: repair of undermined floor joists and foundation insulation. We will need an Historic Area Work Permit because of the extent of the work. Tultavull said Howard Berger indicated this could be a staff level approval. OK to proceed. This will come back to Council for a contract award and at that time the decision on ceiling finish will be needed.
 - b. **OPH 200th Anniversary Celebration. Guest-Leslie Montroll:** Reviewed plans for 2017 weekend celebration. Council agreed to fund the event in an amount not to exceed \$10,000. Consent.
6. **Request to replace trees on Wichita Avenue Guest: Residents Dave Turley and Sarah Jazs Araghi:** Residents request replacement of four healthy Zelkova street trees because of problems with roots getting into pipes, sidewalk panels heaving, etc. See petitions. Mr. Turley says trees were installed against the wishes of the residents and are non-native trees. They are willing to have the trees somewhere else or to change to a different type of tree. In August the TLB voted to not remove the trees, and in 2013 the Council considered the same request and did not want to remove them. Measure how close these trees are to the water/sewer lines. Is the issue the placement of the tree or the type of tree? Removal of the trees would need a Council vote. Councilmember Nagle will take a motion to agenda next week to remove trees.
7. **Discussion of joint grant application to National Endowment for the Arts under the Our Town program - Terry Schum and guest Dr. Sheri Parks:** The goal is to develop a public art master plan. The process is as important as the outcome: there will be a number of community engagement activities. This is a joint application but the University will administer it. They need a letter of support from the City. This is a matching grant; the City

has \$15,000 and University has \$10,000. They will seek other community partners. Council would like to see the application. Motion to approve a letter of support (Brennan).

8. **Presentation by Bright Horizons on the University of Maryland's Child Care Proposal for the Calvert Road School site – From UMD: Carlo Colella, Anne Martens. From Bright Horizons: Robert Helms, Director of Client Services; Peggy Gerety, Division VP of Operations; Audrey Elisha, VP of Client Services:** UMD said Bright Horizons has been selected to be the child care provider at a location still TBD, but hopefully at the Calvert Road school site, per the UMD proposal. Bright Horizons representatives presented on their corporate structure and their model of employer sponsored care (see PowerPoint). They specialize in affiliations with higher education institutions and focus on infant through Kindergarten care. They offer an extended hours program to mirror parents' work schedules. Curriculum is based on the interests of the children in each classroom. NAEYC accredited. Staff between 20 – 25 people. The UMD Center for Young Children (CYC) and College of Education will be involved. Bright Horizons will take the lead on marketing the available slots.
9. **Approval of a Resolution prohibiting truck traffic on certain City streets – Consent.**
10. **Requests For/Status of Future Agenda items:**
 - Look at the number of cars per home, and the number of renters per home (Cook)
 - Comprehensive parking study (perhaps joint with UMD) (Wojahn)
 - Annual conversation about Homestead Tax Credit (Brennan)
 - Creation of a public art fund (Brennan)
 - Schedule the SHA I-495 –Route 1 improvements sooner rather than later (Nagle)
 - Put something on our website about our Homeowners Tax Credit (low income)
 - Can we schedule Emergency Preparedness sooner than November 1? (Cook)
Address more fully what our role is; what do other cities do?
 - Can we establish an emeritus/alumni status for certain Board and Committee members? What would the criteria be – the founder of the Board? Examples: Amelia Murdoch and Deloris Cass.
11. **Appointments to Boards and Committees:**
 - ATHA Board of Governors? No volunteers
 - Reappoint Alan Stillwell to the Noise Control Board (Day)
12. **Mayor and Councilmember Comments:**
 - Sunday 9/11 beautification project in Berwyn (Brennan)
 - NCPA Thursday at 7:30 (Cook)
 - Success of the Fox 5 Zip Trip (Dennis)
 - Lakeland Community Heritage Project activities (Dennis)
 - College Park Academy MSA scores are 40 point above other schools (Day)
 - Grand opening of College Park Operations Center on Friday (Wojahn)
 - Food Truck launch (Wojahn)

13. City Manager's Comments:

- UMD 9/11 event at noon on Sunday at the Chapel Labyrinth

Adjourn into Closed Session @11:13 p.m.

Janeen S. Miller
City Clerk

Date
Approved

MINUTES
Regular Meeting of the College Park City Council
Tuesday, September 13, 2016
Council Chambers
7:30 p.m. – 9:54 p.m.

PRESENT: Mayor Pro Tem Dennis; Councilmembers Kabir, Nagle (arrived at 7:33 p.m.), Brennan, Stullich, Day, Kujawa and Cook

ABSENT: Mayor Wojahn.

ALSO PRESENT: Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Leo Thomas, Jr., Deputy Director of Finance; Bob Stumpff, Director of Public Works; Steve Halpern, City Engineer; Steve Beavers, Community Development Coordinator; Ryna Quiñones, Communications Coordinator; and Chris Keosian, Student Liaison.

Mayor Pro Tem Monroe Dennis opened the Regular Meeting at 7:30 p.m. He asked everyone to remember the family of Parkdale High School principal, Ms. Tanya Washington, who passed away suddenly over the weekend.

Announcements:

Councilmember Day, whose son attended Parkdale under Ms. Washington's leadership, said her loss is deeply felt by all.

Councilmember Stullich announced the Calvert Hills Citizens Association would meet tomorrow night at 7:00 p.m. in the Council Chambers.

Councilmember Brennan announced several events on Thursday, September 15: Third Thirsty Thursday at Ledo's Original Restaurant, a community solar workshop, and the Berwyn District Civic Association at Fealy Hall.

Councilmember Kabir announced a safety walk with COPS officer Cpl. Lobin on Friday night; meet at Duvall Field at 6:30 p.m. He commented on the bravery displayed by PGCPS bus driver Renita Smith who evacuated 20 children to safety when her bus caught fire in north College Park on Monday afternoon and said the City Council will plan a recognition event.

Councilmember Dennis announced the Prince George's County Police Coffee Club at Jason's Deli tomorrow at 9:00 a.m. He also took a moment to recognize the 90th birthday of a special resident, his mother.

