



TUESDAY, MAY 6, 2014
(COUNCIL CHAMBERS)

7:30 P.M. WORKSESSION

COLLEGE PARK MISSION STATEMENT

The City of College Park encourages broad community involvement and collaboration, and is committed to enhancing the quality of life for everyone who lives, raises a family, visits, works, and learns in the City; and operating a government that delivers excellent services, is open and responsive to the needs of the community, and balances the interests of all residents and visitors.

CITY MANAGER'S REPORT

PROPOSED ITEMS TO GO DIRECTLY TO NEXT WEEK'S AGENDA

PROPOSED CONSENT AGENDA ITEMS

WORKSESSION DISCUSSION ITEMS

1. Discussion with Spellman House management – Randy Emler, Regional Property Manager, Arbor Management, and Yolanda Colbert, Spellman House Property Manager
2. Property Use Agreement for Board and Brew (BOLC Hearing 5/27/14: Brian McClimens, Managing Member, Benjamin Epstein, Managing Member for a New Class B, Beer and Wine License for the use of Ben and Brian Games, LLC, t/a The Board and Brew, 8150 Baltimore Avenue, Suite F2&G, College Park, 20740) – Bob Ryan, Director of Public Services AND Resolution to endorse The Board and Brew's loan application to the State of Maryland's Neighborhood Business Works Program – Michael Stiefvater, Economic Development Coordinator
3. Review of Preliminary Plan 4-13020 (Proposed Addition) for University Bible Fellowship Church, 3600-3604 Metzert Road – Terry Schum, Director of Planning
4. Discussions of proposed revisions to City Code Chapter 38, Ethics – Ed Maginnis, Chair, College Park Ethics Commission, and Ken Sigman, Ethics Commission Counsel (schedule after 9:15)
5. HEAL Cities and Towns Campaign – Councilmember Mitchell

6. Business Recycling: Survey results and grant program – Councilmember Stullich and Bill Gardiner, Assistant City Manager
7. Exploration of enfranchising non-citizen residents to vote in municipal elections
Councilmember Wojahn
8. Response to SHA on undergrounding utilities on US 1 between Paint Branch Parkway and Greenbelt Road (**Possible Special Session**)
9. Discussion of options for the use of the City Hall site and the Calvert Road property
10. Authorization to purchase replacement vehicles – Bob Stumpff, Director of Public Works
11. Approval of College Park Cable Television Commission’s recommendation and letter to request additional information regarding the Time Warner Cable/Comcast Corporation Transaction (**Proposed Special Session**) – Suellen Ferguson, City Attorney
12. Appointments to Boards and Committees

COUNCIL COMMENTS

INFORMATION/STATUS REPORTS FOR COUNCIL REVIEW ONLY

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

1

Spellman House

Spellman House – Summary of Major Changes between 2013 and 2012 Surveys

There are 141 housing units at Spellman House. In 2013, there was a decrease in the number of residents responding to the survey. In 2013, 25 residents responded to the Spellman House survey while in 2012 the total number of residents responding was 44. The section below summarizes major changes from 2012 to this 2013 by survey question.

Question 2: In 2013, there was an increase in the number of respondents reporting problems with heat (5 of 25 in 2013 vs 2 of 44 in 2012). The percentage of respondents experiencing problems in the areas of kitchen appliances, electricity and smoke detectors slightly decreased in 2013 (41%) from 2012 (40%).

Question 4: Among the respondents who called for repairs, none of the respondents reported having to wait more than 24 hours for emergency maintenance and repairs in 2013.

Question 6: The percentage of respondents satisfied with how well the repairs were done decreased between 2012 and 2013 from 86 percent or 38 of 44 in 2012 to 77 percent or 19 of 25 in 2013.

Question 7: Feelings of safety in Spellman House increased from 2012 to 2013. Specifically:

- The percentage of respondents feeling very safe and somewhat safe **in their unit** increased from 76 percent (25 of 39) in 2012 to 86 percent (18 of 21) in 2013.
- The percentage of respondents feeling very safe and somewhat safe **in the building** increased from 64 percent (25 of 39) in 2012 to 71 percent (15 of 21) in 2013.
- The percentage of respondents feeling very safe and somewhat safe **in the parking area** increased from 62 percent (21 of 34) in 2012 to 79 percent (11 of 14) in 2013.
- The number of respondents feeling very safe and somewhat safe **in the overall neighborhood** increased from 69 percent (27 of 39) in 2012 to 79 percent (15 of 19) in 2013.

Question 8: Of those residents who feel unsafe in the building, the highest rated factor was “other residents/visitors” and “building security problems”. Residents provided written comments in response to question 8, noted on pg 10 of Spellman Survey results.

Question 9: As in 2012, most of the respondents responded they didn’t know whether management took action if residents broke the rules (54.5 percent), 41% responded that management didn’t take action (9 of 22 respondents to that question).

Question 10: In 2013, all but one of the respondents identified bedbugs, rodents, and other indoor insects as a building problem (21 of 22 respondents). 89 percent or 16 of 18 identified unknown visitors as a problem.

Question 12: The percentage of respondents that strongly agree or somewhat agree that management provides enough information about the rules of the lease increased from 60 percent in 2012 to 70 percent in 2013.

Question 13: Respondents' satisfaction ratings with management significantly decreased between 2012 and 2013.

Specifically:

- Respondents who strongly agreed or somewhat agreed that management was responsive to resident questions and concerns decreased from 59 percent (25 of 43) in 2012 to 30 percent (7 of 23) in 2013.
- The percentage of respondents who strongly agreed or somewhat agreed that management was sufficiently accessible decreased from 65 percent (26 of 40) in 2012 to 45 percent (10 of 22) in 2013.
- Respondents who strongly agreed or somewhat agreed that management supports a resident / tenant organization in the building decreased from 65 percent (24 of 37) in 2012 to 56 percent (9 of 16) in 2013.

Question 15A and 15B: Respondents in 2013 were less likely to recommend their building to a family member or friend. In 2013, the percentage of respondents that said they would recommend the building to family or friends decreased from 64 percent (28 of 44) in 2012 to 28 percent (5 of 23) in 2013. Respondents also included comments to question 15B about security, management, and Spellman House being a nice place to live.

Question 16: While the number of respondents providing comments to this open-ended question decreased in 2013, the responses increased in narrative length. Many respondents wrote comments in the margins of the survey and those comments included comments about all aspects of living in the building.

Residents' provided written comments to Questions 8, 15 A and B and 16. The comments are listed with each of those questions on pgs 10, 13, and 14 respectively.

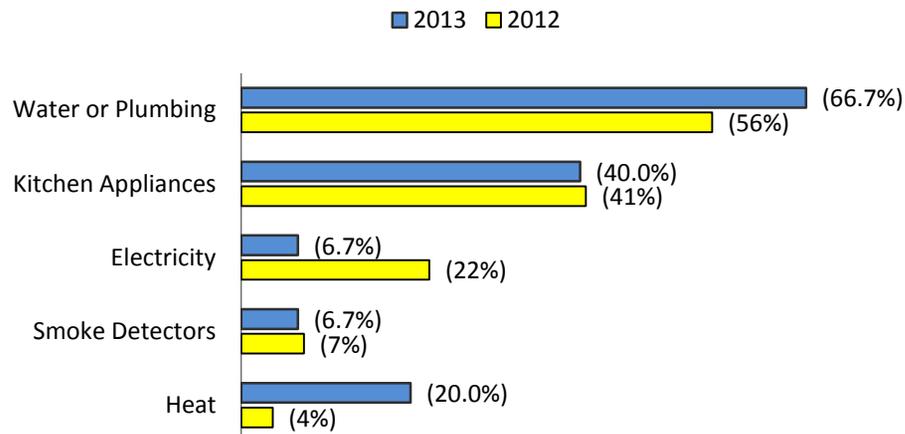
2013 Spellman House Seniors Survey Results

