



TUESDAY, MARCH 10, 2015
CITY OF COLLEGE PARK
COUNCIL CHAMBERS

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

(There will be a Worksession after the Regular Meeting)

MEDITATION

PLEDGE OF ALLEGIANCE: Councilmember Hew

ROLL CALL

MINUTES: February 17, 2015 Special Session, February 24, 2015 Regular Meeting,
March 3, 2015 Special Session

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: Cole Holocker

COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

PRESENTATIONS

CONSENT AGENDA

None.

ACTION ITEMS

15-G-31 Approval of a letter to the management of the Camden
apartments inviting them to a Worksession to discuss
resident concerns

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

- | | | |
|---------|---|---|
| 15-G-32 | Motion to override the appointment process required by Resolution 10-R-33 and reappoint Cole Holocker as the Student Liaison for 2015-2016, and to authorize recruitment for a Deputy Student Liaison for 2015-2016 | Motion By: Day
To: Approve
Second:
Aye: _____ Nay: _____
Other: _____ |
| 15-G-33 | Appointments to Boards and Committees | Motion By:
To: Approve
Second:
Aye: _____ Nay: _____
Other: _____ |
| 15-O-02 | Introduction of Ordinance 15-O-02, An Ordinance of the Mayor and Council of the City of College Park, MD to Amend the Fiscal Year 2015 Operating and Capital Budget of the City of College Park, MD <i>(The Public Hearing will be held on April 14, 2015 at 7:15 p.m. in the Council Chambers)</i> | Motion By: Mitchell
To: Introduce
Second: |

COUNCIL COMMENTS
 COMMENTS FROM THE AUDIENCE
 ADJOURN

WORKSESSION

1. Discussion with Advisory Planning Commission about their charge and mission

INFORMATION/STATUS REPORTS (For Council Review)

1. Legislative Report – Len Lucchi, O’Malley, Miles, Nysten & Gilmore, PA

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

MINUTES

MINUTES
Special Session of the College Park City Council
Tuesday, February 17, 2015
Council Chambers
10:15 p.m.

PRESENT: Mayor Fellows; Councilmembers Kabir, Brennan, Dennis, Stulich, Day, Hew and Mitchell.

ABSENT: Councilmember Wojahn.

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Bill Gardiner, Assistant City Manager; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Jill Clements, Director of Human Resources; Cole Holocker, Student Liaison.

During a regularly scheduled Worksession of the College Park City Council, a motion was made by Councilmember Mitchell and seconded by Councilmember Day to enter into a Special Session. The possibility of the Special Session was listed on the Worksession agenda.

ACTION ITEMS

Ms. Schum said the State Department of Housing and Community Development have asked for letters of support of funding for three DHCD programs in the Governor's proposed FY '16 budget. The programs are Community Legacy, Neighborhood BusinessWorks, and Strategic Demolition. If the Council is inclined to approve these letters, they are needed tonight.

15-G-26 A motion was made by Councilmember Brennan and seconded by Councilmember Mitchell to authorize the letters of support for DHCD's core revitalization programs.

There were no comments from the audience or from Council.

The motion passed 7 - 0 - 0.

ADJOURN: A motion was made by Councilmember Mitchell and seconded by Councilmember Day to adjourn the Special Session. With a vote of 7 - 0 - 0, Mayor Fellows adjourned the Special Session at 10:17 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved

MINUTES
Regular Meeting of the College Park City Council
Tuesday, February 24, 2015
Council Chambers
7:30 p.m. – 8:09 p.m.

PRESENT: Mayor Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Day, Hew (arrived at 7:35 p.m.) and Mitchell.

ABSENT: Councilmember Stullich.

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Bill Gardiner, Assistant City Manager; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Cole Holocker, Student Liaison.

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

Minutes: A motion was made by Councilmember Dennis and seconded by Councilmember Mitchell to approve the minutes of the February 10, 2015 Regular Meeting, the February 10, 2015 Public Hearing on 15-O-01, and the transcript in lieu of minutes for the Oral Argument held on January 27, 2015 in case CPD-2014-01. The motion passed 6 – 0 – 0.

Announcements:

Councilmember Mitchell discussed the Black History Month event held on Sunday at the Emery A.M.E. Church.

Councilmember Wojahn announced tomorrow's Live Smart, Eat Local event at Kangnam BBQ.

Amendments to the Agenda: The following action items were moved to the Consent Agenda: 15-G-17, 15-G-19, 15-G-20, 15-G-21, and 15-G-22. Item #15-G-09 was removed from the agenda. #15-G-25, Boards and Committees, was added to the agenda.