City Manager's Report: Mr. Somers reviewed the items in the red folder; the annual Resident Information Guide is being delivered now; Fall Cleanup Days at Public Works are October 22 and 29; College Park Day is Saturday, September 24 from 11 – 4 at the College Park Aviation Museum. The Senior Social Center at Youth and Family Services will open on Wednesday, September 28; events will be held Wednesday and Friday mornings from 10:30 a.m. – 12 noon until December 16.

Awards: Councilmember Brennan presented awards to the winners of the Litter Logo Competition in three categories:

- 3rd Place, \$50 "Keep CP Green, Keep CP Clean": Michelle Delabrer, (University Student Category)
- 2nd Place, \$100, "Green Today, Here Tomorrow": Girl Scout Troop 1734 CP United Methodist Church, Leader: Donna Weene, (Elementary/ High School Student Category)
- 1st Place, \$250, "Together We Can Stop Litter": Gina & Kathy Tomko-Everett, (CP Resident / Non-Student Category)

Amendments To And Approval Of The Agenda:

- Add the three Field Use Requests in the red folder to Consent as item #16-G-117 (Day/Kujawa)
- Move item 16-G-92 up to the 2nd action item (Stullich/Day)
- Move item 16-G-112 to consent and note the revised letter in the red folder (Kujawa/Stullich)
- Agenda adopted with amendments (Stullich/Day) 8 – 0 – 0.

PUBLIC COMMENT ON CONSENT AND NON-AGENDA ITEMS:

Nancy Rexrode, 9507 50th Avenue: She is a member of the Hispanic Parent Support Group sponsored by Youth and Family Services and expressed how much they appreciate the City's support for the group – it benefits both the parents and the children. They contacted Gov. Hogan when funding was at risk (see attached letter) and now funds have been reinstated.

CONSENT AGENDA:

A motion was made by Councilmember Brennan and seconded by Councilmember Day to adopt the Consent Agenda, which consists of the following:

- 16-R-21 Resolution Of The Mayor And Council Of The City Of College Park Adopting The Recommendations Of The Advisory Planning Commission Regarding Variance Application Number CPV-2016-09, 4709 Guilford Road, College Park, Maryland, Recommending Approval Of A Variance From Sec. 27-442(C) Table II Of The Prince George's County Zoning Ordinance, Which Prescribes A Maximum Lot Coverage At 30 Percent**
- 16-G-109 Approval of funding for the Old Parish House 200th anniversary celebration in an amount not to exceed \$10,000 to be taken from an FY '17 budget amendment to be introduced on 10/25/2016**
- 16-R-22 Adoption of 16-R-22, A Resolution Of The Mayor And Council Of The City Of College Park Prohibiting Certain Through Truck Traffic On Designated City Streets**
- 16-G-110 Approval of Minutes: April 5, 2016 Worksession; April 19, 2016 Worksession; May 3, 2016 Worksession; May 17, 2016 Worksession; June 7, 2016 Worksession; July 5, 2016 Worksession; August 3, 2016 Worksession; August 9, 2016 Regular Meeting. Approval of Confidential Minutes of January 19, January 26, March 1, March 22, April 12, May 3, May 10, May**

17, June 14, July 5, July 12, August 3 and August 9, 2016 (provided separately).

16-G-114 Approval of the City's participation in the Wyland Foundation's 2017 National Mayor's Challenge for Conservation

16-G-116 Approval of a letter for continued support of the Purple Line

16-G-112 Approval of a letter of support for the joint UMD-City FY '17 Our Town Grant Application to the National Endowment for the Arts

16-G-117 ADD: Three Field Use Requests:

- **Berwyn Baptist Church – Sundays 09/18, 09/25 and 10/02; 4:30p until 6p; Game time for children. *Approved as submitted***
- **M&M Learning Center – Monday through Friday; 11:00a until 3p; lunch breaks, [daily] physical activity for students of learning center. *Amend dates to September 2016 through winter closing; Spring opening 2017 through June 15, 2017***
- **MD Stingers Women's Rugby – Tues. & Thurs. 08/26 -11/03; 7:30p until 9:30p; Twice weekly practices for Senior Women's Rugby team. *Approve as submitted.***

The motion carried 8 – 0 – 0.

ACTION ITEMS:

16-G-111 Approval of a resident request to replace four Zelkova street trees on Wichita Avenue

Mr. Somers reviewed the staff report and the history. He said if the item moves forward, staff, Councilmembers and the residents should meet to address the type of replacement tree.

A motion was made by Councilmember Nagle and seconded by Councilmember Cook to direct staff to replace four Zelkova street trees on Wichita Avenue with trees more conducive to the desires of the residents along Wichita Avenue.

Comments from the audience:

Dave Turley, Wichita Avenue: Spoke in favor of the motion. He is only opposed to these trees at these locations; other trees would be fine.

Councilmember Nagle reminded Council about the petitions that were submitted at last week's Worksession and said these are not native trees.

Councilmember Cook said we all hate to see trees removed but this is a quality of life issue; let's move forward and find a tree everyone can agree on.

Councilmember Kabir echoed that this is a quality of life issue and we should put the residents first and replace the trees with better ones.

Councilmember Stulich is skeptical that the species of tree is the issue and feels that if the trees are removed we shouldn't replace them right now. We should only plant trees in locations where they are unequivocally desired.

A motion was made by Councilmember Stulich and seconded by Councilmember Brennan to amend the motion to delete the reference to replacement the trees, and only to remove the trees at this time.

The amendment passed 6 – 2 – 0 (Councilmembers Kujawa and Cook opposed).

Councilmember Kujawa thinks we should replace a tree for a tree somewhere nearby.

Councilmember Stulich generally is not in favor of removing trees, but in consideration of resident support and passage of her amendment she will vote in favor.

Councilmember Nagle said the conditions on this block are extreme.

The amended motion passed 8 – 0 - 0.