Total 2013 Responses: 25

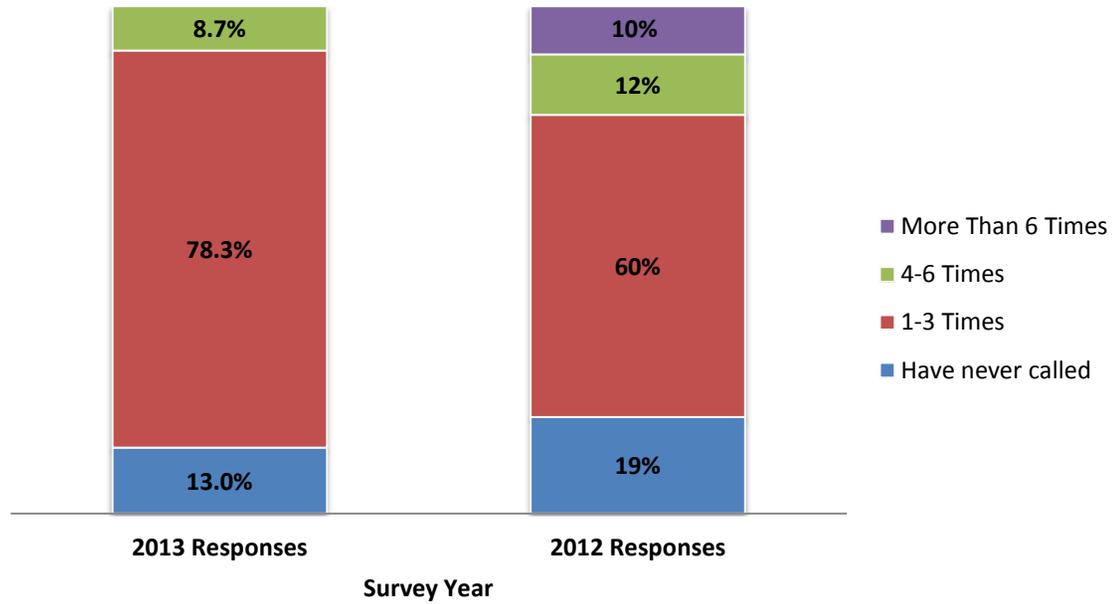
Total 2012 Responses: 44

Q1: How satisfied are you with the following?	Number of Respondents Providing a Rating		Service Quality Ratings, as a Percent of Respondents Providing a Rating										Percent of Respondents to which this Does Not Apply	
			Very satisfied		Somewhat satisfied		Somewhat dissatisfied		Very dissatisfied					
	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012		
Your unit?	23	43	22% (5)	42% (18)	39% (9)	44% (19)	17% (4)	5% (2)	22% (5)	9% (4)	0% (0)	0% (0)		
Your building?	22	40	18% (4)	38% (15)	32% (7)	43% (17)	23% (5)	8% (3)	27% (6)	13% (5)	0% (0)	0% (0)		
Your neighborhood?	21	38	38% (8)	39% (15)	43% (9)	39% (15)	5% (1)	8% (3)	5% (1)	11% (4)	10% (2)	3% (1)		

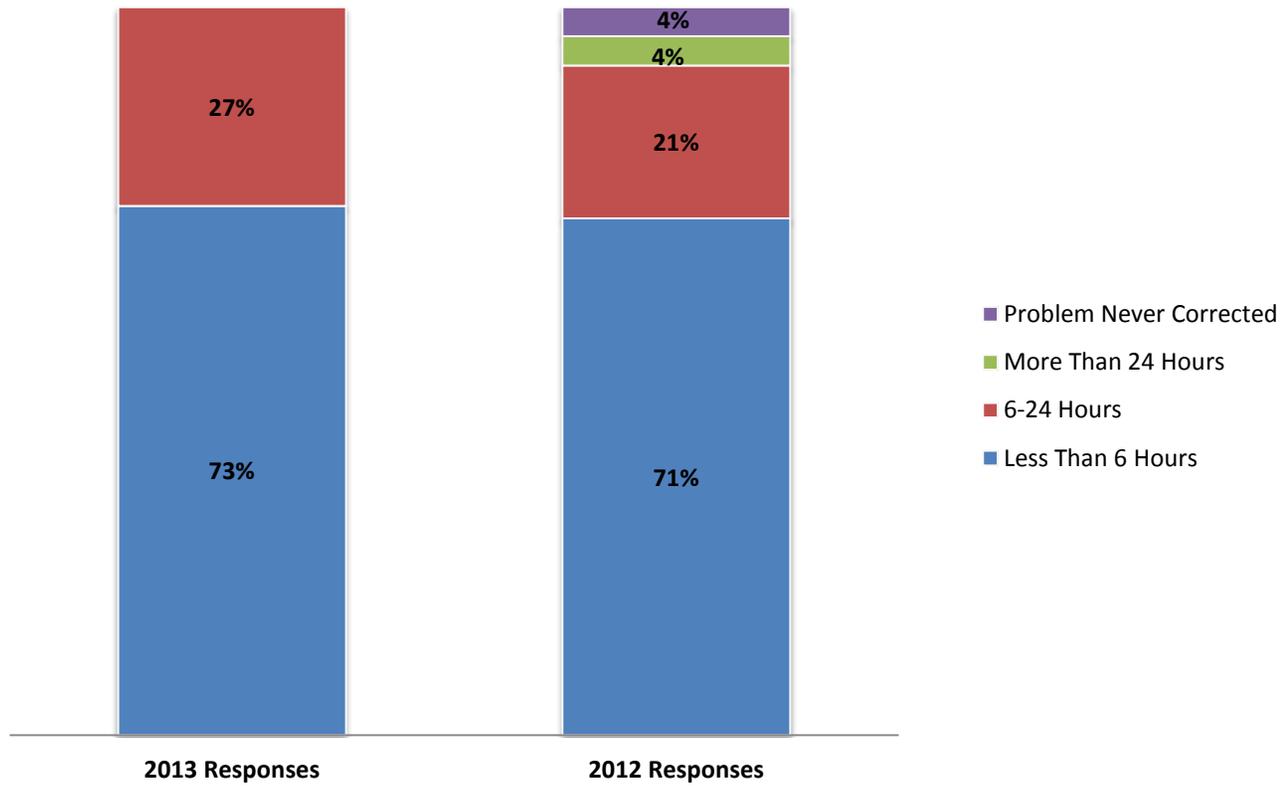
Q2: Percent of respondents experiencing problems with the following over the past 12 months:



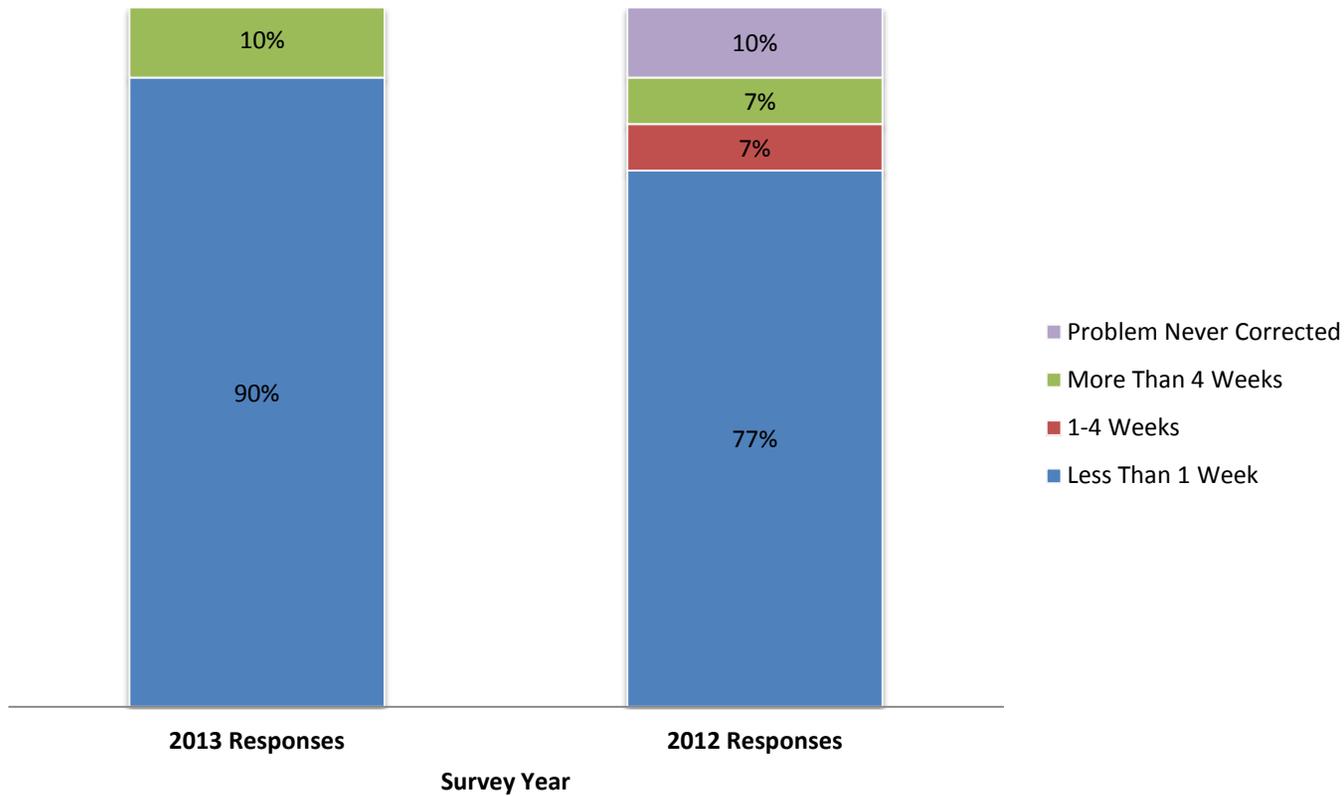
Q3: Percent of Spellman House respondents calling for maintenance or repairs over the last 12 months by survey year



