

AN ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK,
AMENDING CHAPTER 11 “AUTHORITIES”, ARTICLE II, “AIRPORT AUTHORITY”,
§11-5 “CREATION; MEMBERS; COMPENSATION; CONFLICTS OF INTEREST”
AND §11-6, “PURPOSE; USE OF AIRPORT”; CHAPTER 15 “BOARDS,
COMMISSIONS AND COMMITTEES”, ARTICLE II, “COLLEGE PARK
RECREATION BOARD”, §15-3, “MEMBERSHIP; TERMS” AND ARTICLE VIII,
“COMMITTEE FOR A BETTER ENVIRONMENT”, §15-34, “POWERS AND DUTIES” ;
AND CHAPTER 179 “TREE AND LANDSCAPE MAINTENANCE”, §179-2, “PURPOSE;
APPLICABILITY”, §179-5, “TREE AND LANDSCAPE BOARD” AND §179-6,
“COMPREHENSIVE LANDSCAPE PLAN; COSTS” TO INCORPORATE CHANGES
RECOMMENDED BY THE AIRPORT AUTHORITY, COMMITTEE FOR A BETTER
ENVIRONMENT AND THE TREE AND LANDSCAPE BOARD, TO REMOVE
CERTAIN REFERENCES TO CONFLICTS OF INTEREST FROM §11-5, TO SET THE
MEMBERSHIP OF THE RECREATION BOARD AT UP TO TEN MEMBERS WITH
THE GOAL OF REPRESENTATION FROM EACH DISTRICT, AND TO MAKE
CERTAIN NON-SUBSTANTIVE CHANGES

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

WHEREAS, pursuant to this authority, the Mayor and Council by ordinance and resolution have appointed various Authorities, Boards, Commissions and Committees to assist in the good governance of the City; and

WHEREAS, the Mayor and Council have engaged in a review of the enabling legislation, activities and recommendations of the Authorities, Boards, Commissions and Committees and have determined that certain changes to the City Code are in the public interest.

Section 1. NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, Maryland, that Chapter 11 “Authorities”, Article II,

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: Indicate matter added to existing law.
 : Indicate matter deleted from law.
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“Airport Authority”, §11-5, “Creation; members; compensation; conflicts of interest” of the Code of the City of College Park be, and is hereby, repealed, reenacted and amended to read as follows:

§11-5 Creation; members; compensation; conflicts of interest

A. There is hereby created and established the College Park Airport Authority, hereinafter sometimes referred to as the "Authority," which shall consist of seven members, all of whom shall reside in and be qualified voters of the City of College Park, Maryland. The members shall be appointed by the Mayor and City Council and shall serve ~~[for such a term or terms as decided by said appointing body]~~ FOR A TERM OF THREE YEARS. Vacancies shall be filled by the Mayor and City Council for any unexpired portion of a term. Members of said Authority shall serve without compensation.

B. Members of the Authority shall disclose to the Authority and the Ethics Commission any conflict of interest, as that term is DEFINED IN ~~[understood in the Maryland Common Law and]~~ the College Park Ethics Code, and shall refrain from voting or taking action on any matter concerning which that member has a potential conflict of interest ~~[, such as owning all or a portion or share of a flying club aircraft and voting or taking action on the regulation of any flying club or their aircraft that might affect that members' interest or ownership in a financial way. "Conflict of interest" shall refer to a real conflict and not to some insignificant matter such as owning stock in General Motors and voting on the purchase of a motor vehicle.]~~ Clarification and recommendations concerning doubtful situations can be requested ~~[of]~~ FROM the City'S Ethics Commission.

Section 2. BE IT FURTHER ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, Maryland, that Chapter 11 “Authorities”, Article II, “Airport Authority”, §11-6, “Purpose; use of airport” of the Code of the City of College Park be, and is hereby, repealed, reenacted and amended to read as follows:

§11-6 Purpose; use of airport.

A. * * * *

B. The Authority shall encourage use of the airport as an ONGOING OPERATIONAL AIRPORT AS WELL AS AN historical, recreational and educational center and promote good community relations. It will recommend to the Mayor and Council its findings for action.

Section 3. BE IT FURTHER ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, Maryland, that Chapter 15 “Boards, Commissions and Committees”, Article II, “College Park Recreation Board”, §15-3, “Membership; terms” of the Code of the City of College Park be, and is hereby, repealed, reenacted and amended to read as follows:

§15-3 Membership; terms.