City Manager's Report: Mr. Nagro said that wood mulch is available for pick-up from the Public Works yard.

Student Liaison's Report: Mr. Holocker discussed the Men's basketball game tonight. He thanked the Council for their support of specific legislation that the SGA is supporting.

Comments from the Audience on Non-Agenda items:

Dave Dorsch, 4607 Calvert Road: There is a hole in the Route 1 median fence, why is it still like that, have we written a letter? You need to install a railing in front of Cornerstone Grill to protect the students. In three months it will be the one-year anniversary of the 5-year flood in Calvert Hills. He can't get any information on what the County is doing. Can the City help?

Presentations: Mayor Fellows introduced Chuck Bean, the Executive Director of the Metropolitan Washington Council of Governments, who gave a presentation about current COG programs and initiatives, and highlighted the benefits that the City receives through its membership with COG.

CONSENT AGENDA

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

- 15-G-14 Approval of Order of Remand for Departure Application Number CPD-2014-01, 4618 College Avenue.**
- 15-G-15 A motion that the City Council formally adopt the colorized version of the original Seal of the City of College Park, using the designated color values, to serve as the official seal of the City of College Park.**
- 15-G-16 A motion that the City Council approve a new design for the City of College Park Flag that incorporates the color City Seal in the gold and black quadrant background.**
- 15-G-17 Approval of a letter to the 21st District Delegation stating the City's support for Senate Bill 369, to authorize a certain Class D (on-sale) Beer and Wine License issued for certain premises in the 7100 block of Baltimore Avenue to be converted, on or after a certain date, into a Class D (on- and off-sale) Beer and Wine License for certain other premises in the 7100-7200 block of Baltimore Avenue, subject to the applicant entering into a Property Use Agreement with the City, and authorization for the City Manager to sign the PUA.**
- 15-G-19 Approval of a change order in an amount not to exceed \$80,524 for Charles P. Johnson Associates for the Duvall Field project**
- 15-G-20 Approval of a letter of support for HB 584, Ethics Law – Financial Disclosure Statement by Elected Local Official of a Municipal Corporation – Confidential Information**
- 15-G-21 Approval of a letter of support for HB 682, Municipalities- Charter Amendments – Referendum and Signatures Required for Petitions**
- 15-G-22 Approval of a letter of support for SB 604/HB 229 – Human Relations – Employment Discrimination – Protection for Interns**

The motion carried 7 – 0 – 0.

ACTION ITEMS

15-G-18 Authorization for the City to sign a Memorandum of Understanding with the University of Maryland for City participation in the Partnership for Action Learning in Sustainability (PALS) Program, and funding of \$15,000.

A motion was made by Councilmember Kabir and seconded by Councilmember Wojahn to authorize the City Manager to sign a Memorandum of Understanding with the University of Maryland, subject to the approval of the City Attorney, for City participation in the Partnership for Action learning in Sustainability (PALS) Program.

Councilmember Kabir said that PALS is a University of Maryland campus-wide initiative administered by the National Center for Smart Growth. It harnesses the expertise of University faculty and the energy of University students to help Maryland communities become more sustainable. The City and PALS staff have identified four courses/projects for the spring 2015 semester: 1) Improving Solid Waste Management Practices, 2) College Town: How the University and City can enhance urban life and the University, 3) Greenhouse Gas Inventory, 4) Making Place: Public Art and Design. Staff from Administration, Planning and Public Works will be liaisons for the courses. The cost to the City will be \$15,000.

There were no comments from the audience or from the Council.

The motion passed 6 – 0 – 1 (Mitchell abstained).

15-G-23 Approval of a letter of support for HB 376 – Electric Companies – Vegetation Management – Local Law, Rule or Regulation.

A motion was made by Councilmember Mitchell and seconded by Councilmember Brennan to approve a letter of support for HB 376, Electric Companies – Vegetation Management – Local Law, Rule or Regulation.

Councilmember Mitchell said HB 376 would repeal a prohibition against a county or municipal corporation taking specified actions that interfere with or increase the costs of an electric company's work toward compliance with specified vegetation management standards.

There were no comments from the audience or from the Council.

The motion passed 7 – 0 – 0.

15-G-24 Authorization for the City to sign on to the *amicus* brief to urge support for freedom to marry.

A motion was made by Councilmember Brennan and seconded by Councilmember Day to authorize City Council support for an *amicus* brief concerning the freedom to marry to be filed with the U.S. Supreme Court that explains to the Court the harm to families and communities resulting from marriage discrimination.