Q4: Length of time taken for emergency maintenance /repairs (percent of the Spellman House respondents who have called for repairs)

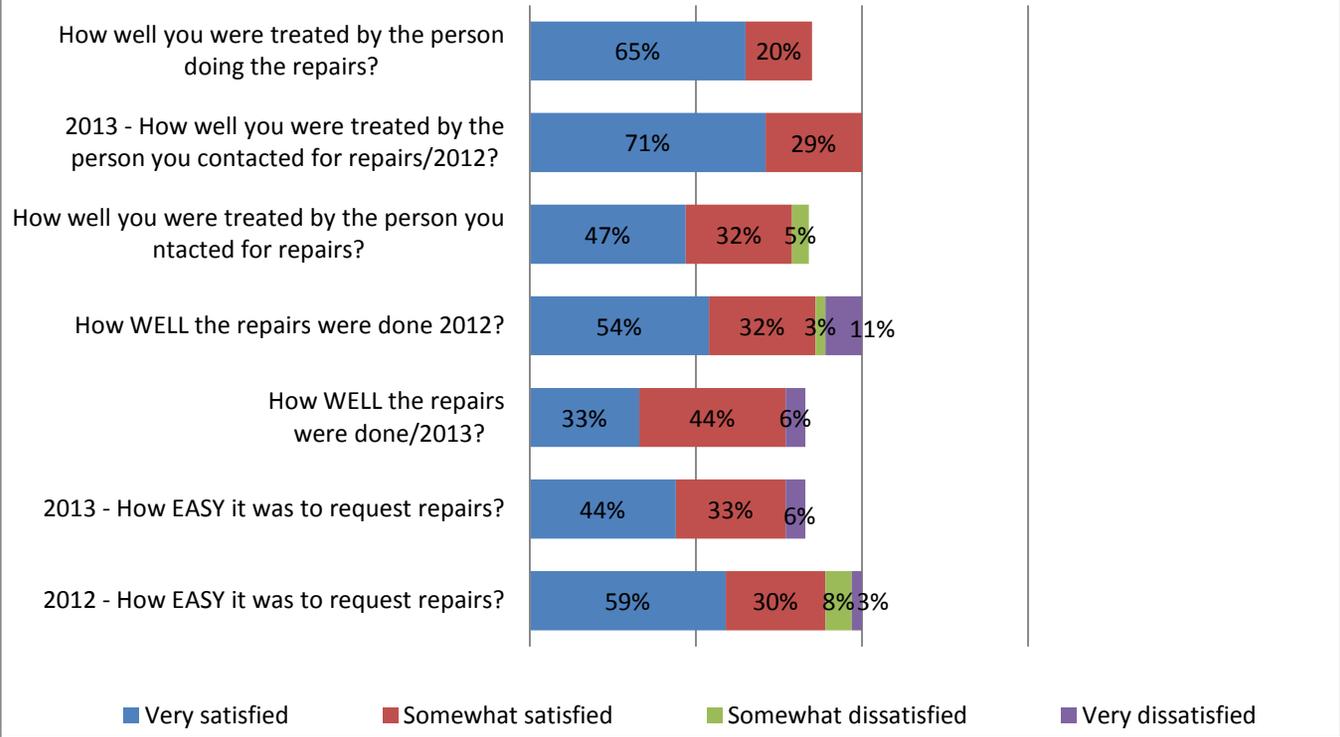


Q5: Length of time taken for NON-EMERGENCY maintenance /repairs (percent of the Spellman House respondents who have called for repairs)



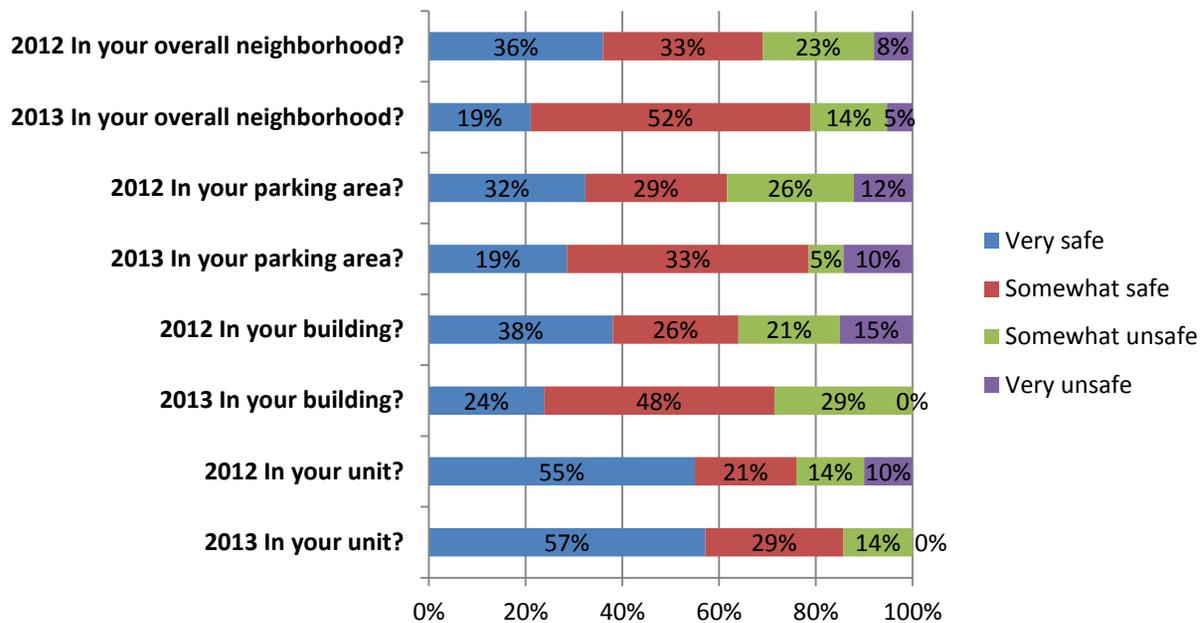
Q6: Based on YOUR EXPERIENCE with maintenance and repairs, how satisfied are you with:	Number of Respondents Providing a Rating		Service Quality Ratings, as a Percent of Respondents Providing a Rating								Percent of Respondents to which this Does Not Apply	
			Very satisfied		Somewhat satisfied		Somewhat dissatisfied		Very dissatisfied			
	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012
How EASY it was to request repairs?	18	37	44% (8)	59% (22)	33% (6)	30% (11)	0% (0)	8% (3)	6% (1)	3% (1)	17% (3)	8% (3)
How WELL the repairs were done?	18	37	33% (6)	54% (20)	44% (8)	32% (12)	0% (0)	3% (1)	6% (1)	11% (4)	17% (3)	5% (2)
How well you were treated by the person you contacted for repairs?	19	35	47% (9)	71% (25)	32% (6)	29% (10)	5% (1)	0% (0)	0% (0)	0% (0)	16% (3)	10% (4)
How well you were treated by the person doing the repairs?	20	33	65% (13)	79% (26)	20% (4)	21% (7)	0% (0)	0% (0)	0% (0)	0% (0)	15% (3)	11% (4)

Chart Title



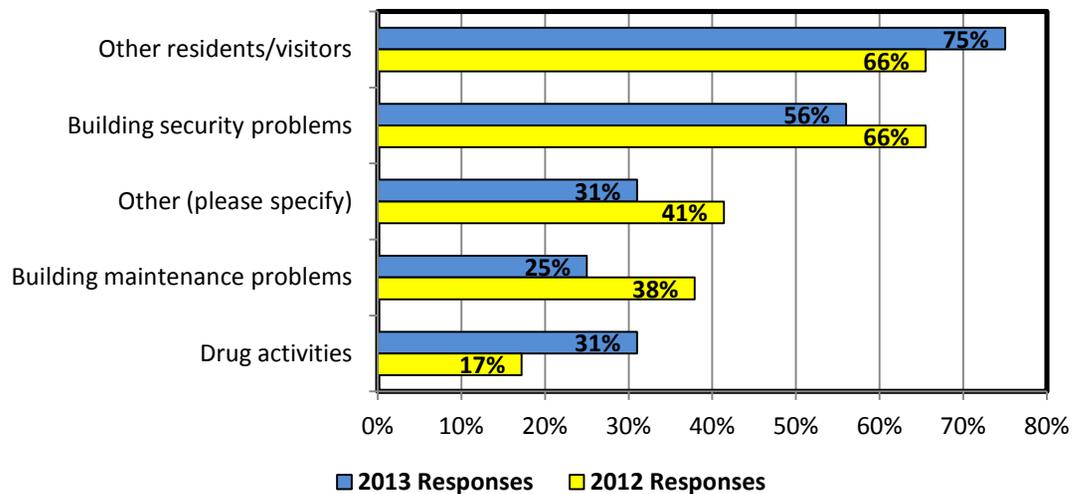
Q7: How safe do you feel:	Number of Respondents Providing a Rating		Service Quality Ratings, as a Percent of Respondents Providing a Rating								Percent of Respondents to which this Does Not Apply	
			Very safe		Somewhat safe		Somewhat unsafe		Very unsafe			
	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012
In your unit?	21	42	57% (12)	55% (23)	28% (6)	22% (9)	29% (6)	14% (6)	0% (0)	9%(4)	0% (0)	0% (0)
In your building?	21	39	24% (5)	38% (15)	48% (10)	26% (10)	29% (8)	21% (8)	0% (0)	15%(6)	0% (0)	5%(2)
In your parking area?	14	34	29% (4)	32% (11)	50% (7)	29% (10)	7% (9)	26% (9)	14% (2)	12%(4)	33% (7)	15% (6)
In your overall neighborhood?	19	39	21% (4)	36% (14)	58% (11)	33% (13)	16% (9)	23% (9)	5% (1)	8%(3)	10% (2)	3% (1)

