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NOVEMBER 26, 2013
CITY OF COLLEGE PARK
COUNCIL CHAMBERS

7:00 P.M. – CLOSED SESSION
To Consult with Counsel on a Legal Matter

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

MEDITATION

PLEDGE OF ALLEGIANCE: Councilmember Dennis

ROLL CALL

MINUTES: November 12, 2013 Regular Meeting

ANNOUNCEMENTS

ACKNOWLEDGMENT OF DIGNITARIES

ACKNOWLEDGMENT OF NEWLY APPOINTED BOARD AND COMMITTEE MEMBERS

AWARDS

PROCLAMATIONS

AMENDMENTS TO THE AGENDA

CITY MANAGER'S REPORT: Joe Nagro

STUDENT LIAISON'S REPORT: Catherine McGrath

COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

PRESENTATIONS

Presentation of the "Jack Perry Award"
To Jerry Anzulovic

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**Presentation to the City of College Park**  
**by the**  
**College Park Needle Arts Society – Leslie Montroll**

## CONSENT AGENDA

- 13-R-25 Approval Of 13-R-25, A Resolution Of The Mayor And Council Of The City Of College Park To Amend In Their Entirety and Adopt The Commercial Tenant Improvement Program Guidelines
- 13-G-123 Approval Of A Memorandum Of Understanding ("MOU") With The Maryland Small Business Technology Development Center In Substantially The Form Attached As Part Of The Commercial Tenant Improvement Program And To Authorize The City Manager To Sign The MOU.

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

## ACTION ITEMS

- 13-G-124 Approval of a Declaration of Covenants and Agreement for the Kidwell development
- 13-G-125 Approval of FY 2014 Public School Education Grants
- 13-G-126 Approval of Amended DSP (03098-03) for Metropolitan at College Park, with conditions, and approval of a Declaration of Covenants and Agreement Regarding Land Use with the City of College Park.

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

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

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

## COUNCIL COMMENTS

## COMMENTS FROM THE AUDIENCE

## ADJOURN

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## INFORMATION / STATUS REPORT

None.

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# MINUTES

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, November 12, 2013**  
**7:30 p.m. – 8:02 p.m.**

**PRESENT:** Mayor Andrew Fellows; Councilmembers Kabir, Wojahn, Catlin, Dennis, Stullich, Day, Afzali, and Mitchell.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Yvette Allen, Assistant City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Councilmember-Elect Alan Hew; Councilmember-Elect P. J. Brennan and Catherine McGrath, Student Liaison.

Mayor Fellows opened the meeting at 7:30 p.m. Councilmember Catlin led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Day and seconded by Councilmember Stullich to approve the minutes of the Special Session of October 15, 2013 and the Regular Meeting of October 22, 2013. The motion passed 8 – 0 – 0.

**Announcements:** Councilmember Kabir announced that the North College Park Civic Association would hold their monthly meeting on Thursday at 7:30 p.m. at Davis Hall. He expressed his sympathy for the loss of life in the house fire that occurred on Sunday in Sunnyside. The fire department returned to the neighborhood on Monday to hand out fire safety tips and do house-checks; he thanked them for their service.

Councilmember Wojahn echoed Councilmember Kabir's sentiments over the loss of life of a fifty-year resident. There is also a question about whether the fire hydrant in the area was working up to its potential. He contacted WSSC to make sure all fire hydrants are working properly and to inquire about their testing protocols. Councilmember Wojahn announced the dates for upcoming Neighborhood Watch Basic Training: Thursday, November 13 at 7:00 p.m., Saturday, November 16<sup>th</sup> at 9:00 a.m., Thursday, December 5<sup>th</sup> at 7:00 p.m. and Saturday, December 7<sup>th</sup> at 9:00 a.m. All training classes will be held in the Council Chambers of City Hall.

Councilmember Catlin announced that the Berwyn District Civic Association would hold their monthly meeting on Thursday, November 21, 2013, at 8:00 p.m. at Fealy Hall.

Councilmember Dennis announced that the Lakeland Civic Association would meet on Thursday, November 14, 2013, at 7:00 p.m. at the College Park Community Center.

Councilmember Mitchell announced that the Prince George's County Municipal Association will hold their monthly meeting Thursday, November 14, 2013 at 7:00 p.m. at the new Glenarden Community Center. Kevin Maxwell, CEO of the Prince George's County Public Schools, will be the speaker.