16-G-115 Approval of Contract of Sale for the purchase of 9814 47th Place for the Hollywood Gateway Park project

Ms. Schum provided an overview: This contract will allow the City to purchase two vacant lots that adjoin the Hollywood Gateway Park to provide ADA accessibility to the proposed park. The terms have been negotiated and once approved will be officially presented to the seller. The contract is contingent on the City receiving approval from the Maryland Board of Public Works for the Program Open Space funds, which are being used to fund the majority of the cost. The project has been in the planning stages for several years. The City has spent \$705,500 to date to reach this point (\$475,500 to acquire the main lot; \$123,000 in survey, design and engineering; \$22,000 to raze the structure; \$85,000 for the current sales contract). There is \$605,000 in the CIP for construction. Funding has come from various grant sources.

Councilmember Cook asked if all City parks comply with ADA regulations; Ms. Schum said yes. She asked about the costs going forward. Ms. Schum said the \$605,000 in the CIP was enough to cover the estimated cost of construction, but we won't be sure until we bid the project and award the construction contract.

Councilmember Kujawa asked about the risk of losing grant funds. Ms. Schum said when you leave Program Open Space funds unencumbered there is the risk that the state will recapture them, but nothing is imminent. The Chesapeake Bay Trust grant funds (approximately \$150,000) expire in May of 2017. The funds are promised to us as long as we fulfill the terms of the grant agreement.

A motion was made by Councilmember Kabir and seconded by Councilmember Kujawa that the Contract of Sale between Shu Chin Lai and Ta Cheng Yang and the City of College Park in substantially the form attached be approved.

Councilmember Kabir said this will provide much needed ADA access to the park and the residents in the area will benefit. He understands the concerns about the cost but it would be unwise to kill the project at this point. It will be a wonderful gateway to the City.

Councilmember Nagle does not think there is a lot of resident support for this project. Capital Improvement Projects should be fully developed before moving forward with any funding. In 2008 Council moved to purchase 4703 Edgewood without fully understanding the cost of the park. With so much Program Open Space money being spent on this project, District 1 will not be in a position to ask for more POS money in the future for what residents really want. She would prefer to remove the house, plant trees, install a welcome sign and some art.

Councilmember Kujawa suggested a working group to discuss the future of this park.

Councilmember Cook agrees with Councilmember Nagle and feels this park should be as simple as possible.

Roll Call Vote:

Aye: Brennan, Stullich, Day, Kabir, Kujawa

Nay: Nagle, Dennis, Cook

Abstain: None

The motion carries 5 – 3 – 0.

16-G-92 Consideration and possible action on the Terrapin Row proffer/pedestrian safety improvements around Toll development (delayed from July 12 and August 3)

Ms. Ferguson gave an overview: This started as a request by Toll Brothers to be relieved of a condition in the Declaration of Covenants (DOC) regarding traffic improvements at a certain intersection to improve pedestrian safety. Toll proffered an alternative design using bollards, but upon further review, now say that the turning radii of certain vehicles (long trucks or buses) would encroach on the pedestrian safe zone. They have offered instead to provide \$25,000 to the City in lieu of making the improvements so that the City would address the pedestrian flow at this intersection. Prince George's County is planning improvements to the culvert on Guilford Road which could involve intersection improvements but that project is years away, so we need a short term solution. The question for the Council is if the proffer of \$25,000 from Toll will fulfill Paragraph 11 of the DOC. Staff supports this recommendation. The agenda item later tonight to prohibit through trucks on this road will increase pedestrian safety here, but buses will still transit the very complicated intersection.

A motion was made by Councilmember Stullich and seconded by Councilmember Day to accept \$25,000 from Toll Brothers, Inc., as being in substantial compliance with their obligations under paragraph 11 of the Declaration of Covenants and Agreement Regarding Land Use.

Comments from the Audience:

Thomas Haller, attorney for the applicant: They support the staff recommendation. The intersection is tight and difficult to maneuver and adding the pedestrian improvements is challenging. Limiting truck traffic will help but there is still bus traffic. They are concerned that whatever improvements they make will expose them to liability if someone is hurt. The City can use the funds to pursue other alternatives.

Rev. Ray Ranker, 5706 Vassar Drive, representing Hope Lutheran Church and the Catholic Student Center on Guilford Drive: They are concerned about the increase in pedestrian traffic with the opening of Terrapin Row and believe a study needs to be done now to find a safe, reliable and permanent resolution.

Mr. Somers said we can send a letter to Prince George's County asking them to expedite the work they are planning due to these concerns. Councilmember Kujawa asked if the City's letter can request a partnership to merge the projects. He said yes.

Councilmember Cook asked if we can take some temporary measures, and if we can ask the UMD to partially fund the improvements.

Ms. Ferguson said we don't have any traffic engineers on staff so we can't do anything temporary without a further study. We will continue to work on the issue and can ask the UMD to be involved but we will need to bring in experts.

Councilmember Stullich said it would be useful to receive the full report from Toll's traffic engineers. Mr. Haller said there is no written report besides the turning radius diagrams that were provided but he can ask them to prepare a letter addressing their findings. Ms. Stullich said that would be helpful and also wondered if this issue could be added to the Route 1 pedestrian safety team or if collaborating with our state and county representatives would get a quicker resolution.

The motion passed 8 – 0 – 0.

16-O-08 Introduction of Ordinance 16-O-08, An Ordinance of the Mayor and Council of the City of College Park to Amend the Fiscal Year 2016 Operating and Capital Budget of the City of College Park, Maryland (Amendment #3)

Leo Thomas provided an overview: In June the Council approved the purchase of five pay stations for the new Terrapin Row area and the funds were encumbered. The contract was approved in July, and we received the pay stations and associated bills in August. This is part of the FY 16 budget because the expense was encumbered in June, and now a budget amendment is needed.

A motion was made by Councilmember Day and seconded by Councilmember Kujawa to Introduce Ordinance 16-O-08, an Ordinance of the Mayor and Council of the City of College Park to Amend the Fiscal Year 2016 Operating and Capital Budget of the City of College Park, Maryland (Amendment #3).

Mayor Pro Tem Dennis announced that the Public Hearing will be September 27 at 7:30 p.m.

16-G-113 Appointments to Boards and Committees

A motion was made by Councilmember Day seconded by Councilmember Brennan to reappoint Alan Stillwell to the Noise Control Board. The motion passed 8 – 0 – 0.