Q7: Feelings about safety by survey year



Q8: If you feel unsafe in your building, do any of the following contribute to your feeling unsafe?	2013 Responses	2012 Responses	"Other" Responses
Other residents/visitors	75% (12)	66% (19)	<ul style="list-style-type: none"> • Alcohol • Don't know when security is here. Dirty floors, trash rooms stink • Doors to building are kept unlocked • Construction crews negligent in unit safety. When leaving, do not lock door
Building security problems	56% (9)	66% (19)	
Other (please specify)	31% (5)	41% (12)	
Building maintenance problems	25% (4)	38% (11)	
Drug activities	31% (5)	17% (5)	
answered question	16	29	
skipped question	9	15	

Q8: Factors for respondents' unsafe feelings in the building (in percents by survey year)



Q9: If residents in your building break the rules in the lease, does management take action?	2013 Responses	2012 Responses
Yes	4.5% (1)	10% (4)
No	40.9% (9)	26% (11)
Don't Know	54.5% (12)	64% (27)
answered question	22	42
skipped question	3	2

Spellman House	Number of Respondents Providing a Rating		Service Quality Ratings, as a Percent of Respondents Providing a Rating							
	Response Count		Never		Sometimes		Often			
	2013	2012	2013	2012	2013	2012	2013	2012		
Q10: How often, if at all, are any of the following a problem in your building:										
Loud noise on the weekends?	19	37	21% (4)	41% (15)	58% (11)	46% (17)	21% (4)	14% (5)		
Behavior of other tenants and/or visitors?	18	33	28% (5)	48% (16)	56% (10)	33% (11)	17% (3)	18% (6)		
Other insects (indoors)?	16	34	19% (3)	47% (16)	56% (9)	44% (15)	25% (4)	9% (3)		
Rodents (indoors)?	17	36	24% (4)	44% (16)	53% (9)	42% (15)	24% (4)	14% (5)		
Trash/litter?	21	34	14% (3)	47% (16)	81% (17)	35% (12)	5% (1)	18% (6)		
Bedbugs?	22	38	5% (1)	45% (17)	41% (9)	37% (14)	55% (12)	18% (7)		
Loud noise at night?	18	34	44% (8)	56% (19)	44% (8)	35% (12)	11% (2)	9% (3)		
Unknown visitors?	18	34	11% (2)	56% (19)	50% (9)	26% (9)	39% (7)	18% (6)		
Activities in the parking lot/grounds?	13	30	69% (9)	67% (20)	31% (4)	23%(7)	0% (0)	10% (3)		
Car being damaged or stolen?	13	35	31% (4)	57% (20)	69% (9)	34%(12)	0% (0)	9% (3)		
People banging on doors late at night?	19	33	58% (11)	61% (20)	26% (5)	33%(11)	16% (3)	6% (2)		
Scribbling and damage to posted notices?	14	33	79% (11)	64% (21)	14% (2)	33%(11)	7% (1)	3% (1)		

Q11: How satisfied are you with the upkeep of the following areas in your building:	Number of Respondents Providing a Rating		Service Quality Ratings, as a Percent of Respondents Providing a Rating								Percent of Respondents to which this Does Not Apply	
			Very satisfied		Somewhat satisfied		Somewhat dissatisfied		Very dissatisfied			
	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012
Common areas (e.g., hallways, stairways, walkways)?	22	41	32% (7)	37% (15)	32% (7)	29% (12)	18% (4)	12% (5)	18% (4)	22% (9)	4% (1)	5% (2)
Parking areas?	11	38	64% (7)	63% (24)	36% (4)	32% (12)	0% (0)	3% (1)	0% (0)	3% (1)	45% (9)	3% (1)
Exterior of building?	20	37	60% (12)	59% (22)	30% (6)	35% (13)	5% (1)	5% (2)	5% (1)	0% (0)	5% (1)	5% (2)

Q12 Spellman House: Do you think management provides you with enough information about:	Number of Respondents Providing a Rating		Service Quality Ratings, as a Percent of Respondents Providing a Rating								Percent of Respondents to which this Does Not Apply	
			Strongly agree		Somewhat agree		Somewhat disagree		Strongly disagree			
	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012
Meetings and events?	23	41	26% (6)	37% (15)	13% (3)	34% (14)	4% (1)	12% (5)	57% (13)	17% (7)	0% (0)	2% (1)
Maintenance and repair activities (e.g., water shut-off, building repairs or renovations)?	23	34	4% (1)	47% (16)	26% (6)	32% (11)	13% (3)	15% (5)	57% (13)	6% (2)	0% (0)	6% (2)
Who to call in case of emergency when the office is closed?	19	35	53% (10)	54% (19)	26% (5)	37% (13)	11% (2)	3% (1)	11% (2)	6% (2)	5% (1)	5% (2)
The rules of your lease?	20	38	35% (7)	26% (10)	35% (7)	34% (13)	10% (2)	11% (4)	20% (4)	29% (11)	0% (0)	5% (2)

Spellman House Q13: Do you think management is:	Number of Respondents Providing a Rating		Service Quality Ratings, as a Percent of Respondents Providing a Rating								Percent of Respondents to which this Does Not Apply	
			Strongly agree		Somewhat agree		Somewhat disagree		Strongly disagree			
	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012
Responsive to your questions and concerns?	23	43	13% (3)	26% (11)	17% (4)	33% (14)	17% (4)	21% (9)	52% (12)	21% (9)	0% (0)	0% (0)
Sufficiently accessible?	22	40	18% (4)	28% (11)	27% (6)	40% (15)	5% (1)	15% (6)	50% (11)	18% (7)	2% (0)	2% (1)
Courteous and professional with you?	22	42	27% (6)	38% (16)	23% (5)	36% (15)	9% (2)	12% (5)	41% (9)	14% (6)	0% (0)	0% (0)
Supportive of a resident/tenant organization for your building?	16	37	25% (4)	35% (13)	31% (5)	30% (11)	13% (2)	11% (4)	31% (5)	24% (9)	20% (4)	5% (2)

Q14: Do you think it would be good to have a tenant council to work with housing management to address resident concerns and needs?	2013 Responses	2012 Responses
Yes	57% (13)	79% (33)
No	9% (2)	5% (2)
Not sure	35% (8)	17% (7)
answered question	23	42
skipped question	2	4

Q15A: Would you recommend your building to a friend or family member seeking public housing?	2013 Responses	2012 Responses
Yes	22% (5)	64% (28)
No	35% (8)	18% (8)
Not Sure	44% (10)	18% (8)
answered question	23	44
skipped question	2	0

Q15B: Why did you answer yes or no?	2013 Response Count	2012 Response Count
answered question	14	25
skipped question	11	19

Responses:

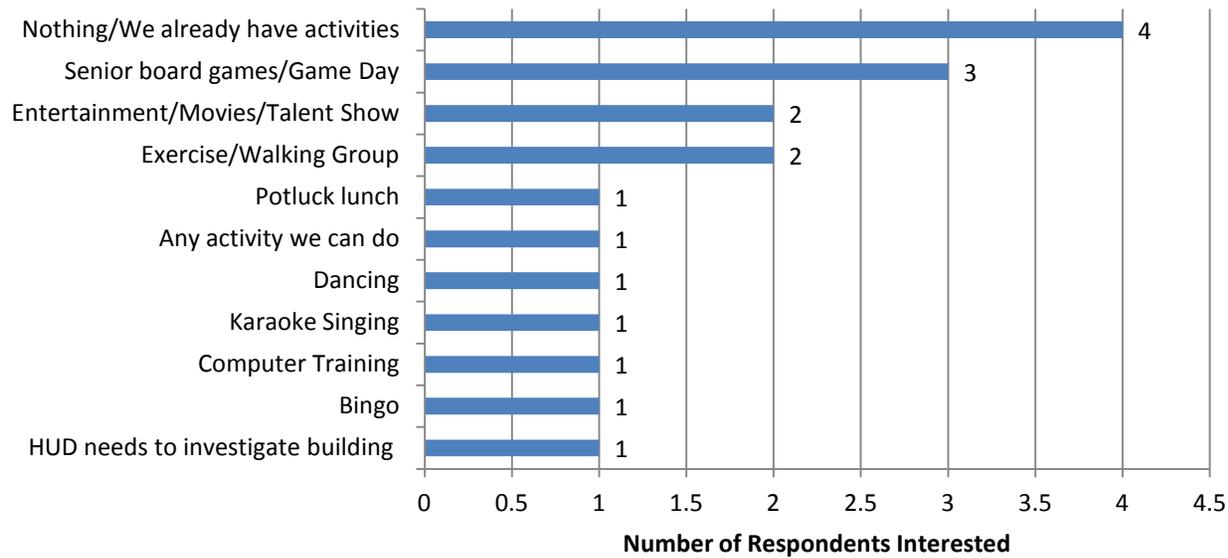
1. I keep my apt clean. Management should do a better job of making sure all residents maintain clean apts. We have mice, roaches, bed bugs. Exterminator comes sometimes. We still have the pests.
2. Always renovation. Drags out; no notice when workers are coming. You can't plan your day because you don't know when workers are coming.
3. Nice place to live, nice people and nice building.
4. I went to the hospital in an ambulance: My keys were on dresser; I was gone months; Other people and workers came in my place; My keys were gone. They wanted me to pay 40.00 for keys.
5. Don't want to be responsible for outcome.
6. Too many people living here not on lease, (squatters).
7. Mgmt sucks. But to live in low income for someone who needs help, I would recommend and great area, rent, etc.
8. Satisfied with environment & services.
9. Because of present chaotic conditions: construction, no idea of progress or completion, no comments or answers from mgmt. No meetings. Our apt lives are disrupted and no one can make us feel change will be for the better. No time schedule or day as to when you leave your unit to comply with workers. No meetings of acknowledgement or assurance.
10. It's a nice building to live in. Close to shopping mall and transportation and eatery.
11. I like living here.
12. Because this is how I feel.
13. I like the building; it is a good place to live.
14. Because it is very convenient for you to live as an elderly person.

Q16: Would you like to provide additional comments?	2012 Response Count	2011 Response Count
	9	14
<i>answered question</i>	9	14
<i>skipped question</i>	16	11

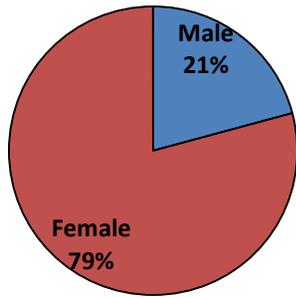
Responses:

1. This present renovation is a joke. We don't know when the work will be done and definitely don't know when it will be completed. But there's nothing you can do about it. Most of us are just thankful to have a place to live. It could sure be better though.
2. Have to stay home because workers leave your apartment doors unlocked. Everybody knows the doors are unlocked so anyone can come in your apartment.
3. Like the way the outside of building is kept.
4. There should be training for management to deal with seniors.
5. We have problems with cleaning up the building.
6. Management refuses to use the alarm system in emergencies.
7. Tenants have adult children living with them.
8. HUD needs to investigate.
9. Never give us notice or information about anything they do or are having done in the building. Management never has time to answer any of our questions or concerns. Sometimes are very rude to residents.

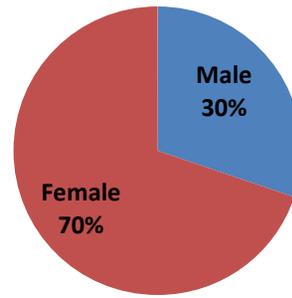
Q17: Respondent Self Identified Recreation Interests



Q18: 2013 Respondents' Gender



Q18: 2012 Respondents' Gender



Q19: How old are you?	2013 Responses	2012 Responses
18-34	0% (0)	0% (0)
35-60	8% (2)	5% (2)
61-74	21% (5)	55% (24)
75 or older	71% (17)	41% (18)
answered question	24	44
skipped question	1	0

Q20: How long have you lived in your building?	2013 Responses	2012 Responses
Less than 6 months	0% (0)	5% (2)
6 months to 1 year	4% (1)	0% (0)
1-5 years	9% (2)	32% (14)
More than 5 years	87% (20)	64% (28)
answered question	23	44
skipped question	2	0

2

Board and Brew

MEMORANDUM

TO: Mayor and City Council

THROUGH: Joseph Nagro, City Manager

FROM: Robert W. Ryan, Public Services Director 

DATE: May 2, 2014

SUBJECT: Application for a new Class B, Beer and Wine License for the use of Ben and Brian Games, LLC. t/a The Board and Brew, 8150 Baltimore Avenue – Suites F2 and G, College Park, Maryland 20740

ISSUE

An application for a new Class B, Beer and Wine Alcoholic Beverage License has been submitted to the BOLC by Ben and Brian Games, LLC. t/a The Board and Brew, 8150 Baltimore Avenue – Suites F2 and G, College Park, Maryland 20740. A draft Property Use Agreement contract (PUA) has been prepared for Council consideration. The BOLC hearing is scheduled for May 27, 2014.

SUMMARY

The City Attorney and Director of Public Services met with the applicant. A draft PUA was discussed and is attached. During discussion, an alcohol to food ratio of 25%/75% was determined to be acceptable to the applicant. Customer identification was discussed; the applicant offered to use a scanning device to check the ID of customers, and to inspect the forms of ID approved by the BOLC. The applicant does not propose to charge a cover charge. The applicant will not serve beer in pitchers. Based upon the proposed business plan to include some entertainment, the PUA is drafted to include the requirement that the applicant obtain a Special Entertainment Permit, or an exemption from that permit, pending a BOLC determination. Security will be as required if an entertainment license is necessary. Applicant has provided an employee alcohol service policy, which is incorporated in the PUA by reference. The applicant will attend the Council work session on May 6, 2014 to discuss the draft PUA. Applicant has requested that employees be 18 instead of 21 years of age or older, which is allowed by law.

RECOMMENDATION

Staff recommends Council consideration of the draft PUA. After discussion of the PUA, and any desired changes, with the applicant, the Council should decide to oppose or not oppose approval of the license by the BOLC. Staff should be authorized to testify to the Council's position at the BOLC hearing on May 27, 2014.

Attachments: (1) Draft PUA (2) Business Summary (3) Menu
(4) Floor Plan (5) Alcohol Service Policy (6) BOLC agenda
(7) BOLC glossary

ATTACHMENT 1

PROPERTY USE AGREEMENT

THIS PROPERTY USE AGREEMENT (the "Agreement") is made as of the _____ day of _____, 2014, by and between BEN AND BRIAN GAMES, LLC, t/a THE BOARD AND BREW, and Brian McClimens and Benjamin Epstein, Managing Members, (collectively "Licensee"); and the CITY OF COLLEGE PARK, a Maryland municipal corporation (the "City").

WITNESSETH

WHEREAS, Student Housing College Park, LLP,, is the owner of the real property located at Suite F2 and G, 8150 Baltimore Avenue, College Park, Maryland 20740 (the "Property"); and

WHEREAS, Licensee is a tenant at the Property

WHEREAS, the Property is located within the corporate limits of the City of College Park, Maryland; and

WHEREAS, Licensee has applied to the Board of Liquor License Commissioners of Prince George's County, for a Class B, Beer and Wine License License ("License") for the Property, which will be operated as The Board and Brew;

WHEREAS, the Licensee has requested the support of the City for the issuance of the License for the Property; and

WHEREAS, in consideration of the covenants contained in this Agreement, the City will voice no objection to the Licensee's application and

hearing for-issuance of the License to the Property, subject to the terms, conditions and restrictions contained herein.

NOW THEREFORE, in consideration of the foregoing, the mutual promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Repair and Maintenance of the Property. Licensee shall, from and after the date hereof, continue to keep the Property under its control in good order and repair, and free of debris and graffiti.

2. Restrictions. Except with the express written consent of the City, which consent may be withheld in the City's sole and absolute discretion, during the period that Licensee is using or has any interest in the Property, and is using the License, the use of the Property shall be restricted to the operation of The Board and Brew ("Restaurant") or another substantially similar casual dining restaurant, which receives not more than twenty-five percent (25%) of its average daily receipts over any three consecutive monthly periods from the sale of alcoholic beverages, and which complies strictly with the restrictions and requirements of the State of Maryland/Prince George's County Class B License. The calculation of the percentage of alcoholic beverages sold shall include the full cost of any such beverage, and not just the alcohol contained in the beverage. Licensee will provide the City, by January 25 of each year, with summaries of each month's receipts for the sales of alcoholic beverages and food for the preceding calendar year, and, at any time, such information in such form as the City may reasonably require to permit the verification of sales required in this paragraph 2 of

this Agreement. Such information need not be prepared by an accountant or auditor, but must be accompanied by a general affidavit signed by the Licensees affirming the accuracy of the information provided. Licensees may be required by the City to provide information to permit verification of the sales ratios required in this paragraph, including daily register receipts and the identity of, and invoices from, its alcohol and food suppliers. Any such information provided by Licensee that is claimed to be confidential shall be so marked by Licensee and the City will treat such record as confidential as allowed by law.