**Amendments to the Agenda:** None

**City Manager's Report:** City Manager Joe Nagro reported that Curbside Leaf Collection is on schedule and asked residents to watch for collection notices to be posted in their neighborhood. Mr. Nagro reminded residents to rake leaves to the curb, not into the street, and to not park on top of the leaves. The leaf collection schedule is posted on the City's website.

**Student Liaison's Report:** Ms. McGrath said the second on-campus tailgate was held on Saturday and was a success. They are looking to continue this for the 2014 – 2015 school year.

**Comments from the Audience on Non-Agenda Items:** None.

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

**13-G-120 Motion to voice no objection to the application for a new Class B, Beer and Wine License for the use of Fishnet Restaurant, LLC, t/a Fishnet, 5008-5010 Berwyn Road, subject to the applicant entering into a Property Use Agreement with the City in substantially the form as attached, authorization for the City Manager to sign the PUA and for staff to testify to the City's position at the BOLC hearing.**

**The motion passed 8 – 0 – 0.**

#### **ACTION ITEMS**

**13-G-121 Approval of a letter to the Prince George's County Council in support of CB-77-2013 - Neighborhood Nuisance Bill**

**A motion was made by Councilmember Mitchell and seconded by Councilmember Afzali that the City Council approve a letter to the Prince George's County Council in substantially the form as attached in support of CB-77-2013, and authorize staff to testify in support of the bill at the public hearing on Tuesday, November 19, 2013.**

Councilmember Mitchell said that County Council Member Eric Olson introduced CB-77-2013 to amend County neighborhood nuisance regulations. The City Council previously authorized the Director of Public Services to testify in support of CB-77-2013 before the County Council Public Safety and Fiscal Management Committee. The bill was amended and draft #2 passed favorably out of committee. The proposed amendments will define neighborhood nuisances to include acts which disturb the public peace, e.g. large house parties, and include civil citations for tenants and occupants of rental properties as well as the property owners. Adoption and implementation of CB-77-2013 would enhance City and UMD efforts to improve quality of life in the City. City contract police officers and Prince George's County department officers would be allowed to enforce this County regulation.

There were no comments from the audience.

Councilmember Wojahn expressed his concerns about the language in the bill. While he supports the bill in principle, the term “acting in a disorderly manner that disturbs the public peace” is very broad and possibly runs afoul of the Constitution because of how vague it is. He can’t in good conscience support this as it is currently written.

**The motion passed 6 – 1 – 1 (Wojahn opposed; Kabir abstained)**

**13-G-122 Appointments to Boards and Committees**

A motion was made by Councilmember Dennis and seconded by Councilmember Catlin to appoint Arthur Eaton to the Veterans Memorial Improvement Committee. The motion passed 8 – 0 – 0.

**COUNCIL COMMENTS:**

Councilmember Afzali said he wants to introduce a Charter Amendment at the regular meeting on December 10 and have the Public Hearing on the same night to lower the age to run for the College Park City Council to age 18. Discussion ensued about whether this should be on a Worksession prior to introduction, the Public Hearing advertising schedule, the agenda for the December 10<sup>th</sup> meeting which is also the night of the Inauguration, and whether this should take place on a different night. Councilmember Afzali said he wants to get this done before his term ends and is concerned that delay would equal the death of the measure. He set forth the conditions upon which he would agree to delay the vote beyond December. After further discussion, Council agreed to introduce the Charter Amendment at the December 10 meeting and schedule the Public Hearing in February 2014.

**ADJOURN: A motion was made by Councilmember Stullich and seconded by Councilmember Day to adjourn the regular session and reconvene in a Worksession for a discussion with student stakeholder groups about strategies in the Neighborhood Stabilization and Quality of Life Workgroup Final Report. The motion passed 8 – 0 – 0 and the Regular meeting concluded at 9:54 p.m.**

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Janeen S. Miller, CMC  
City Clerk

Date  
Approved

**2013  
JACK PERRY  
AWARD**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF  
COLLEGE PARK, MARYLAND ESTABLISHING AN AWARD IN  
RECOGNITION OF  
COUNCILMEMBER JOHN EDWARD "JACK" PERRY**

**WHEREAS**, John Edward "Jack" Perry moved to College Park in March of 1969 and was active in his community until his death in 2012; and

**WHEREAS**, over the years, Jack Perry served on the Board of Directors and as President of the Berwyn District Civic Association, as President of the College Park Boys and Girls Club, and on numerous other boards, coalitions, task forces and committees; and

**WHEREAS**, Jack Perry served on the College Park City Council from 1979 – 1983 and from 1989 to 2011, for a total of 26 years, tied with Mayor Davis as the second-longest serving official in the City's history; and

**WHEREAS**, Jack Perry volunteered his time in countless ways to improve the quality of life in College Park, fostered neighborhood pride, participated in public discussion in an informed and fair-minded way, and provided leadership at all levels of city life.