Councilmember Brennan said the U.S. Supreme Court has agreed to consider the freedom to marry in their current term. A friend-of-the-court brief is being drafted by the Los Angeles City Attorney's Office that will focus on the harm done to families and communities as a result of marriage discrimination. Joining the brief will be "Mayors for the Freedom to Marry", the "U.S. Conference of Mayors", and individual Mayors and cities nationwide. The City's support will be subject to the City Attorney's review of the brief, which has not yet been received. The deadline for signing-on to the *amicus* brief is Monday, March 2, so Council needs to act on this tonight.

Ms. Miller said the brief had been received this afternoon and sent to Council.

There were no comments from the audience. Mayor Fellows said he is a member of Mayors for Freedom to Marry and is pleased by the Council's support.

The motion passed 6 – 0 – 1 (Kabir abstained).

15-G-25 Appointments to Boards and Committees

A motion was made by Councilmember Brennan and seconded by Councilmember Mitchell to appoint Mary Katherine Theis to the Board of Election Supervisors and Karyn Keating-Volke to the Neighborhood Quality of Life Committee. The motion passed 7 – 0 – 0.

COUNCIL COMMENTS:

Councilmember Day announced that the Calvert Hills Civic Association would meet on Wednesday, March 4 at 7:00 p.m. at the Old Parish House. He also congratulated the Lady Terps on their season.

COMMENTS FROM THE AUDIENCE: None.

ADJOURN: A motion was made by Councilmember Brennan and seconded by Councilmember Day to adjourn the Regular Meeting. Mayor Fellows announced that after a brief recess, the Council would reconvene in a Worksession to discuss the Draft Strategic Plan. With a vote of 7 – 0 – 0, Mayor Fellows adjourned the Regular Meeting at 8:09 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved

MINUTES
Special Session of the College Park City Council
Tuesday, March 3, 2015
Council Chambers

PRESENT: Mayor Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Day, Hew and Mitchell.

ABSENT: Councilmember Stullich.

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Bill Gardiner, Assistant City Manager; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Bob Stumpff, Director of Public Works; Bob Ryan, Director of Public Services; Michael Stiefvater, Economic Development Coordinator; Steve Halpern, City Engineer; Cole Holocker, Student Liaison.

During a regularly scheduled Worksession of the College Park City Council, a motion was made by Councilmember Dennis and seconded by Councilmember Day to enter into a Special Session to act on an item that was added to the agenda. With a vote of 7 – 0 – 0, Mayor Fellows convened the Special Session at 7:38 p.m. Mayor Fellows said this item has been discussed at meetings the last two weeks and is ready tonight to be acted upon.

15-G-09 Approval of an Amendment to Paragraph 10 of the Declaration of Covenants and Agreement Regarding Land Use with 7401 Realty, LLC

A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to approve an amendment to Paragraph 10 of the Declaration of Covenants and Agreement Regarding Land Use with 7401 Realty, LLC, to authorize the use of the National Green Building Standard (“NGBS”) certification process for the multi-family development at 4700 Berwyn House Road, set the bronze-level certification as the minimum standard to be obtained, with a commitment to use commercially reasonable efforts to pursue NGBS silver certification, and set a penalty for failure to obtain NGBS certification.

Councilmember Dennis said the City is seeking commitments from developers to adopt green building standards. The property located at 4700 Berwyn House Road is not required by the Sector Plan to commit to a specific level of green building. The City and the owner originally agreed to a certain level of LEED certification for the building and included that agreement in a Declaration of Covenants. However, the owner, 7401 Realty, LLC, has proposed the use of an alternative, the National Green Building Standard (NGBS), as better suited to the type of multi-family development planned for this project. The City Council has agreed to authorize the amendment of the Declaration of Covenants to recognize the NGBS system of certification, and to set a requirement that at least a bronze level certification be obtained, with the owner using commercially reasonable efforts to design and pursue NGBS Silver level certification. Further, the owner will retain an independent NGBS certified/qualified consultant to be part of the

development team and coordinate the design and certification process. There is a significant monetary deposit required to incentivize the owner to obtain the NGBS certification.

There were no comments from the audience.

Ms. Ferguson pointed out the revised language to Paragraph 10 of the Declaration of Covenants.

The motion passed 7 - 0 - 0.

ADJOURN: A motion was made by Councilmember Mitchell and seconded by Councilmember Day to adjourn the Special Session. With a vote of 7 – 0 – 0, Mayor Fellows adjourned the Special Session at 7:42 p.m.

After discussion of several bills currently before the state legislature, a motion was made by Councilmember Wojahn and seconded by Councilmember Kabir to enter into a Special Session to act on certain time-sensitive legislative items. With a vote of 7 – 0 – 0, Mayor Fellows convened the Special Session at 9:53 p.m.