3. Use of Property. Except as otherwise set forth herein, those uses of the Property permitted by the applicable zoning for the Property shall be permitted uses for the purposes of this Agreement. In addition, the Property shall be subject to all of the restrictions imposed by the applicable zoning of the Property.

4. Noises and Nuisances. Licensee shall not permit any nuisance to be maintained, allowed or permitted on any part of the Property, and no use of the Property shall be made or permitted which may be noxious or detrimental to health or which may become an annoyance or nuisance to persons or businesses on surrounding property.

5. Operations. Licensee shall maintain and operate the Restaurant in a manner that all seats are available for dining, no area is designated solely for the consumption of alcoholic beverages, and no sales of alcoholic beverages for off-sale consumption shall be allowed, except for partially consumed bottles of wine purchased at the Restaurant and allowed off premises

pursuant to Maryland law. Alcoholic beverages shall not be sold or served prior to 11:00 a.m. or after 11:00 p.m., Monday through Wednesday and Sunday, or prior to 11:00 a.m. or after 2:00 a.m. Thursday through Saturday. Food from a regular menu must be served at all times that the premises are open for business. At all times, at least 80% of the items listed on the regular menu shall be available for customers to order. The proposed menu provided by Licensee is attached as Exhibit A. Licensee shall ensure music levels that allow patron conversation in a normal tone of voice, and prohibit disruptive or rowdy behavior that disturbs the peaceful enjoyment of the facility by Licensee's patrons and other persons visiting the facility.

Cover and door charges will not be charged by Licensee. Licensee intends to provide open mike nights, trivia nights and Magic Tournaments. In the event that Licensee seeks to charge a cover or door charge or to provide entertainment, Licensee will obtain all required licenses and request a modification of this Agreement with the City. Alcoholic beverages shall be served only to diners sitting at tables or counters inside the restaurant facility, and patrons standing waiting for a table. The parties recognize that, during private parties, not all patrons may be seated, but that food will be served. The minimum price for alcoholic beverages, including 16 oz. beers, shall be \$2.00. Licensee may not sell alcohol in pitchers. Licensee will maintain all dining areas, including tables and chairs, inside the facility. Licensee shall ensure that the interior of the restaurant, including service areas, remain clean and graffiti free. The interior and exterior of the Property shall be rodent free. Licensee shall not allow grease, dirt, trash or graffiti to accumulate

on any portion of the exterior of the Property that Licensee controls. Licensee agrees to fully comply with all applicable laws, including without limitation Subtitle 12, "Health", of the Prince George's County Code, and the Code of the City of College Park. Licensee shall not engage in window advertising of the sale of beer, wine, or liquor nor off-premises leafleting of cars or on public right of way promoting the sale of beer, wine or liquor. All off-premises advertising of specials, happy hours or reduced prices for beer, wine or liquor shall be limited to promotions coupling the sale or service of food with the sale of alcoholic beverages. Licensee shall use a scanner system, as allowed by law, designed to recognize false identification prior to making alcoholic beverage sales. The scanner shall be used for all persons who appear to be under the age of thirty five (35) years. Licensee will not accept State of Maryland vertical type licenses as proof of age.

Licensee shall not rent the facilities to individuals or businesses involved in promoting or making a business or profit from producing musical, band or disc jockey events. Licensee shall not provide tables, such as a beer pong table, whose purpose is for use in drinking games. Licensee shall not sponsor or support drinking games within the Property.

6. Enforcement. The City shall have the right to enforce, by any proceeding at law or in equity, including injunction, all restrictions, terms, conditions, covenants and agreements imposed upon the Property and/or Licensee pursuant to the provisions of this Agreement. The parties agree that if Licensee should breach the terms of the Agreement, the City would not have an

adequate remedy at law and would be entitled to bring an action in equity for specific performance of the terms of this Agreement. In the event of a violation of paragraph 2 of this Agreement, Licensee shall have sixty (60) days from the date of notification of the violation to adjust his operations and achieve compliance, as measured during the sixty (60) day period, with the requirements of paragraph 2 of this Agreement. In the event the City is required to enforce this Agreement and Licensee is determined to have violated any provision of this Agreement, Licensee will reimburse the City for all costs of the proceeding including reasonable attorney's fees. Should Licensee prevail in any action brought by the City to enforce a provision of this Agreement, the City shall reimburse Licensee for all costs of the proceeding including reasonable attorney's fees.

7. Waiver. Neither any failure nor any delay on the part of the City in exercising any right, power or remedy hereunder or under applicable law shall operate as a waiver thereof nor shall a single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right, power or remedy.

8. Assignment of License. In consideration for the City voicing no objection to Licensee's application for the new License, Licensee agrees that it shall not sell, transfer, or otherwise assign its rights under the License to any entity or individual for use or operation within the City without the express prior written consent of the City, which consent will not be unreasonably withheld.

9. Assignment. This Agreement shall be binding upon, and shall inure to the benefit of, the respective affiliates, transferees, successors and assigns of the parties hereto.

10. Scope and Duration of Restrictions. The restrictions, conditions and covenants imposed by this Agreement shall be valid only so long as Licensee maintains a License at the Restaurant, or some other substantially similar casual dining restaurant.

11. Security. Pursuant to Article 2B, §6-201(r)(19), Licensee may be required to obtain a License for special entertainment or to obtain an exemption. Prior to seeking a License for special entertainment or an exemption, Licensee agrees that it shall first present to the City its plans for entertainment as well as for any required security. For any activities authorized by such a license or exemption, the Licensee shall have and maintain a Security Plan to prevent the Property and any such activities from posing a threat to the peace and safety of the surrounding area. The Security Plan shall, at minimum, comply with the requirements of the Board of License Commissioners. Any required Security Plan for the Licensee is subject to review and revision annually or upon request by Prince George's County Police, the University of Maryland Police or the City of College Park.

a. Licensee shall diligently enforce ID policies through trained and certified managers and employees. Licensee agrees to take all necessary measures to ensure that under age persons do not obtain alcoholic beverages.

b. All serving, bar, and management employees will be TIPS trained within two weeks of hire.

c. All serving, bar, security and management employees will be 21 (applicant is requesting 18) years or older.

d. The provisions of applicant's Alcohol Service Policy is attached hereto as Exhibit B and incorporated herein by reference.

12. Notices. All notices given hereunder shall be in writing and shall be deemed to have been given when hand delivered against receipt of three (3) days after deposit with the United States Postal Service, as registered or certified mail, return receipt requested, postage prepaid, addressed:

(i) If to Licensee:
Benjamin Epstein
Brian McClimens
BEN AND BRIAN GAMES, LLC
Suite F2 and G
8150 Baltimore Avenue
College Park, Maryland 20740

(ii) If to the City:

Joseph L. Nagro
City Manager
City of College Park
4500 Knox Road
College Park, Maryland 20740

with copy to:

Suellen M. Ferguson, Esquire
Council, Baradel, Kosmerl & Nolan P.A.
125 West Street, 4th Floor
P.O. Box 2289
Annapolis, MD 21404

13. Amendments. This Agreement may not be amended or modified except in writing executed by all parties hereto, and no waiver of any provision or consent hereunder shall be effective unless executed in writing by the waiving or consenting party.

14. Severability. The provisions of this Agreement shall be deemed severable, so that if any provision hereof is declared invalid, all other provisions of this Agreement shall continue in full force and effect.

15. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Maryland.

16. Counterparts. This Agreement may be executed in any number of counterparts each of which shall constitute an original and all of which together shall constitute one agreement.

17. Headlines. The headings or titles herein are for convenience of reference only and shall not affect the meaning or interpretation of the contents of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

WITNESS/ATTEST

BEN AND BRIAN GAMES, LLC

Benjamin Epstein, Managing Member

Brian McClimens, Managing Member

WITNESS/ATTEST

CITY OF COLLEGE PARK

Janeen S. Miller, CMC, City Clerk

By: _____
Joseph L. Nagro, City Manager

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Suellen M. Ferguson, City Attorney

BUSINESS SUMMARY

The Board and Brew introduces a form of entertainment unique to the Washington D.C. region in the form of a board game café. This is a business model in an emerging industry that has met with success in cities such as Toronto, Seattle, Portland and Chicago, but has no direct local competition. We will establish our business in the city of College Park, directly adjacent to a large college campus desperately in need of new entertainment venues.

The Board and Brew will provide a relaxed atmosphere in which patrons access an extensive on-site board game collection designed to appeal to a broad audience. New and used games will be available for purchase, and we will pair this entertainment offering with high quality food and beverage, with a focus on specialty coffee and tea, as well as small plates that can be enjoyed throughout our customers' gaming experience. Community building events including a trivia, open-mic, and learn-a-game nights, regular tournaments and leagues will allow The Board and Brew to appeal to a wide audience.