**WHEREAS**, members of the Berwyn community and the Berwyn District Civic Association, Inc. met and discussed the creation of a City award to honor Jack Perry's contributions to his neighborhood and the City; and

**WHEREAS**, the Mayor and Council of the City of College Park share the desire to honor the memory and legacy of Jack Perry through an Award to a deserving member of the community.

**NOW THEREFORE BE IT RESOLVED**, that the "**Jack Perry Award**" be and it is hereby established as follows:

1. **Nominations:**

Any resident, neighborhood association or organization located in the City of College Park may submit a nomination for the Jack Perry Award. Nominations shall be submitted in writing to the City Clerk for the City of College Park. The nomination period shall be open annually from May 15 (Jack Perry's birthday) to July 15.

2. **Criteria:**

The Jack Perry Award will recognize a College Park resident who has participated to an extraordinary degree in neighborhood, civic, or municipal affairs within the City in a manner that improves public spaces, fosters community cohesion, eradicates blight, informs discussion of public issues, provides leadership, and/or furthers the best

interests of the City as a whole. Although our community may never again see as public-spirited a citizen as Jack, his spirit and example should be honored and emulated. It is in the interest of the City to periodically recognize a resident who embodies the qualities Jack so admirably lived.

3. Eligibility:

To be eligible, a person must be at least 18 years of age, a registered voter or legal resident of College Park.

4. Frequency of the Award:

The Jack Perry Award shall be conferred when and if an eligible member of the community is nominated and found to be deserving of the Award. The Award will be advertised annually but there is no obligation to grant the award each year.

5. Selection Process:

Nominations will be reviewed by a subcommittee of at least three persons appointed by the Mayor. The subcommittee shall include a member of the Perry family. The subcommittee's recommendation will be forwarded to the full Council for approval by majority vote.

6. Award:

This is a non-monetary award to be given to the person selected by the Council at a regular meeting in September or October.

**ADOPTED** by the Mayor and Council of the City of College Park this 26<sup>th</sup> day of February, 2013

**EFFECTIVE** the 26<sup>th</sup> day of February, 2013.

WITNESS:

THE CITY OF COLLEGE PARK,  
MARYLAND

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

Andrew M. Fellows  
Andrew M. Fellows, Mayor

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

Suellen M. Ferguson  
Suellen M. Ferguson, City Attorney

**PRESENTATION TO  
THE CITY FROM  
THE COLLEGE  
PARK NEEDLE  
ARTS SOCIETY**

Leslie S. Montroll  
7202 Rhode Island Avenue  
College Park, MD 20740  
301-277-9630

P R E S S   R E L E A S E

**College Park Needle Arts Society  
to Donate Quilt to City**

November 8, 2013 – College Park, MD – To mark their tenth anniversary, the College Park Needle Arts Society will present a specially made quilted wall hanging to Mayor Andrew Fellows and the College Park City Council on Tuesday, November 26 at 7:30 pm at Council Chambers in City Hall, 4500 Knox Road.

The quilt was designed by members of the Needle Arts Society, and was then pieced and quilted by the group's founder, Leslie Montroll. The quilt has 160 colorful blocks framing a center medallion, uses 19 different fabrics and measures approximately 65 x 85 inches. It was made to hang in the City's Old Parish House.

The blocks for the quilt are based on a traditional "snowball" block. However, the fabrics in the quilt are far from traditional. Nearly all the fabrics were donated from the collection of Pamela and Nathaniel Safford, residents of College Park for nearly 58 years. While they are quite fond of international fabrics, especially African prints and Dutch wax batiks, all the fabrics were purchased at local shops. Over the years, the Saffords have generously donated much of their extra fabric to the Needle Arts group.