**15-G-27 Support for SB 481/HB 1087: Electricity – Community Solar Energy
Generating System Program**

A motion was made by Councilmember Wojahn and seconded by Councilmember Brennan to send letters of support to the Senate Finance Committee and the House Economic Matters Committee for SB 481/HB 1087: Electricity – Community Solar Energy Generating System Program.

Councilmember Wojahn said this bill would establish a program on community solar energy generating systems under the authority of the Public Service Commission and provide for the structure and operation of the program, including the generation of electricity and allocation of costs to system subscribers. Electric companies could submit a petition to the Commission to own and operate a community solar energy generating system and the Commission could approve the petitions if it makes a specified determination. This would allow residents who have homes that do not allow installation of solar panels to invest in solar energy and receive some of the benefits.

There were no comments from the audience or the Council.

The motion passed 7 – 0 – 0.

15-G-28 Opposition to HB 933: Energy Efficiency and Demand Management Programs and Services - Repeal

A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to send a letter to the Senate Finance Committee expressing the City's opposition to HB 933 - Energy Efficiency and Demand Management Programs and Services – Repeal.

Councilmember Wojahn said this bill would repeal a range of provisions established in 2008 that require gas companies and electric companies to establish specified energy efficiency programs and services. The laws this bill would repeal created a goal to achieve certain conservation and efficiency targets and required gas and electric companies to develop programs that encourage efficiency. The Public Service Commission would calculate certain data to help determine per capita consumption and peak demand. Councilmember Wojahn is asking that the Council oppose the efforts to repeal these programs.

There were no comments from the audience or from the Council.

The motion passed 7 – 0 – 0.

15-G-29 Support for HB 449: Environment – Hydraulic Fracturing – Project Our Health and Communities

A motion was made by Councilmember Wojahn and seconded by Councilmember Brennan to send a letter to the House Environment and Transportation Committee expressing support for HB 449 which would prohibit hydraulic fracturing in the State of Maryland until April 30, 2023 and until a panel of experts has reported to the Governor and General Assembly whether or not hydraulic fracturing can occur with no detrimental impact on public health or the environment.

Councilmember Wojahn said the City Council has previously taken positions in support of state legislation prohibiting hydraulic fracturing.

There were no comments from the audience or from the Council.

The motion passed 7 – 0 – 0.

15-G-30 Approval of a letter to the Maryland Heritage Areas Authority in support of a University of Maryland grant application for Visitor Center Theater Project

A motion was made by Councilmember Wojahn and seconded by Councilmember Day to approve a letter to the MHAA in support of a University of Maryland grant application for their Visitor Center Theater Project.

Ms. Schum said City staff is supportive of this application and does not believe it would compete with the application that the City intends to submit for Hollywood gateway signage.

There were no comments from the audience or from the Council.

The motion passed 7 – 0 – 0.

ADJOURN: A motion was made by Councilmember Dennis and seconded by Councilmember Day to adjourn the Special Session, and with a vote of 7 – 0 – 0, Mayor Fellows adjourned the Special Session at 10:01 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved

15-G-31

March 10, 2015

Mr. Richard Key
Regional Vice President, Atlantic Regional Operations Center
Camden Property Trust
1420 Spring Hill Rd, Suite 200
McLean, VA 22102

Dear Mr. Key:

On behalf of the City of College Park, I am writing to bring to your attention a number of serious concerns we have recently heard from residents of Camden College Park. These concerns have been ongoing for several months, and while residents have attempted to work out the issues with on-site property management, they have not been successful.

Concerns include the following:

1. Lack of adequate security. In October 2014, Camden residents experienced a rash of breaking and enterings in their apartments, some during the daytime, due to broken security gates and other lapses in security. The Camden College Park Residents' Association then wrote a letter to management asking for security improvements and the presence of a security guard, but management failed to act. The residents report that only after a homicide occurred on New Year's Eve 2014 did Camden agree to meet with residents. However, residents report that Camden management has refused to install deadbolt locks on the apartment doors, and has not yet installed requested secure entry pads on the doors leading from the garages into the hallways.
2. Problems relating to renovation of balconies. In October 2014, Camden management began renovating several balconies around the complex. During the construction work, balcony doors were replaced with plywood and tarps, sometimes for several months, which still exist on many of these doorways. These apartments are not adequately insulated, leading to cold air seeping into the apartments and higher electricity bills for residents. Residents report that a sealant used to do the repair work released fumes that went into their apartments, making several residents sick and dizzy, with headaches. Upon inspection by College Park and Prince George's County, code enforcement staff found that no permits had been applied for or received for this work, and issued a stop work order.