COUNCIL COMMENTS:

Councilmember Kujawa wants to see the current Field Use Rules for Duvall Field. Staff will provide her with the adopted Field Use Rules and Regulations. She asked for a future Worksession to figure out what to do with the Hollywood Gateway Park space. Ms. Schum said this project has been designed, and those designs were the basis for the grants we received and for the stormwater management permits that we obtained. We stopped short of going out to bid on construction until we purchased the property approved tonight. We now have to reengage the parties but she wasn't envisioning a redesign because the grant funds we obtained were based on the designs that we submitted. It might need minor tweaks for cost purposes, but if we were to significantly change the nature of the project that would require a conversation with our funders. Ms. Schum will review the current design plans with Councilmember Kujawa.

Councilmember Cook discussed her tour of the Rosenwald School that was part of the Lakeland Community Heritage Weekend. She had the opportunity to hear stories of people who went to school there.

Councilmember Dennis also discussed the Rosenwald School, which is on 54th Avenue facing the railroad tracks. Many people feel the building should be preserved.

STUDENT LIAISON COMMENTS:

Sunday's Clean City Project had 36 students. Because of new construction on campus close to 3,000 parking spaces will be lost by this time next year.

Councilmember Cook said the CPCUP Transportation Committee will do a comprehensive parking study which needs to include the neighborhoods.

COMMENTS FROM THE AUDIENCE: None.

ADJOURN: A motion was made by Councilmember Brennan and seconded by Councilmember Day to adjourn into a closed session to discuss a matter related to a negotiating strategy, the acquisition or sale of real property for a public purpose and the proposal for a business to locate in the County. Mayor Pro Tem Dennis adjourned the Regular Meeting at 9:54 p.m. with a vote of 8 – 0 – 0.

Janeen S. Miller, CMC
City Clerk

Date
Approved

Pursuant to §C6-3 of the College Park City Charter, at 11:13 p.m. on September 6, 2016, a motion was made by Councilmember Dennis and seconded by Councilmember Day to enter into a Closed Session to 1) consider the acquisition or sale of real property for a public purpose and matters directly related to such acquisition or sale, 2) discuss a negotiating strategy before a contract is awarded, 3) Discuss a personnel matter. The motion passed 8 – 0 – 0 and the Council entered into the closed session at 11:19 p.m.

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

Absent: None.

Also Present: Scott Somers, City Manager, attended the entire closed session. Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Planning Director attended for topics 1 and 2.

Topics Discussed:

- 1) Review and discussion of potential properties for acquisition.
- 2) Update on contract to purchase a specific property
- 3) The form/criteria to be used for an individual's evaluation

Actions Taken: None.

Adjourn: A motion was made by Councilmember Brennan and seconded by Councilmember Kujawa to adjourn the closed session, and at 12:00 a.m. with a vote of 8 – 0 – 0, Mayor Wojahn adjourned the meeting.

=====
Pursuant to §C6-3 of the College Park City Charter, at 9:54 p.m. on September 13, 2016, a motion was made by Councilmember Brennan and seconded by Councilmember Day to enter into a Closed Session to consider the acquisition or sale of real property for a public purpose and matters directly related to such acquisition or sale, consider a matter that concerns the proposal for a business or industrial organization to locate in Prince George's County, and discuss a negotiating strategy before a contract is awarded. The motion passed 8 – 0 – 0 and the Council entered into the closed session at 9:57 p.m.

Present: Mayor Pro Tem Dennis; Councilmembers Kabir, Nagle, Brennan, Stullich, Day, Cook and Kujawa.

Absent: Mayor Wojahn.

Also Present: Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Planning Director; Bob Ryan, Director of Public Services and Chris Keosian, Student Liaison. Senator Jim Rosapepe and consultant Eric Smart attended for portions of the closed session.

Topics Discussed: 1) Council discussed a proposal that would involve City property and discussed the City's options. Council was advised by a consultant on matters relating to the proposal.

Actions Taken: None.

Adjourn: A motion was made by Councilmember Brennan and seconded by Councilmember Kabir to adjourn the closed session, and at 11:47 p.m. with a vote of 8 – 0 – 0, Mayor Pro Tem Dennis adjourned the meeting.

16-R-25
Candidates'
Debate
Workgroup

**CITY OF COLLEGE PARK, MARYLAND
REGULAR COUNCIL MEETING AGENDA ITEM**

Agenda Item 16-R-25



Prepared By: Janeen S. Miller
City Clerk

Meeting Date: September 27, 2016

Presented By: Janeen S. Miller

Proposed Consent Agenda: No

Originating Department: Mayor and Council

Issue Before Council: Creation of a Workgroup to make recommendations to the Mayor and Council about candidates' debates in municipal elections

Strategic Plan Goal: Goal 6 – Excellent Services

Background/Justification:

At the September 6, 2016 Worksession the City Council discussed whether the Board of Election Supervisors (BOES) should conduct candidates' debates. Jack Robson, the Chief of the Board of Election Supervisors, presented the recommendation of the BOES that a Workgroup be created to study several issues raised by the Board that were included in their memo to the Council. At the conclusion of the Worksession, the Council directed that a Workgroup be formed to bring recommendations to the Mayor and Council about the City's role in future candidates' debates. Council discussed having the Workgroup include former Councilmembers or Candidates, Civic Association representation, Mr. Robson, the City Clerk and City Attorney. Council directed that the League of Women Voters be contacted for assistance, which the City Clerk has done. League representatives will attend a meeting or meetings of the Workgroup to provide advice. Based on the direction provided, the City Clerk prepared the attached Resolution to create the Candidates' Debate Workgroup. The Council can then make the appointments during "Appointments to Boards and Committees."

Fiscal Impact:

The fiscal impact of creating the Workgroup will involve the support of the Contract Secretary to attend meetings and prepare minutes.

Council Options:

1. Adopt the attached Resolution and make appointments to the Workgroup
2. Make amendments to the Resolution prior to adoption
3. Delay this item

Staff Recommendation:

#1

Recommended Motion:

I move to adopt Resolution 16-R-25 creating a Candidates' Debate Workgroup.