~~[Effective March 30, 1999, m]~~ Membership on the College Park Recreation Board shall be COMPOSED OF UP TO 10 members ~~[- two from each Council district]~~ appointed by the Mayor and Council for three-year terms ~~[and two members nominated by the Mayor and confirmed by the Mayor and Council for three year terms,]~~ WITH A GOAL OF REPRESENTATION FROM EACH DISTRICT.

Section 4. BE IT FURTHER ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, Maryland, that Chapter 15 “Boards, Commissions and Committees”, Article VIII, “Committee for a Better Environment”, §15-34, “Powers and duties” of the Code of the City of College Park be, and is hereby, repealed, reenacted and amended to read as follows:

§15-34. Powers and duties.

The Committee shall advise the Mayor and Council on environmental issues affecting the lives of College Park residents and shall initiate and implement ~~[beautification]~~ SUSTAINABILITY efforts. The duties and responsibilities of the Committee shall be established by resolution of the Mayor and City Council.

Section 5. BE IT FURTHER ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, Maryland, that Chapter 179 “Tree and Landscape Maintenance”, §179-2, “Purpose; applicability” of the Code of the City of College Park be, and is hereby, repealed, reenacted and amended to read as follows:

§179-2. Purpose; applicability

A. – B. * * * *

C. The organizational provisions of this chapter create positions and a Board whose purposes are to:

(1) – (4) * * * *

(5) Guard [all] plants against the spread of diseases or pests.

(6) * * * *

D. When it is in the public interest, the City reserves the right to protect trees on private lands from diseases, pests or destruction [by humans].

Section 6. BE IT FURTHER ORDAINED AND ENACTED, by the Mayor and

Council of the City of College Park, Maryland, that Chapter 179 “Tree and Landscape Maintenance”, §179-5, “Tree and Landscape Board” of the Code of the City of College Park be, and is hereby, repealed, reenacted and amended to read as follows:

§179-5. Tree and Landscape Board.

A. Board membership and operation.

(1) * * * *

(2) The Board shall have the following nine voting members: five [citizens] RESIDENTS of the City appointed by the Mayor and Council of the City of College Park, the Chairperson of the Committee for a Better Environment or designee, the City Forester, the Planning, Community and Economic Development Director or designee and the Public Works Director or designee.

(3) The five Board members appointed by the Mayor and Council shall serve staggered, two-year terms. [~~except in the year the Board is established. In the year the Board is established, three appointments shall be for one year and two for two years. Thereafter, all appointments shall be made for two year terms.~~]

(4) * * * *

(5) The Board shall choose its own officers, adopt its own rules of procedure, subject to approval of the Mayor and Council, and keep an official record of its meetings and proceedings. A majority of its [appointed] members shall constitute a quorum for the purpose of transacting business.

B. Duties and responsibilities of the Board.

(1) [~~On an annual basis, t~~] The Board shall:

(a) * * * *

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(b) [Write] REVIEW plans for the selection, installation and maintenance of landscape plantings and removal of questionable trees, shrubs and ground covers on public ways or public areas within the City limits.

(c) Present [its] plans, INCLUDING THE VEGETATION MANAGEMENT PLAN, to the Mayor and Council, which, when accepted and approved by the Mayor and Council, shall constitute the [~~official comprehensive~~] landscape plan for the City.

(d) Oversee the administration of the [~~comprehensive~~] CITY landscape plan.

(2) – (6) * * * *

Section 7. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that, that Chapter 179 “Tree and Landscape Maintenance”, §179-6, “Comprehensive landscape plan; costs” of the Code of the City of College Park be, and is hereby, repealed, re-enacted and amended to read as follows:

§179-6, [~~Comprehensive~~] CITY landscape planS; costs.

A. The Public Works Director shall be responsible for the installation, maintenance and removal of trees, shrubs and ground covers within the specifications and standards established by the City Forester and the Tree and Landscape Board in accordance with the [~~comprehensive~~] landscape plan.

B. * * * *

Section 8. 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 7:15 P.M. on the 12th day of January, 2016, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or

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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 _____, 2016 provided that a fair summary of this Ordinance is published at least once prior to the date of passage and once as soon as practical after the date of passage in a newspaper having general circulation in the City.

INTRODUCED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 24th day of November 2015.

ADOPTED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 12th day of January 2016.

EFFECTIVE the 2nd day of February, 2016.

ATTEST:

CITY OF COLLEGE PARK

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

Patrick L. Wojahn
Patrick L. Wojahn, Mayor

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

Suellen M. Ferguson
Suellen M. Ferguson, City Attorney

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