3. Regular false fire alarms. Residents report that, approximately every two weeks, false fire alarms sound in some parts, but not all, of the building. These alarms have woken several residents and kept them up for several hours. According to the residents, management has told them that, when they hear an alarm, they should call management to determine if it is a real fire or false alarm. Also, some residents are concerned that these alarms can only be heard in portions of the complex, possibly leaving them vulnerable if there actually were a fire.
4. Lack of Consistent Communication. Residents expressed concern over the lack of communication and responsiveness regarding the problems they report. Residents have requested the property manager to attend the Residents' Association meetings to respond to their concerns, but the property manager never has.

Camden residents have a right to expect a high standard of living and appropriate responsiveness from their management. Residents report that several of them have felt that they have no choice but to move out due to these ongoing problems.

You and representatives of Camden management are invited to attend an upcoming City Council Worksession to discuss these concerns further with representatives of the Camden Residents Association and to develop a plan to address them. Please contact Janeen Miller, College Park City Clerk, at 240-487-3501 to discuss your availability.

Thank you in advance for your cooperation and your time.

Sincerely,

Andrew M. Fellows
Mayor

cc: Mr. Muhammad Ali, District Manager, Camden Properties
Council Member Mary Lehman, Prince George's County Council, District 1
Mr. Cory Sanders, President, Camden Residents Association
Mr. Bob Ryan, Director, College Park, Department of Public Services

15-G-32

MOTION:

I move that the City Council override the appointment process set forth in Council Resolution 10-R-33, which established the Student Liaison position, and reappoint Cole Holocker as the Student Liaison for 2015-2016, and to authorize recruitment for a Deputy Student Liaison for 2015-2016.

DISCUSSION:

Cole Holocker has served as the Student Liaison to the City Council since June 2014 in an exemplary manner. Cole, who is a sophomore this year, has expressed an interest in serving as Student Liaison again next year, which the SGA and the City Council wholeheartedly endorse.

The Council Resolution which established the Student Liaison position sets forth an annual recruitment process to be initiated by the SGA during the month of March. This motion would override the recruitment process for this year only so that Cole may serve a second term. However, the Council is interested in finding a Deputy Student Liaison so the SGA will proceed with recruitment for that position.

15-G-33

Mayor Fellows:

- Reappoint Melissa Day to the Education Advisory Committee

Councilmember Brennan:

- Reappoint Dan Blasberg to the Citizens Corps Council

Councilmember Day:

- Appoint Dave Dorsch to the Aging-In-Place Task Force

Appointment of the Board of Election Supervisors for the 2015-2017 term, as follows:

Mayoral appointment:	John Robson – Designated as the Chief
District 1	Terry Wertz
District 2	Mary Katherine Theis
District 3	Janet Evander
District 4	Maria Mackie

Compensation shall be as follows:

In a year in which there is an election, all of the Board receives compensation. In a year in which there is no election, only the Chief Election Supervisor will be compensated:

Chief of Supervisors: \$480/fiscal year.

Election Supervisors: \$360/fiscal year.

15-0-02

Ordinance to Amend the FY2015 Operating and Capital Budget

Mr. Mayor:

I move to introduce Ordinance 15-O-02,

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF
COLLEGE PARK, MARYLAND TO AMEND THE FISCAL YEAR 2015
OPERATING AND CAPITAL BUDGET OF THE CITY OF COLLEGE PARK,
MARYLAND**

The public hearing on this budget amendment Ordinance is scheduled for 7:15 p.m. on Tuesday, April 14, 2015.

[M&C Introduction 03/10/15]

ORDINANCE 15-O-02

An Ordinance of the Mayor and Council of the City of College Park to Amend the Fiscal Year 2015 Operating and Capital Budget of the City of College Park, Maryland

WHEREAS, the Mayor and Council of the City of College Park, Maryland did adopt a budget for the fiscal year beginning July 1, 2014 and ending June 30, 2015 (hereinafter referred to as “Fiscal Year 2015” or “FY2015”) on May 27, 2014 by the enactment of Ordinance 14-O-02; and

WHEREAS, the Mayor and Council of the City of College Park, Maryland desire to amend the FY2015 budget in order to provide additional interfund transfers to Capital Improvement Program (“C.I.P.”) projects.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of College Park, Maryland, that the budget for fiscal year 2015 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	\$ 10,225,768	\$ 10,225,768
Licenses & Permits	1,167,934	1,167,934
Intergovernmental	238,322	238,322
Charges for Services	957,324	957,324
Fines & Fees	1,921,900	1,921,900
Miscellaneous Revenues	<u>195,839</u>	<u>195,839</u>
<i>Total Operating Revenues</i>	\$ 14,707,087	\$ 14,707,087
Non-Revenue Receipts		
Interfund Transfer from Parking Debt Service		
Fund	314,815	314,815
Use of Unassigned Reserve	<u>73,002</u>	<u>373,002</u> *
Total Revenues	<u>\$ 15,094,904</u>	<u>\$ 15,394,904</u> *