Board and Brew Menu

Breakfast

Homemade Oatmeal:

Maple-Brown Sugar with Raisins: (Oats, milk, maple syrup, Brown Sugar, Raisins, Allspice)

Caramel-Almond with Dried Cranberries (Ground Almond Brittle, Oats, Milk, Sugar, Dried Cranberries)

Cinnamon-Pear with Chocolate (Oats, milk, Pear Parfait mix, chocolate chips, Cinnamon)

Danish/Breads:

Cinnamon Buns

Coffee Cake

Breakfast "bars"

Bagels (Plain, Cinnamon Raisin, everything): Regular Cream Cheese, Jelly, Butter

Chocolate Muffins

Blueberry Muffin

Granola Bags

Yogurt Parfait:

Pear with Greek Yogurt, homemade Granola and Cinnamon

Mango- Strawberry Parfait with Greek Yogurt and Granola

Blueberry-Basil Parfait with Greek Yogurt and Granola

Breakfast Sandwiches:

Brew Bagel Sandwich: Egg, Swiss, Bacon or Sausage

Healthy Brew Bagel Sandwich: Egg White, Tomato, Fresh Mozzarella and Basil Pesto

Lunch/Dinner

Sandwiches:

Caprese Panini: Fresh Mozzarella, Roast Tomato Ragout, Basil Pesto, on Focaccia

Pressed Portobello and Eggplant with Roasted Red peppers, Black Olive Mayo, Mixed Greens and Balsamic, Swiss Cheese

BBQ Beef or Turkey Sandwich: Caramelized Onion, Horseradish, Cream and Housemade Barbecue Sauce

Pesto Seared Chicken with Bacon, Provolone, Lettuce, pickled onion and Tomato

The Brew's Nut and Jelly: Nutella, Marshmallow Fluff and raspberry preserves, Cinnamon-Raisin Bread

Board and Brew Burger- Grilled Beef Hamburger topped with Lettuce, Tomato, Onion, Swiss Cheese and Hummus on Potato Roll

Salads:

Pear Salad- Mixed Greens, Caramelized Sweet Onion, Blue Cheese and candied Almonds, Raspberry Vinaigrette

Mixed Vegetable Salad: Portobello Mushrooms, eggplant, onions, Black Olives, and Provolone Cheese with Balsamic Vinaigrette, Croutons

Caesar Salad- with Pesto chicken

FINGER FOOD:

Soft Pretzel Bites with 3 mustards

Beef Sliders, Provolone and Sweet Onions, Mumba Sauce

Mini Brew "nut and jelly"

Fried Pickles with Red Pepper Aioli

Onion Fritters with Mumba Sauce

Hummus and pickled onions with Pita for two

Sweet Potato Fries

Caramel Popcorn: Regular, Chocolate-Nut, or Spicy

Dessert:

Cookies: Chocolate chip, Oatmeal Raisin, heath bar

Brownies: Fudge, blondie, lemon

Cakes: 5 high chocolate, gluten free hazelnut, banana chocolate cheesecake

Affogato: vanilla ice cream with a shot of espresso

Drinks:

Pepsi products

coffee

iced tea

Specialty Coffee

Espresso

Macchiato

Capuccino

Latte

Caramel Latte

House made Vanilla latte

bolivian mocha latte

thai tea latte

Dirty Chai tea latte

Other Drinks:

Blueberry Muffin: house made blueberry tea syrup with orange infused whip cream and steamed milk

Creamsicle: house made thai tea syrup with orange infused whip cream and steamed milk

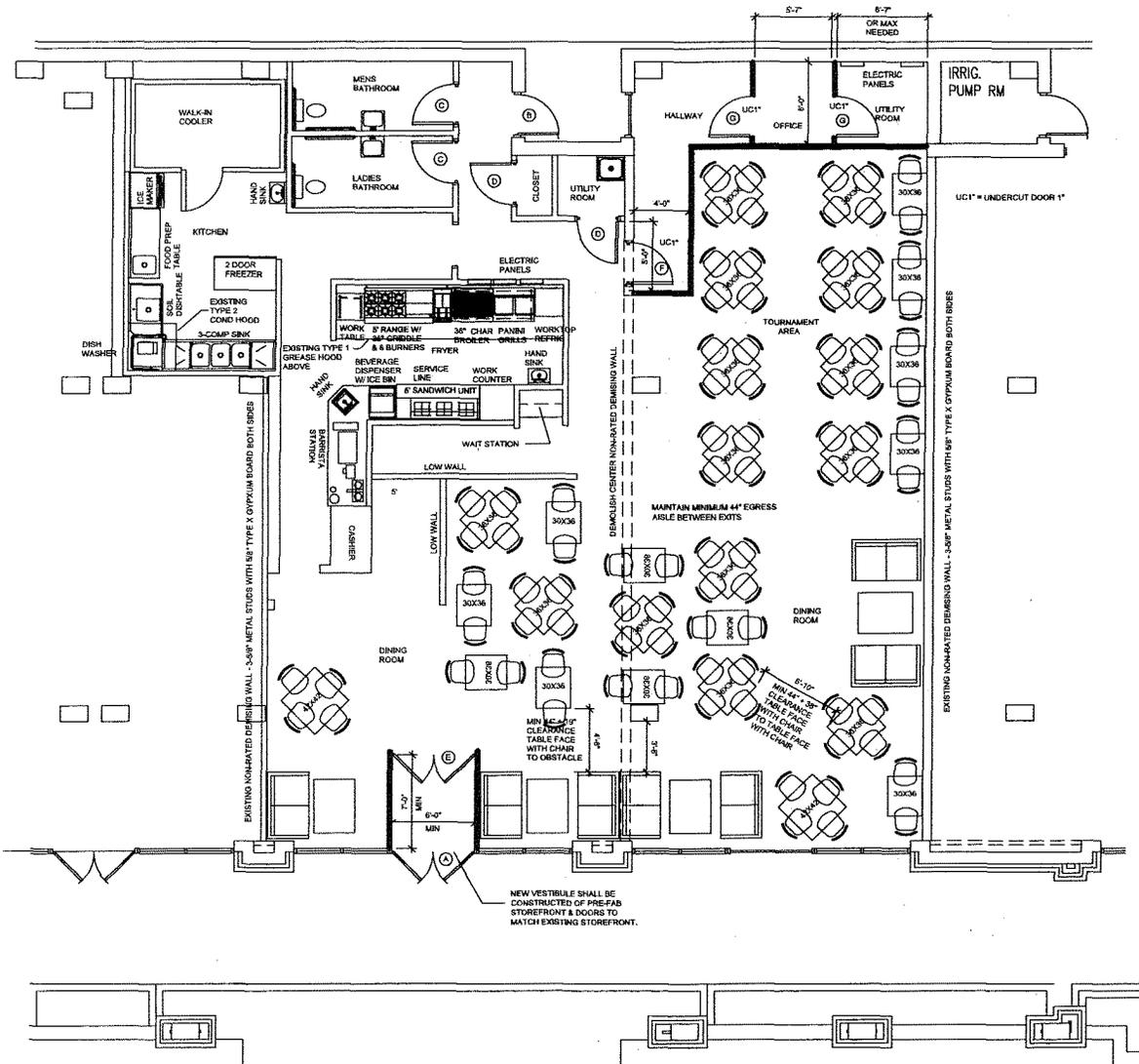
Bolivian Hot chocolate

mocha shake

chocolate shake

vanilla shake

Attachment 4



ARCHITECTURAL GENERAL NOTES

1. ALL NEW WORK SHALL BE IN COMPLIANCE WITH 2012 IRC AND ALL REFERENCED STANDARDS.
2. ACCESSIBILITY STANDARDS PER COMAR 08.02.02 THE MARYLAND ACCESSIBILITY CODE BASED ON 2010 DOJ/AD, DEPARTMENT OF JUSTICE STANDARDS FOR ACCESSIBLE DESIGN - 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN
3. ALL UTILITIES, GAS, ELECTRIC, WATER AND SANITARY TO REMAIN AS IS, BOTH SIDES, NO CHANGES. EXISTING HVAC UNITS TO REMAIN AS IS, RELOCATE (2) SUPPLY DIFFUSERS TO OFFICE AREA.
4. ALL FINISHES SHALL BE OF COMMERCIAL QUALITY AND MEET ALL FLAME/SPREAD REQUIREMENTS OF 2012 IRC CHAPTER 8.

SCOPE OF WORK

COMBINATION OF TWO ADJACENT FOOD SERVICE ESTABLISHMENTS INTO ONE, CENTER NON-BEARING, NON-RATED WALL PARTIALLY REMOVED BETWEEN (2) EXISTING (2) USE GROUP SPACES, DINING ROOM EXPANSION INTO SUITE G WITH NEW OFFICE AND UTILITY ROOM.