Montroll and the Needle Arts Society members had been thinking of a special way to celebrate the group's tenth anniversary this fall. They wanted to not only thank the City for providing the group a weekly home, but also honor Mr. and Mrs. Safford for their long-term dedication to the City by making something for the community utilizing their fabric collection.

Since several of the group's members are quilters, a quilted wall hanging seemed like the perfect solution.

The Old Parish House is the second oldest building in the City. Located at 4711 Knox Road, it was originally constructed in 1817 as a dairy barn as part of the Calvert Estate. The structure was converted to a church around 1894 and later served as a parish house for St. Andrews's Episcopal Church. In 1957, the building was purchased by the Women's Club of College Park for use as their headquarters. In 1998, the building was donated to the City of College Park for use as a community center.

The College Park Needle Arts Society meets at the Old Parish House each Friday, from 9:30 to 11:30 am. The group provides an informal place for adults to gather to work on various needle arts projects, enjoy mutual inspiration and camaraderie. New members are always welcome. There are no dues, no officers and no group projects.

For more information, contact Leslie Montroll at 301-277-9630 or e-mail at [cpneedlearts@earthlink.net](mailto:cpneedlearts@earthlink.net).

###

**13-R-25**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, MARYLAND, ADOPTING AMENDED PROGRAM GUIDELINES FOR THE COMMERCIAL TENANT IMPROVEMENT PROGRAM**

**WHEREAS**, the City has established a Commercial Tenant Improvement Program to provide grants for tenant improvements to commercial property; and

**WHEREAS**, a grant of up to \$25,000.00 to fund fifty percent (50%) of commercial tenant improvements may be awarded; and

**WHEREAS**, in Resolution 13-R-05 the Mayor and Council adopted guidelines for the Commercial Tenant Improvement Program to be administered by City staff; and

**WHEREAS**, it has become necessary to amend the guidelines to change the administrative process for the Program.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of College Park that the Commercial Tenant Improvement Program Guidelines be and they are hereby amended in their entirety and approved in substantially the form attached.

**ADOPTED** by the Mayor and City Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**EFFECTIVE** the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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 Resolution

**WITNESS:**

**THE CITY OF COLLEGE PARK,  
MARYLAND**

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

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

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

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

City of College Park  
Department of Planning, Community, and Economic Development  
4500 Knox Road  
College Park, MD 20740  
Phone: (240) 487-3543  
Fax: (301) 887-0558



## **COMMERCIAL TENANT IMPROVEMENT PROGRAM GUIDELINES**

*Amended November 2013*

### **PROGRAM OVERVIEW**

#### *Program Description*

As part of the City of College Park's ("City") effort to attract high-quality commercial tenants and fill vacant retail spaces, the Commercial Tenant Improvement Program reimburses qualified new or expanding businesses for their leasehold improvements or build-out. Applicants are eligible for a matching grant, not to exceed \$25,000, for a maximum 50 percent of the total improvement costs.

The program is administered by the City and operates on a reimbursement basis. All payments to professionals, City and County departments, and contractors are the full responsibility of the applicant. The City will verify actual costs incurred by the grantee prior to reimbursement. Reimbursement will only take place after any necessary Use and Occupancy permit has been issued by Prince George's County and Non-Residential Occupancy permit has been issued by the City.

The program application identifies the conditions, covenants, and responsibilities for the grant and must be signed by all required applicants. The general rules, guidelines, grant terms and conditions, and process are described below. Award of the grant is entirely within the discretion of the City.

#### *Program Area*

Application for a grant under the Commercial Tenant Improvement Program is open to all legally existing commercial buildings within the City municipal boundaries.

### **ELIGIBILITY REQUIREMENTS**

To secure a compelling mix of retail and restaurant businesses in College Park, certain business types are eligible for this program. Generally, an appropriate business for the Commercial Tenant Improvement Program is one of the target business types identified in studies and surveys conducted by the City. These businesses will promote an inviting, vibrant environment

and fill a void in the current retail scene. The following table identifies the types of businesses that are eligible and businesses that are not eligible for the program.