Expenditures		
General Government	\$ 3,160,265	\$ 3,160,265
Public Services	3,725,973	3,725,973
Planning, Community & Economic Development	638,146	638,146
Youth, Family & Senior Services	1,124,202	1,124,202
Public Works	5,096,819	5,096,819
Contingency	10,000	10,000
Debt Service	558,274	558,274
Interfund Transfers to Capital Projects Fund	<u>781,225</u>	<u>1,081,225</u> *
Total Expenditures	<u>\$ 15,094,904</u>	<u>\$ 15,394,904</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>314,815</u>	\$ <u>314,815</u>
Total Expenditures	<u>\$ 314,815</u>	<u>\$ 314,815</u>

BE IT FURTHER ORDAINED that:

1. All matters and facts contained in Ordinance 14-O-02 other than the amendments contained herein shall remain in full force and effect;
2. In addition to the projected General Fund operating revenue of \$14,707,087, the amount of \$373,002 is appropriated from the unassigned reserve and the sum of \$314,815 is transferred from the Parking Debt Service Fund;
3. This budget amendment Ordinance provides for interfund transfers to the Capital Improvement Program (C.I.P.), as itemized in Appendix A, attached hereto and incorporated herein by this reference. The net result is a \$300,000 increase in the budgeted use of unassigned reserve from \$73,002 to \$373,002; 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, Maryland that, upon introduction of this Ordinance, the City Clerk shall distribute a copy of the same to each council member and shall publish a fair summary of this Ordinance in a newspaper having general circulation in the City, together with a notice setting out the time and place for a public hearing hereon and for its consideration by the Council.

A public hearing will be held on the proposed Ordinance at 7:15 p.m. on the 14th day of April, 2015 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 twenty (20) days following its adoption. After its 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 shall have copies of the adopted Ordinance available at City offices.

Introduced on the _____ day of March, 2015

Adopted on the _____ day of April, 2015

Effective on the _____ day of May, 2015

Andrew M. Fellows, Mayor

ATTEST:

Janeen S. Miller, CMC, City Clerk

APPROVED AS TO FORM:

Suellen M. Ferguson, City Attorney

CITY OF COLLEGE PARK, MARYLAND
Ordinance 15-O-02, Appendix A
Itemized FY2015 Budget Amendment Changes

Program	Description	Increase (Decrease)
Revenues- Unassigned Reserve Transfer 399.00	Use of Unassigned Reserve in Adjusted Budget	\$ 73,002
Interfund Transfers-9210	Transfer \$300,000 to C.I.P. to provide funding for the Route 1 Underground Utilities project (project 143001). This transfer will cover design and engineering of a State Highway Administration (SHA) underground utilities option for the U.S. Route 1 reconstruction, approved by Mayor & Council on May 13, 2014 (14-G-52).	<u>300,000</u>
Revenues- Unassigned Reserve Transfer 399.00	Use of Unassigned Reserve in Amended Budget	<u>\$ 373,002</u>

Worksession:

1.

Discussion with
Advisory Planning
Commission

MEMORANDUM

TO: Mayor and City Council

FROM: Janeen S. Miller, City Clerk 

THROUGH: Joe Nagro, City Manager

DATE: March 5, 2015

RE: 2015 Comprehensive Revise of Council Advisory Boards:
Step 1 – Information Gathering

ISSUE

At the January 20, 2015 Worksession, the Mayor and City Council discussed the scope of a comprehensive review of the City's advisory boards and agreed on the attached outline.

“Step 1: Information Gathering – The Big Picture” begins on March 10 with the Advisory Planning Commission. On March 17 Council will have the chance to meet with the Committee for a Better Environment, Tree and Landscape Board, Farmers Market Committee and Sustainable Maryland Certified Green Team. Additional Boards will be invited as time is available.

Staff offers the following comments to Council on Step 1:

Council should review the original charge which established the Board (provided) and consider the following questions to guide the discussion:

1. Do you feel the original charge to this Board is still relevant and appropriate?
 - a. Does the charge as written accurately reflect the Board's current operations? If not, where is it different?
 - b. Should it be amended? If so, how?
2. Would you suggest any changes to the number of members/district designation of the Board (not specific individuals)
3. What can the Mayor and Council do to help improve the effectiveness of the Board?