Attachments:

1. Resolution 16-R-25

**A RESOLUTION OF THE MAYOR AND COUNCIL
OF THE CITY OF COLLEGE PARK
CREATING A CANDIDATES' DEBATE WORKGROUP**

WHEREAS, prior to the City election in November of 2015, the City Clerk's office received various requests related to organization and sponsorship of candidates' debates, the use of City facilities to host a candidate debate, and use of the City's website and cable channel to make debates available to the public; and

WHEREAS, a question has been raised by a Councilmember as to whether the City Supervisors of Elections should conduct candidate debates; and

WHEREAS, the City does not have adopted policies with respect to the questions that were raised in these requests, or has policies that did not accommodate the uses requested; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to develop policies that can be used to evaluate future election debate requests and to address issues such as the organization, format, recording, broadcast, and posting of, and use of City resources for, any candidates' debate.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of College Park that the "Candidates' Debate Workgroup" be, and it is hereby, established as follows:

1. Charge: The Candidates' Debate Workgroup (the "Workgroup") is charged with developing recommendations to present to the Mayor and Council outlining the City's and the Supervisors of Elections role, if any, in candidates' debates for municipal elections. These recommendations shall address issues such as the organization, format, recording, broadcast, and posting of, and use of City resources for, any candidates' debate.

2. Composition: The Workgroup shall be composed of up to eight (8) members who shall be appointed by the Mayor and Council from the residents of the City. The Mayor and Council may consider representation from the civic associations and former candidates in making their appointments. In addition to the appointed members, the Chief of Elections of the Supervisors of Elections and the City Clerk shall be members of the Workgroup. The Workgroup shall select a Chair from among its members. A quorum for purposes of conducting business shall be a majority of the appointed members. The Workgroup will request assistance from the League of Women Voters in developing their recommendations. The Workgroup will be advised by the City Attorney.

3. Term: The Workgroup will be discharged once their recommendations are presented to the City Council.

4. Other: The City Clerk's office shall be the staff liaison to the Workgroup.

ADOPTED by the Mayor and Council of the City of College Park at a regular meeting on the _____ day of _____, 2016

EFFECTIVE the _____ day of _____, 2016.

WITNESS:

CITY OF COLLEGE PARK

Janeen S. Miller, City Clerk

Patrick L. Wojahn, Mayor

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

Suellen M. Ferguson, City Attorney

16-0-07 Adoption

**CITY OF COLLEGE PARK, MARYLAND
REGULAR COUNCIL MEETING AGENDA ITEM**



AGENDA ITEM NUMBER 16-O-07

Prepared By: R. W. Ryan, Public Services Director

Meeting Date: 09/27/ 2016

Presented By: R.W. Ryan, Public Services Director

Consent Agenda: No

Originating Department: Public Services

Action Requested: Adoption of Ordinance 16-O-07, An Ordinance Of The Mayor And Council Of The City Of College Park Amending City Code Chapter 110 to increase the monthly permit fee in the Downtown Parking Garage to \$125/month beginning in January, 2017 and to include bi-annual and monthly permit parking fees.

Strategic Plan Goal: Goal 3: High Quality Development and Reinvestment

Background/Justification:

Demand for parking space in the Downtown area has increased. This includes both pay to park space for visitors and retail customers, and monthly parking for local residents of newly constructed apartment buildings. The City constructed the Downtown Parking Garage primarily as a catalyst for Downtown commercial development. Since the garage was constructed, demand for pay to park space has not usually filled the garage. As an interim revenue plan to help pay for the costs of the garage, monthly parking permits have been sold to make best use of the available space. Currently monthly permits have been sold for 125 of the 288 garage spaces at \$80/month. Demand for pay to park retail customer space is increasing. Demand for monthly permits has also increased with construction and occupancy of the Landmark apartments. Garage monthly permit fees are below market rate as evidence by Landmark garage fees of \$125/month. Staff has recommended reducing the monthly permit spaces to 100 of the 288 spaces, if demand for hourly parking justifies this reduction of monthly permits, and raising the permit fee to \$125/month.

This item was discussed at the July 12 Council meeting, and the Ordinance was introduced, subject to review of any revisions during the meeting on August 9. A possible addition to the ordinance was referenced at that time, and is included in the ordinance attached. The addition would include existing bi-annual and monthly permit parking fees for other parking zones in the City into §110-1.

The effective date of January 1, 2017 will coincide with the new semester at the University of Maryland. This would allow continuance of the current price schedule throughout the fall semester. Garage parking permits will be sold in monthly increments with the opportunity to purchase up to 6 months. This will make permit sales more efficient and avoid the monthly rush to renew permits.

It is anticipated that use of the garage parking spaces will be monitored and future adjustments to the number of spaces made available for monthly permits may be adjusted by the City Manager based upon demand for pay to park spaces.

Fiscal Impact:

Net revenue gain of \$2,500/month estimated to total \$22,500 over an estimated 9 month demand for monthly permits.

Council Options:

- #1: Adopt Ordinance 16-O-07, An Ordinance Of The Mayor And Council Of The City Of College Park Amending City Code Chapter 110, as revised, to increase the monthly permit fee in the Downtown Parking Garage to \$125/month beginning in January 1, 2017 and to include existing bi-annual permit parking fees and other monthly permit parking fees.
- #2: Allow the current monthly permit fee of \$80 to remain.
- #3: Other action as Council determines.

Staff Recommendation:

Option #1

Recommended Motion:

I move to adopt Ordinance 16-O-07, An Ordinance of the Mayor and Council of the City of College Park Amending City Code Chapter 110 to increase the monthly permit fee in the Downtown Parking Garage to \$125/month beginning on January 1 2017 and include existing bi-annual permit parking fees and other monthly permit parking fees.