| Eligible Business Type                                       | Non-Eligible Business Type                                       |
|--------------------------------------------------------------|------------------------------------------------------------------|
| Apparel/Shoe store <i>(such as boutique or non-discount)</i> | Automotive business                                              |
| Bakery                                                       | Bank/Check cashing                                               |
| Coffee shop                                                  | Convenience/Liquor store                                         |
| Entertainment <i>(such as a music venue or theater)</i>      | Dollar store                                                     |
| Full service/Fine dining restaurant                          | Dry cleaner                                                      |
| Gourmet food shop                                            | Phone service retailer                                           |
| Grocery store                                                | Professional services <i>(such as office or hair/nail salon)</i> |
| Health club/Yoga studio                                      | Fast food or drive-thru restaurant                               |

Applicants must meet the following criteria in order to be eligible for the Program:

- The business is at least 50% locally-owned, with “local” defined as the Baltimore-Washington metropolitan area and is not part of a national franchise.
- Decision-making authority in the business is vested in the local owners not subject to conditions dictated remotely.
- The business has no more than 20 outlets, with a maximum of 5 of those outlets outside the Baltimore-Washington metropolitan area.
- Applicants must be the lessee or owner of an eligible building or space.
- An applicant who is not the owner of the building or space must possess a fully executed lease with a minimum of three (3) years remaining in the term from the submittal date of the completed and signed program application.
- Improvements are proposed for a new business or one that is expanding its physical size by at least 1,000 square feet.
- The applicant and the building in which the improvements will be made must be in good standing with the City in order to receive grant funds. This requirement is waived only in the case that the proposed improvements would also resolve outstanding code violations.

## APPLICATION PROCESS

1. Applicant is required to attend a preliminary meeting with the City's Economic Development Coordinator (EDC) to review program criteria.
2. Applicant will prepare and submit the City application and the documentation required in the Section 1 of the Submittal Requirements to the City's EDC for review. Additionally, the applicant shall schedule a preliminary walkthrough of the subject building with the EDC to discuss planned improvements.
3. The City's EDC will review these documents and make an initial determination of whether the application meets the eligibility requirements.
4. The applicant will be notified whether the application is accepted for further review. If the application is accepted for further review, the applicant shall submit the required financial documents in accordance with Section 2 of the Submittal Requirements. Additionally, the applicant shall attend a minimum of three business counseling sessions with the Maryland Small Business Technology and Development Center (the "SBTDC"). The SBTDC will provide written proof that the applicant has attended a minimum of three business counseling sessions.
5. The City will review the financial documents. An application cannot be approved without this assessment.
6. The applicant will be notified whether the application is accepted for further review. If the application is accepted for further review, the applicant shall submit the required pre-construction documents in accordance with Section 3 of the Submittal Requirements.
7. Upon review and acceptance of the pre-construction documents a notice of decision will be sent to the applicant allowing work to proceed.
8. Upon completion of the improvements, the applicant shall schedule a final walkthrough with the EDC to inspect the completed improvements. Additionally, the applicant shall submit the documents required in Section 4 of the Submittal Requirements prior to the disbursement of grant funds.

## SUBMITTAL REQUIREMENTS

### 1. *Preliminary Submittal*

- Completed and signed application form.
- Copy of executed lease for a business operating in rented premises. If an executed lease is not completed at the time of application, applicant must provide an executed letter of intent. However, prior to receiving reimbursement under the grant, the applicant must provide an executed lease. The lease must be for a minimum of three (3) years.
- Description of business, at minimum:
  - Products or services offered

- Key management members and their roles
- Proof of locally-owned status, as evidenced by organizational documents.
- Written consent of property owner if applicant does not own property.
- List of all improvements that will be made and a cost estimate for each.
- Estimated development/construction schedule
- Preliminary site plan for space

## 2. *Financial Submittal\**

- A breakdown of the sources and uses of funds for the construction of the project. Must include proof of funding source, e.g. bank approval of loan for costs that must be covered by the applicant for the improvements.
- Detailed information on employment history and performance for the business owner and manager.
- Business plan
- Three (3) years of business income tax returns and three (3) years of personal tax returns for all business partners.
- Credit report for all individuals involved in the business.
- Plans for marketing and growth.

## 3. *Pre-Construction Submittal*

- Copy of any construction plans and drawings.
- Copies of agreements with contractors, if applicable.

## 4. *Closeout Submittal*

- Proof of any required inspections, permits and approvals from the County and/or the City.
- Receipt, review and acceptance of all invoices or other evidence of payment for improvements and any other supporting records required by the City.
- Completed W-9 form.