Council is encouraged to remember that Step 1 is the information-gathering phase of this five-part process and not to get into details about operational issues at this time.

Attachments

1 – Comprehensive Review of Advisory Boards - Outline

2 – City Code Chapter 15: Boards, Commissions and Committees, Article IV: Advisory Planning Commission

2015 Comprehensive Review of Advisory Boards
Outline

Step 1: Information Gathering – The Big Picture

Council will take a fresh look at all of their advisory Boards to review the charge to each Board. Council should consider whether any Boards should be restructured, combined or eliminated; consider which are inactive; and determine if there is a subject area where creation of an advisory board would be beneficial to Council. Council wanted to invite the Chairs of the Boards in for these discussions, which will be conducted in four or five parts. Once the Council has met with all of the Board Chairs, there will be an opportunity for Council to discuss any changes they wish to make.

- March 10 – APC
- March 17 – CBE, TLB, Farmers Market, Sustainable Maryland Certified Green Team

Step 2: Discussion of Board Relationships and Interactions with Council and Staff – Operational Issues

This will be a Council/Staff discussion on operational matters such as the relationship between Council and Boards, and the relationship between Boards and the Staff Liaison; communication between Council and Boards; Council direction on Board Workplans; budgeting funds for boards; development of a policy regulating the use of funds that are donated to City Boards; the legal authority of Boards as appointees of Council and the duty of Boards to abide by City policies and state/county law.

Step 3: Council Discussion with Boards

Council will meet with their advisory Boards to review the outcomes of Step 1 and Step 2. This is the time to convey any proposed changes to the Board's charge and/or composition and solicit feedback; to review the general rules and responsibilities that apply to Boards; to discuss Council-Board interactions; to clarify the role of the Staff Liaison; to convey policies including those relating to the expenditure of funds; and to address issues raised by the Boards.

Step 4: Recommended Changes – Opportunity for Public Comment

A summary of any proposed changes to specific Boards will be provided for public comment.

Step 5: Implementation

Finalize any changes that are going to be made, and determine the implementation plan.

City of College Park, MD
Friday, March 6, 2015

Chapter 15. BOARDS, COMMISSIONS AND COMMITTEES

Article IV. Advisory Planning Commission

§ 15-18. Creation.

There is hereby created a City Advisory Planning Commission (the "Advisory Planning Commission" or the "Commission").

§ 15-19. Powers and duties.

[Amended 11-27-2001 by Ord. No. 01-O-7]

The Advisory Planning Commission's duties are as follows:

- A. To develop a comprehensive, long-range plan for future development and revitalization of the City of College Park, including all properties located within the corporate limits, taking into account economic development, commercial revitalization, housing, transportation and facilities needs, historical preservation, recreation and open space needs, including short-range land use needs and area-wide land use needs.
- B. To propose workable solutions for community problems, such as residential, commercial and industrial land development, park and recreational land development, zoning changes, building and housing codes, urban renewal, transportation and community facilities, associated capital budgeting and other activities as may be referred to it by action of the City Council.
- C. To review and make recommendations to the Mayor and Council on zoning applications, subdivision plans and other land use issues, including departures and variances, and hold such public hearings as may be directed by the Mayor and Council.
- D. To provide analysis and input relative to the County Master Plan, sectional map amendments, the University of Maryland Master Plan and other plans and studies impacting on the City of College Park.
- E. To review planning-related grant requests as appropriate and make recommendations to the Mayor and Council regarding related capital improvements needs for the City.
- F. To hear appeals and perform such other functions enumerated in § 125-4 of Chapter 125 of the College Park Code, entitled "Housing Regulations," § 87-19 of Chapter 87 of the College Park Code, entitled "Building Construction," § 157-9 of Chapter 157 of the College Park Code, entitled "Property Maintenance," and as otherwise directed by the Council.

§ 15-20. Referrals; hearings; staff assistance; materials.

- A. The City Manager shall refer to the Advisory Planning Commission for its consideration all of the aforesaid matters on which the City Council is requested or required to take official action, with immediate notification of such referral given to the City Council. The Public Services Department shall refer to the Advisory Planning Commission for its consideration all of the matters to be heard by reason of § 15-19F. A

report of each matter referred to it shall be made to the City Council by the Advisory Planning Commission within a reasonable time.