Attachments:

Ordinance 16-O-07

ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, AMENDING
CHAPTER 110 “FEES AND PENALTIES”, BY REPEALING AND REENACTING §110-
1 “FEES AND INTERESTS” TO INCREASE THE MONTHLY PERMIT PARKING FEE
IN THE DOWNTOWN PARKING GARAGE AND TO INCLUDE BI-ANNUAL PERMIT
PARKING FEES AND MONTHLY PERMIT PARKING FEES

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the City of College Park (hereinafter, the “City”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the citizens of the municipality and to prevent and remove nuisances; and

WHEREAS, the City has constructed a parking garage in the downtown area to increase parking options and to encourage redevelopment; and

WHEREAS, the Mayor and Council have determined that it is in the public interest that the monthly permit parking fees for the Downtown Parking Garage should be raised to be comparable to those charged by other providers of parking in the area; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to create parking permit zones in the City pursuant to Chapter 151, “Permit Parking” of the City Code, and to make provision for a fee for said permits.

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

§110-1 Fees and interests.

The following enumerations are the current fees, rates, charges and interests applicable in the City of College Park:

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

Chapter/Section	Description	Fee/Interest
Chapter 151, Permit Parking		
§151-4	ANNUAL Parking permits:	
	Issuance, each	\$10
	Replacement, each	\$5
	Renewal, each	\$10
	Visitor	\$1
	BI-ANNUAL PARKING PERMITS:	
	ISSUANCE, EACH	\$10
	REPLACEMENT, EACH	\$5
	RENEWAL, EACH	\$10
	VISITOR	\$1
	MONTHLY PARKING PERMITS:	
	DOWNTOWN PARKING GARAGE	\$125
	CLASS A	\$40
	CLASS B	\$60

* * * * *

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall publish this proposed ordinance or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for 7:30 p.m. on the 27th day of September, 2016, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons

interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. As soon as practicable after adoption, the City Clerk shall have a fair summary of the Ordinance and notice of its adoption published in a newspaper having a general circulation in the City of College Park and available at the City's offices. This Ordinance shall become effective on January 1, 2017 provided that a fair summary of this Ordinance is published at least once prior to the date of passage and once as soon as practical after the date of passage in a newspaper having general circulation in the City.

INTRODUCED by the Mayor and Council of the City of College Park at a regular meeting on the 9th day of August, 2016.

ADOPTED by the Mayor and Council of the City of College Park at a regular meeting on the _____ day of _____, 2016.

EFFECTIVE the 1st day of January, 2017.

ATTEST:

CITY OF COLLEGE PARK

By: _____
Janeen S. Miller, CMC, City Clerk

By: _____
Patrick L. Wojahn, Mayor

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

Suellen M. Ferguson, City Attorney

16-0-08 Adoption

CITY OF COLLEGE PARK, MARYLAND
REGULAR COUNCIL MEETING AGENDA ITEM



AGENDA ITEM NUMBER 16-O-08

Prepared By: Stephen Groh,
Director of Finance

Meeting Date: September 27, 2016

Presented By: Stephen Groh,
Director of Finance

Consent Agenda: No

Originating Department: Finance

Action Requested: Approve an FY 2016 budget amendment to provide funding for the purchase and installation of 5 parking pay stations adjoining the Terrapin Row student housing development

Strategic Plan Goal: Goal 3: High Quality Development and Reinvestment

Background/Justification:

On July 12, 2016, Council approved motion 16-G-98, authorizing the City Manager to spend up to \$75,000 to implement a pay-to-park zone at Terrapin Row, including the purchase of 5 pay stations, new signs and power supply to pay stations.

Pay stations were purchased and installed in August 2016. Total costs are \$98,281, including \$65,875 for the pay stations, \$19,906 for electrical installation, and \$12,500 for concrete pads. Electrical installation was higher than expected as the pay stations could not tap into nearby streetlights for power as they are connected to remote photocells; as a result, new electrical lines had to be run from the building. Solar power for these pay stations was not an option as the locations are too shady.

The Budget Amendment Ordinance was introduced on September 13 and a Public Hearing was held earlier this evening.

Fiscal Impact:

The \$98,281 has already been expended in FY2016. No additional fiscal impact.

Council Options:

- #1: Adopt Ordinance 16-O-08 as presented in order to provide a budget for this expenditure.
- #2: Take no action

Staff Recommendation:

#1

Recommended Motion:

I move to adopt Ordinance 16-O-08, an Ordinance of the Mayor and Council of the City of College Park to Amend the Fiscal Year 2016 Operating and Capital Budget of the City of College Park, Maryland (Amendment #3)

Attachments:

- 1. Ordinance 16-O-08, FY 2016 Budget Amendment #3

ORDINANCE 16-O-08

An Ordinance of the Mayor and Council of the City of College Park to Amend the Fiscal Year 2016 Operating and Capital Budget of the City of College Park, Maryland (Amendment #3)

WHEREAS, the Mayor and Council of the City of College Park did adopt a budget for the fiscal year beginning July 1, 2015 and ending June 30, 2016 (hereinafter referred to as “Fiscal Year 2016” or “FY2016”) on May 26, 2015 by the enactment of Ordinance 15-O-03; and

WHEREAS, the Mayor and Council of the City of College Park did amend the FY2016 adopted budget on November 24, 2015 (Amendment #1) by the enactment of Ordinance 15-O-05; and

WHEREAS, the Mayor and Council of the City of College Park did amend the FY2016 adopted budget on January 26, 2016 (Amendment #2) by the enactment of Ordinance 16-O-01; and

WHEREAS, the Mayor and Council of the City of College Park desire to amend the FY2016 adopted budget in order to fund the purchase and installation of certain parking enforcement pay station equipment.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of College Park that the budget for fiscal year 2016 be, and hereby is, amended in accordance with the following schedule, with said amendments being indicated by asterisks in the right column. The individual budget amendment changes are itemized in Appendix A, attached hereto and incorporated herein by this reference.