\* The Financial Documents and any other documents that the applicant claims as confidential must be so marked and submitted in a separate sealed envelope for confidentiality purposes. These items will be reviewed by the City and returned to the applicant upon completion of the review process. In the event that, pursuant to the Maryland Public Information Act or other process, the City receives a request for information that has been marked confidential by applicant, and the City agrees that the information may be exempt from disclosure under Maryland law, then the City will not disclose the information and will notify the applicant of the request.

## **EVALUATION OF APPLICATIONS**

Applications will be approved on a first come, first served basis. Grant funds will be set aside for an applicant once they provide all documentation required in Section 1 of the Submittal Requirements, with the following constraints:

- After the initial review by the City, the applicant shall provide all documentation required in Section 2 of the Submittal Requirements within 30 calendar days of notification from the City.
- After the financial review by the City, the applicant shall provide all documentation required in Section 3 of the Submittal Requirements within 45 calendar days of notification from the City.

If the applicant fails to meet any of these requirements the City may reallocate grant funds to another applicant.

## **ELIGIBLE COSTS**

### *Eligible Improvements*

The program is intended to fund improvements that are affixed to the property, and therefore will not cover the cost of purchasing or installing non-fixed equipment or inventory. Generally acceptable improvements include, but are not necessarily limited to, the following repairs/replacement/upgrades:

- Bar/cash wrap
- Dry wall
- Electrical
- Flooring
- Green initiatives (low flow toilets, energy efficient lighting, etc.)
- HVAC/mechanical
- Interior demolition
- Lighting
- Painting
- Plumbing
- Windows/doors

In addition to the preceding limitations, the following terms apply to the eligible improvements:

- The City reserves the right to require certain minimum improvements as part of the program. For example, façade repainting may be required as a minimum improvement.
- All improvements must comply with all City and County building codes.
- All improvements must obtain required construction-related permits.
- Applicant is not to begin any improvements to the property before the grant is approved by the City. Improvement costs incurred prior to the grant award will not be eligible for reimbursement.
- Costs associated with detailed construction drawings, conceptual design, renderings and cost estimates are not eligible for reimbursement.

*Other Eligible Costs*

- All construction-related permit fees lawfully required for the tenant improvements shall be paid by applicant and considered eligible costs.
- Any modifications to the interior or exterior of the building that are required by the City.
- Labor and materials related to the eligible improvements. Receipts must be provided for all materials to be considered an eligible cost.

**GRANT TERMS**

Subject to the availability of funding, applicants are eligible for a matching grant, not to exceed \$25,000, for a maximum 50 percent of the total improvement costs.

During construction, a grant program sign provided by the City must be posted in the applicant’s storefront from the start of construction until at least 10 days after completion of the improvements.

Contractors must be licensed and insured to do business in the State of Maryland. Applicant is responsible for selecting a qualified contractor and executing the corresponding construction agreement.

Reimbursement of eligible costs is subject to continued grant funding. All work for which applicant requests reimbursement must be completed within 120 days of approval of the application, and in any event by April 1, 2015. The City may extend the 120 day period for good cause.

Grant funds will be disbursed directly to the applicant upon the following:

- Proof of any required inspections and approvals from Prince George’s County and/or the City.

- Receipt, review and acceptance of all invoices and copies of cancelled checks or other evidence of payment for improvements and any other supporting records required by the City.
- If required, issuance of a Use and Occupancy permit by Prince George's County and a Non-Residential Occupancy permit by the City.

A grant under this program for the same physical space may be awarded only once in every five (5) years, unless a compelling justification is established and approved by the City, at its sole discretion.

### **MAINTENANCE OBLIGATION**

Applicant shall maintain the improvements to the property in good condition and in accordance with all applicable building codes. The City has the right to inspect the condition of the property from time to time with three (3) business days notice to the property owner.

Conditions that constitute a failure to maintain the property in good condition include, but are not limited to, peeling paint, chipped surfaces, broken windows, covered transoms or window spaces, boarded windows, excessive bird droppings or debris, graffiti and illegal or nonconforming signage, obstructed windows and conditions for which code violation notices or citations are issued.

At any time during five (5) years from the date of funding, that the City determines the improvements have not been maintained in good condition, the City will notify the business owner and/or the property owner in writing of any deficiencies and provide 30 days for corrective actions to be taken. Failure to maintain improvements or take corrective action of maintenance concerns will result in ineligibility of award for future grants or loan-to-grants to that individual or corporation.