[Amended 12-10-1991 by Ord. No. 91-O-24; 11-27-2001 by Ord. No. 01-O-7]

- B. The Advisory Planning Commission is authorized to hold such public hearings as it deems advisable or as may be recommended by the City Council. The Commission shall keep records of its official actions, which shall be retained in the office of the City Manager for the reference of the City Council.
[Amended 12-10-1991 by Ord. No. 91-O-24]
- C. The City's Planning Department staff shall assist the Advisory Planning Commission as necessary and be responsible for making arrangements for and providing notification of any meetings or public hearings presenting relevant reports or information, providing appropriate resource materials and arranging for training and orientation of new members. The costs of training shall be budgeted by and paid for under the general government budget.
- D. The City Manager shall obtain for the Advisory Planning Commission all services and supplies as the Commission shall direct within the limits of the Commission's appropriated funds.
[Amended 12-10-1991 by Ord. No. 91-O-24]

§ 15-21. Composition.

[Amended 11-27-2001 by Ord. No. 01-O-7; 1-31-2006 by Ord. No. 06-O-01]

The Advisory Planning Commission shall be composed of seven members, appointed by the Mayor with the approval of the City Council, who have a City-wide perspective relative to planning-related and housing issues. Members shall have a track record of civic-mindedness from work on other City projects or committees, an interest in planning and housing and some knowledge of the planning process and related laws and procedures. For the Commission's initial membership, the City shall give consideration to appointing members from among those of the City committees dissolved pursuant to § 15-29, and shall seek to give priority to the appointment of residents of the City and assure that there shall be representation from each of the City's four Council districts. Vacancies shall be filled by the Mayor with the approval of the Council for the unexpired portion of the term. Further, the Mayor, with approval of the City Council, may appoint members to the Commission on a temporary basis for a limited period upon a determination by the Mayor that such action would expedite the handling of appeals of the City Code violation notices involving fire protection or fire safety. The period may be extended from time to time by the Mayor, with approval of the City Council, as necessary.

§ 15-22. Compensation.

[Amended 12-10-1991 by Ord. No. 91-O-24; 9-24-2002 by Ord. No. 02-O-3]

Each of the Commissioners shall receive compensation in an amount set by the Mayor and Council in the annual City budget.

§ 15-23. Terms of office.

Appointment to the Advisory Planning Commission shall be for three-year terms. Initially, three of the Advisory Planning Commission members shall be given two-year terms, and the other four members shall be given three-year terms. This shall allow for staggered terms among the membership.

§ 15-24. Conflict of interest.

[Amended 11-27-2001 by Ord. No. 01-O-7]

Members of the Commission shall disclose to the Advisory Planning Commission any conflict of interest, as that term is understood in the Maryland Common Law, § 15-801 et seq. of the State Government Article of the

Maryland Code, as amended, and the College Park Ethics Code,^[1] and shall refrain from voting or taking action on any such matter. Clarification and recommendations concerning doubtful situations can be requested of the City Ethics Commission.

[1]: *Editor's Note: See Ch. 38, Code of Ethics.*

§ 15-25. Meetings.

The Advisory Planning Commission shall meet not less than monthly, unless otherwise determined by the Advisory Planning Commission, at a time, date and public place set by it. A special meeting of the membership shall be called at the request of the Chairperson or a request by the majority of the members. The request for a special meeting shall state the purpose of the meeting and the matters proposed for action. Minutes of meetings shall be kept and promptly made available to the Mayor and Council.

§ 15-26. Officers.

The Chairperson shall be the chief officer of the Advisory Planning Commission and shall, when present, preside at all meetings of the Commission. The Chairperson and Vice Chairperson shall be elected by the majority of the Commission at a regular meeting for a minimum twelve-month term. The Chairperson may perform other such duties as the Commission may agree upon.

§ 15-27. Consultants.

With the prior approval of the Mayor and Council, the Advisory Planning Commission may recommend the hiring of such technical consultant(s) as may be necessary from time to time to carry out its duties. Such recommendations shall follow normal City procedures for the hiring of consultants.

§ 15-28. Bylaws.

The Advisory Planning Commission shall promptly adopt written bylaws, subject to the approval of the same by the Mayor and Council.

§ 15-29. Dissolution of committees.

Upon the effective date of this Article and upon the appointment of the initial members of the Commission, the Economic Development Committee (EDC), the Land Use Committee and the Community Development Advisory Committee (CDAC) shall be automatically dissolved.

§ 15-29.1. Hearing panel for fire protection and fire safety.

[Added 1-31-2006 by Ord. No. 06-O-1]

Notwithstanding any other provision of this Code or any regulations adopted hereunder, the Advisory Planning Commission is authorized to hear appeals pursuant to § 125-4 of the City Code involving fire protection or fire safety violations by means of panels comprised of three or more permanent and/or temporary members. Action by the panel on such appeals may be taken by the affirmative vote of the majority of the panel.

Information Report:

1.

Legislative Report – Len Lucchi

(This will be provided on Monday)