General Fund

	<u>Budget as Adjusted</u>	<u>As Amended by this Ordinance</u>
Revenues		
Taxes	\$ 10,900,642	\$ 10,900,642
Licenses & Permits	1,193,935	1,193,935
Intergovernmental	261,772	261,772
Charges for Services	999,078	999,078
Fines & Fees	2,510,600	2,510,600
Miscellaneous Revenues	194,569	194,569
<i>Total Operating Revenues</i>	\$ 16,060,596	\$ 16,060,596

Non-Revenue Receipts		
Interfund Transfer from Parking Debt Service Fund	257,392	257,392
Use of Unassigned Reserve	<u>0</u>	<u>0</u>
Total Revenues	<u>\$ 16,317,988</u>	<u>\$ 16,317,988</u>

Expenditures		
General Government	\$ 3,102,976	\$ 3,102,976
Public Services	4,019,776	4,019,776 *
Planning, Community & Economic Development	664,463	664,463
Youth, Family & Senior Services	1,114,881	1,114,881
Public Works	5,189,981	5,189,981
Contingency	10,000	10,000
Debt Service	557,411	557,411
Interfund Transfers to Capital Projects Fund	<u>1,658,500</u>	<u>1,658,500</u>
Total Expenditures	<u>\$ 16,317,988</u>	<u>\$ 16,317,988</u>

Parking Debt Service Fund

	<u>Budget as Adjusted</u>	<u>As Amended by this Ordinance</u>
Revenues		
Highways & Streets		
Parking Meter Revenue	\$ 205,000	\$ 205,000
Fines		
Parking Fines Revenue	<u>45,000</u>	<u>45,000</u>
Total Revenues	<u>\$ 250,000</u>	<u>\$ 250,000</u>

Expenditures		
Interfund Transfer to General Fund	<u>\$ 257,392</u>	<u>\$ 257,392</u>
Total Expenditures	<u>\$ 257,392</u>	<u>\$ 257,392</u>

BE IT FURTHER ORDAINED that:

1. Except as amended herein, and by Ordinance 15-O-05 (Amendment #1) and Ordinance 16-O-01 (Amendment #2), Ordinance 15-O-03 (original budget adoption) shall remain unmodified and in full force and effect;

2. In addition to the projected General Fund operating revenue of \$16,060,596, the amount of \$0 is appropriated from the unassigned reserve and the sum of \$257,392 is transferred from the Parking Debt Service Fund;
3. This budget amendment Ordinance provides funding for the purchase and installation of certain parking enforcement pay stations, as itemized in Appendix A, attached hereto and incorporated herein by this reference. The net result is no change in the \$0 budgeted use of unassigned reserve and no change in the Capital Improvement Program (C.I.P.); and
4. This Ordinance shall become effective at the expiration of twenty (20) calendar days following its adoption.

AND BE IT FURTHER ORDAINED by the Mayor and Council of the City of College Park that, upon introduction of this Ordinance, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing shall follow the publication by at least seven days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time.

A public hearing will be held on the proposed Ordinance at 7:30 p.m. on the 27th day of September, 2016 in the Council Chambers, City Hall, 4500 Knox Road, College Park, Maryland. The public hearing will be held in connection with a regular Council meeting. All persons interested will have an opportunity to be heard. After the public hearing, the Council may adopt the proposed Ordinance, with or without amendment, by the affirmative vote of at least six (6) members of the Council. It shall become effective at the expiration of twenty (20) days following its adoption. After its adoption, the City Clerk shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter, the ordinance or a fair summary thereof and shall have copies of the adopted Ordinance available at City offices.

Introduced on the 13th day of September, 2016

Adopted on the _____ day of September, 2016

Effective on the _____ day of October, 2016

ATTEST:

CITY OF COLLEGE PARK

Janeen S. Miller, CMC, City Clerk

Patrick L. Wojahn, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Suellen M. Ferguson, City Attorney

CITY OF COLLEGE PARK, MARYLAND
Appendix A to Ordinance 16-O-08
Itemized FY2016 Budget Amendment #3 Changes

Program	Description	Increase (Decrease)
Revenues- Unassigned Reserve Transfer 399.00	Use of Unassigned Reserve in Adjusted Budget (Amendment #2)	\$ 0
Publ Services- Parking Enf-2011	Add budget for the purchase and installation of 5 parking pay stations on Hartwick, Guilford and Knox Roads adjacent to the Terrapin Row student housing development, including purchase of pay stations, electrical installation and concrete pads	100,000
Publ Services- Contract Police- 2030	Reduce budget for contract police hourly wages as all budgeted funds were not expended in FY2016	<u>(100,000)</u>
Revenues- Unassigned Reserve Transfer 399.00	Use of Unassigned Reserve in Amended Budget (Amendment #3)	<u>\$ 0</u>

16-G-121

Appointments

Councilmember Stulich

- Appoint Daniel First to the Education Advisory Committee

Councilmember Dennis

- Appoint Lilla Sutton and Anita Wolley to the Dr. Martin Luther King, Jr. Tribute Committee

WORKSESSION

Recommendation for Development Consultant



**CITY OF COLLEGE PARK, MARYLAND
WORKSESSION AGENDA ITEM**

Prepared By: Terry Schum, Planning Director

Meeting Date: 9/27/16

Presented By: Terry Schum

Proposed Consent Agenda: No

Originating Department: Planning, Community and Economic Development

Issue Before Council: Selection of a firm to provide real estate development consulting services

Strategic Plan Goal: Goal 3: High Quality Development and Reinvestment

Background/Justification:

At the request of the Mayor and Council, staff issued a Request for Qualifications (RFQ) CP-17-05 on August 10, 2016 with a submittal due date of August 30, 2016. The RFQ calls for firms interested in providing general consultant services on a task basis. The types of work anticipated include review of project proposals, feasibility, financial and cost-benefit analyses, development negotiations, valuation of real estate and assistance with economic development and project planning. A total of twelve firms responded with the required letter of interest, resumes and hourly rates of proposed personnel, references and other information. A staff team made up of the City Manager, Assistant City Manager, City Attorney and Planning Director reviewed the submissions and selected three firms for interviews. The selected firms have both local and national experience, provided evidence of similar work with public agencies and did not appear to have any conflicts of interest. After conducting the interviews, the staff team is recommending two firms for consideration by the Mayor and Council, JLL and HR&A Advisors, Inc. References have not been fully checked at this time.

Fiscal Impact:

Assigned tasks that are related to an existing budgeted project such as City Hall will be charged to that project. Other tasks will be priced by the consultant as assigned and will need to be budgeted. A FY 2017 budget amendment will be needed in a "not to exceed" amount to address these anticipated costs.