**13-G-123**

November 26, 2013

Mr. Joe Nagro  
City Manager  
City of College Park  
4500 Knox Road  
College Park, MD 20740

Dear Mr. Nagro:

The Maryland Small Business & Technology Development Center Network (“SBTDC”) and The City of College Park (“City”) hereby enter into this Memorandum of Understanding (“MOU”) to assist potential and existing entrepreneurs in College Park, MD.

### **Term of Agreement**

This MOU shall commence on November 26, 2013 and continue until May 31, 2015. Either party may terminate this agreement, upon thirty (30) days written notice to the other party.

### **Scope of Work**

The City of College Park is implementing and funding a Commercial Tenant Improvement Program (the “Program”) to attract high-quality commercial tenants to fill vacant spaces in the City. The Program will provide reimbursements to qualified retail businesses for leasehold improvements. As part of the Program, the City will process applications and make the final determination about an applicant’s eligibility for the Program.

To assist the City in administering the Program the SBTDC – Capital Region will:

- Accept applicants to the Program as clients and provide counseling to strengthen their business model with the goal of improving their chances of success.
- Provide written confirmation to the City that applicants have attended a minimum number of counseling sessions, as established in the Program guidelines and with the express permission of clients.

### **Confidentiality and Proprietary Information**

All client information gathered, developed and otherwise made known to the SBTDC must remain confidential.

Any materials, including forms, spreadsheet formats, and other like documentation generated as part of the services provided by SBTDC are the sole property of the SBTDC, and such material cannot be reproduced without the written permission of the SBTDC.

Please sign and return the enclosed copy of this MOU acknowledging our mutual understanding of the agreement and authorizing us to proceed. If you have any questions, please email Lora Brown at [lbrown@umd.edu](mailto:lbrown@umd.edu) or call at (301) 403-8162.

Very truly yours,

Maryland Small Business & Technology Development Center Network

By:

Renée Sprow: \_\_\_\_\_  
State Director

Accepted:

By:

Joe Nagro: \_\_\_\_\_  
City Manager

Date:

**13-G-124**

# Memo

**To:** Mayor and Council

**From:** Peggy Higgins, Youth, Family and Senior Services Director,  
EAC Staff Liaison

**Date:** November 21, 2013

**Re:** Paint Branch Elementary - Education Advisory Committee Public School  
Grant

Paint Branch Elementary's Public School Grant submission included \$3,000 of the \$7,500 for visas for Paint Branch students' trip to China. Staff learned yesterday there will not be a China trip this year as the cost is prohibitive.

In order to allow Paint Branch the opportunity to re-allocate the \$3,000, Council action on the Paint Branch grant has been pulled from the motion.

Paint Branch will be resubmitting their application to the Education Advisory Committee who anticipates bringing Paint Branch and Greenbelt Middle's application in January for Council action.

**MOTION FOR COUNCILMEMBER MITCHELL**  
FY '14 Public School Education Grants

Item # 13-G-125

**MOTION:**

**I move that the City Council approve the award of the following FY '14 Public School Education Grants:**

- **\$2,500 to Berwyn Heights Elementary School for the Healthy Initiative project**
- **\$2,500 to University Park Elementary School for ESOL Reading Success**
- **\$2,500 to Buck Lodge Middle School for Positive Behavior Intervention & Supports Incentive Program**
- **\$2,500 to High Point High School for an Outreach Coordinator**
- **\$7,500 to Hollywood Elementary School for Equipment and Materials Investment to Enhance Educational Opportunities**
- **\$7,500 to Parkdale High School for Blended Learning Opportunity/Credit Recovery.**

Comments:

The City of College Park has strong commitment to the education of its children and encourages partnership with its schools through the public school education grant process. Each year the City releases education grant applications to those boundary schools that serve College Park students. The purpose of this grant process is to support school initiatives and provide additional educational support and/or creative initiatives to the students.

Grant amounts available are in two tiers - \$2,500 and \$7,500. The amount a school is eligible for is dependent on the number of College Park students in their school. Those schools with the largest number of College Park students are eligible for the \$7,500 grant and the others \$2,500.

# 13-G-126

(This material will be provided in your red folders, pending the meeting with residents on Monday 11/25/13)