Council Options:

1. Review the recommended firms' proposals in Closed Session and determine a date and time to interview them.
2. Select a recommended firm or firms without interviewing them.
3. Select a different firm or firms for review.
4. Defer to staff to select the consultant.

Staff Recommendation:

#1

Recommended Motion:

Not applicable.

Attachments:

1. RFQ CP-17-05

CITY OF COLLEGE PARK, MARYLAND
Request for Qualifications CP-17-05
Real Estate Development Consulting Services

The City of College Park, Maryland (the “City”), is seeking sealed-bid proposals from interested and qualified real estate consulting firms or individuals to provide professional advice and assistance on an “as requested” task basis with respect to a range of activities in which the City may participate, including, but not limited to, the evaluation of city assets, acquisition or sale of real property, project feasibility, cost/benefit analysis, public/private partnerships and financing strategies.

City Contact: Ms. Terry Schum, Director of Planning
CITY OF COLLEGE PARK
4500 Knox Road
College Park, MD 20740
Telephone: 240-487-3538
E-mail: tschum@collegeparkmd.gov

Copies of the RFP package, including a scope of work, submission requirements and affidavits, may be downloaded from the City’s website at www.collegeparkmd.gov. From the home page, click on the “Government” tab then “Bids & RFPs”. Requests for printed copies should be directed to the Planning Department, 4500 Knox Road, College Park, Maryland 20740, Monday-Friday 9:00 a.m.–5:00 p.m. (telephone 240-487-3538).

Bidders may submit bids in a sealed envelope containing the Bidder’s name and address, marked **Real Estate Development Consulting Services, RFP CP-17-05** and delivered to the Finance Department, City of College Park, 4500 Knox Road, College Park, Maryland 20740 no later than Tuesday, August 30, 2016 at 4:00 p.m. or via e-mail to tschum@collegeparkmd.gov with the same submittal deadline.

INFORMATION REPORT:

Use Of City Communication Tools

INFORMATION REPORT

To: Mayor Patrick Wojahn and City Council
From: Bill Gardiner, Assistant City Manager
Through: Scott Somers, City Manager
Re: City Communications
Date: September 22, 2016

Issue:

The City created a Communications Coordinator position and hired Ryna Quiñones in April 2016 to fill the position. The City has made a number of improvements in communications, particularly its external communications. Staff would like to ensure Council is aware of how the City is using its communications tools, and of some changes to these tools. Staff requests Council feedback on the City's communications efforts.

Summary:

Listed below are the main communication tools currently utilized by the City. For each, an overview of the content, audience, and publication dates are provided.

1. The Weekly Bulletin

The Weekly Bulletin is organized by department and provides a brief update on certain City department accomplishments and issues. Typical information provided in the Weekly Bulletin includes City grant awards; signed contracts for City projects and the completion of projects; RFPs issued; new staff hired; changes or interruptions to services; and significant events in the City. It also includes notices about upcoming events and meetings sponsored or co-sponsored by the City. It does not provide information about Council Meetings. The primary audiences are City residents, City Council members, City employees, employees of businesses and organizations in College Park, and other persons interested in the City. The Bulletin is normally emailed to a list of recipients and to College Park Connected, and posted on the website by COB on Friday.

2. The Municipal Scene

The Municipal Scene is the City's monthly newsletter with information and stories about community events and activities, City services (trips, seasonal information, department tips, policy changes, etc.), City Committee and civic association activities, and certain City Council policies or actions. The Municipal Scene is designed to highlight the City and engage residents and others interested in College Park. Details of City Council meetings (formerly "Council Action") will not be provided in the Municipal Scene, but this information will always be available on the City's website (agenda packets, meeting minutes, and meeting video). The Municipal Scene will include information regarding Public Hearings. The primary audiences are the same as for the Weekly Bulletin, perhaps with slightly more emphasis on residents and people interested in the City. The Municipal Scene is published and emailed on the 1st of the month. City residents may sign up to receive a mailed hard copy of the Municipal Scene.

3. College Park Connected

College Park Connected is the City's email listserv. Interested persons can join and select to receive certain categories of information (City Council, City Events, Development News, General Interest, and Public Works) from the City. Approximately 2,000 people have signed up. The Weekly Bulletin, Municipal Scene and other notices are sent via College Park Connected.

4. Social Media

The City has Facebook, Twitter, and Instagram accounts, and usually posts on these accounts multiple times per week. The content varies and can include historical photos, current events, and items of interest connected to College Park. There is little overlap in content with the Weekly Bulletin or the Municipal Scene. The audiences are primarily younger residents and residents who receive and send information via apps and mobile devices.

5. Quarterly Reports (formerly Monthly Reports)

The Quarterly Reports will replace the Monthly Reports. The City Manager would like to take this opportunity to standardize the format across departments for the reports; incorporate the strategic plan and the sustainability plan into the reports; and provide a high-quality report to the public (Monthly Reports have not been made available on the website or provided to residents). The categories of information for each department are:

- Status summary (narrative) of department's Strategic Plan and Sustainability Plan action items
- Status of other department major activities, issues or accomplishments
- Monthly data on significant items that are tracked annually in a particular department (such as waste tonnage, people served, licenses and infractions issued, grant applications, streets repaved, etc.)
- Major activities / action plan items to be addressed in upcoming quarter

Departments may provide to Council and the public certain information more frequently than the Quarterly Reports, such as public safety data and financial data. The audiences for the Quarterly Reports will primarily be City Council and staff, plus residents and other persons interested in reading information on the City's strategic plan and departmental activities. The Quarterly Reports will be emailed to City Council and posted on the City website in mid-October, mid- January, mid-April, and mid-July.

6. City Websites

The City currently has the main website, www.collegeparkmd.gov and the website focused on retail and commercial development, www.shopcollegepark.com. The main City website provides a wealth of information regarding City government and services. It is updated frequently by the Communications Coordinator and department staff. The shopcollegepark website is updated primarily by the Planning department staff and the Communications Coordinator. This fall staff will roll out a small companion site, livecollegepark. Staff is interested in doing a website refresh or a redesign in FY18.