THE LEFT SIDE (SUITE F2) HAS THE EXISTING KITCHEN AND FOOD SERVICE AREA WITH DINING AREA ALL TO REMAIN AS IS TO INCLUDE ALL HVAC, PLUMBING AND ELECTRIC. NEW STOREFRONT STYLE ENTRY VESTIBULE.

THE RIGHT SIDE (SUITE G) WAS CLEARED TO OPEN CONDITIONS UNDER SEPARATE DEMOLITION PERMIT, THE CEILING GRID, HVAC AND DISTRIBUTION, ALL LIGHTING CIRCUITS, SWITCHING AND GENERAL POWER DEVICES ARE EXISTING TO REMAIN AS IS WITH NEW OFFICE RECEPTACLES AS SHOWN, ALL HVAC AND DISTRIBUTION IS EXISTING TO REMAIN AS IS (2) NEW SUPPLY DIFFUSERS TO OFFICE AREA AS SHOWN. NO NEW PLUMBING, ALL PREVIOUS PLUMBING CAPPED OFF OR REMOVED UNDER DEMOLITION PERMIT.

* THE BARRISTA STATION IS REPLACEMENT UTILIZING EXISTING ELECTRIC AND PLUMBING CONNECTIONS. NOTE: SUITE G SUITE ENTRY AND REAR EXIT DOORS TO BE CLOSED AND EXIT SIGNS REMOVED. SUITE F2 FRONT ENTRY DOORS AND REAR EXIT DOORS SHALL SERVE ENTIRE SPACE.

WALL TYPES

NEW WALLS SHOWN SHADED, ALL OTHERS ARE EXISTING TO REMAIN AS IS EXCEPT FOR CENTER WALL BEING REMOVED

ALL NEW INTERIOR WALLS, EXCEPT NEW VESTIBULE, SHALL EXTEND TO UNDERSIDE OF CEILING GRID - NON-RATED 1/2" GYPSUM BOARD BOTH SIDES OF 3/8" METAL STUDS @ 16" O.C.

DOOR TYPES

EXISTING

- A 72" DOUBLE 30" X 7" SUITE ENTRY - PULL ENTRY, PUSH EGRESS, NO LATCHES OR LEVERS, ADA CLOSER
- B 36" METAL REAR EGRESS/DELIVERY - PULL ENTRY, PUSH EGRESS, PANIC BAR, ADA CLOSER
- C 36" INTERIOR WITH ADA LEVER AND CLOSER, PRIVACY LOCK
- D 36" INTERIOR WITH ADA LEVER AND CLOSER

NEW

- E 72" X 80" (MIN HEIGHT) DOUBLE 30" X 7" STOREFRONT STYLE GLASS & ALUM FRAME, SUITE ENTRY - PULL ENTRY, PUSH EGRESS, NO LATCHES OR LEVERS, ADA CLOSER
- F 36" X 80" INTERIOR WITH ADA LEVER & CLOSER, OPTIONAL KEYED SECURITY LOCKSET
- G 36" X 80" INTERIOR WITH ADA LEVER & CLOSER

EXISTING CEILING TYPES

SUITE F2 (LEFT)

KITCHEN, COOKLINE, SERVICE COUNTER - EXISTING LAY-IN ACOUSTIC CEILING & GRID WITH WASHABLE VINYL FACED GYPSUM BOARD CEILING TILES

DINING - OPEN PAINTED CEILING WITH EXPOSED DUCTWORK AND PENDANT LIGHTS

SUITE G (RIGHT)

EXISTING LAY-IN ACOUSTIC CEILING & GRID WITH NEW TILES AS REQUIRED. CEILING PAINTED TO MATCH SUITE F

EXISTING FLOOR

KITCHEN, COOKLINE & SERVICE LINE - CERAMIC TILE

DINING ROOM - CERAMIC TILE OR OPTIONAL CARPET



THE BOARD AND BREW
8150 BALTIMORE AVENUE
SUITE F2 & G
COLLEGE PARK, MD

ARCHITECTURAL PLAN

SCALE: 1/8" = 1'-0" U.O.N.

Professional Certification. I certify that these documents were prepared or approved by me, and that I, Allen A. Snyder, am a duly licensed Professional Engineer under the laws of the State of Maryland, license number 22585, Expiration date: 05-12-2015

Pat Snyder
Snyder AE Design Services
6700 Chestnut Avenue
Falls Church, VA 22042
snyder@psnyderdesign.com
703 536-4646 Ofc
703 536-2637 Fax

COMMERCIAL
CONSTRUCTION
DESIGN SERVICES

Designed by: P.M. Snyder
Approved by: A.A. Snyder, P.E.

ISSUE DATE:
PERMIT:
CONSTRUCTION
02/20/2014

SHEET NUMBER:

A-1

ALCOHOL SERVICE POLICY FOR EMPLOYEES

The Board and Brew has a firm policy regarding the service of alcoholic beverages. Any employee who does not observe our policy will be reprimanded (**suspended or terminated**). We must comply with the Law. Understand that you are individually held responsible for complying with the law and that you can be sued for not serving responsibly. Therefore, ALL employees will do the following:

1. You will check the age of **EVERY CUSTOMER** via acceptable photo ID and make sure that s/he is at least 21 years old before you serve/sell them any alcohol. **ALWAYS ASK FOR ID and ASK IF THEY ARE 21 OR OLDER.** Make sure that the ID is authentic (use the ID SCANNER) and has not been tampered with. See you manager if you have concerns. In the absence of authentic ID, or **if you have doubt, DO NOT SERVE.**
2. You will not serve anyone who is visibly intoxicated or close to being so. **If you are not sure, get a second opinion from your manager before serving.**
3. It is the **employee's responsibility** to notify the manager immediately when a customer shows visible signs of intoxication. The manager will notify the customer that further service of alcohol is not forthcoming and is not legal.
4. All efforts will be made to **arrange alternative transportation for those who display visible signs of intoxication.** If s/he refuses, make a reasonable (VERBAL) effort to get their keys. If you are not successful and s/he leaves the premises, be sure to get a description of him/her, the vehicle, the tag number, their present location, the direction they headed, and **CALL THE POLICE IMMEDIATELY!**
5. Be sure to measure the liquor content of every alcoholic beverage you make. **Do not over-pour under any circumstances!**
6. After refusing service to a customer, **you must record a detailed description of the person in the daily log book. Be sure to record name, a description, and the date & time you cut off service if at all possible.**
7. Only serve **one drink at a time** to a customer.
8. **3 DRINK CHECK.** You may not serve more than a total of 3 drinks to a customer without a manager's approval. If a customer would like to order a 4th drink, **get a manager to determine if we can serve the customer.**
9. **All employees will serve customers responsibly and in accordance with the law. See the manager when in doubt.**
10. **Employees may not consume alcohol while they are working.**
11. **NEVER** give any kind of medicine (Aspirin, Tylenol, Ibuprofen, etc.) any customer.

On _____, I _____ have read or have had read to me the information in this packet and I agree to follow the aforementioned policy.

Witnessed by _____ on _____.

[Type text]

ALWAYS ASK FOR ID!

ACCEPTABLE FORMS OF ID:

VALID STATE ISSUED DRIVER'S LICENSE (HORIZONTAL)

VALID STATE ISSUED ID CARD (HORIZONTAL)

VALID MILITARY ID (D.O.B. is on the back)

VALID PASSPORT

VALID IMMIGRATION CARD

Check photo ID correctly: It must have a photo of the customer. It must not be expired. It must display a DOB. IF YOU ARE UNSURE, GET A MANAGER!

NOT ACCEPTABLE FORMS OF ID:

VERTICALLY ORIENTED LICENSE/ID

BIRTH CERTIFICATE

CREDIT CARD

ALTERED / FALSE ID

STUDENT / COLLEGE ID

SOCIAL SECURITY CARD

HOW TO ASK FOR ID IF A CUSTOMER QUESTIONS OUR POLICY:

1. Be courteous and polite.
2. Explain that it is the Board and Brew's policy to card everyone who orders alcohol.
3. Explain that ID is required by the Liquor Board.
4. Explain that we can lose our Liquor License if we make a mistake.
5. Tell them you appreciate their cooperation.
7. Let them know that the manager requires that check ID.
8. If they give you a hard time, GET THE MANAGER.
9. It is never acceptable to serve alcohol until AFTER YOU HAVE CHECKED THEIR ID.
10. If they say they know the owner or manager, still ask them for ID.

[Type text]

11. If the ID is in a wallet or casing, hand it back and politely ask them to remove the ID.

[Type text]

IDENTIFICATION TECHNIQUES

NOTE: THE BEST ID HAS A PHOTOGRAPH, PHYSICAL DESCRIPTION OF THE PERSON, DATE OF BIRTH, AND THEIR SIGNATURE. **YOU CAN ASK FOR AS MANY FORMS OF ID AS NECESSARY TO CONFIRM THE PERSON'S AGE!**

1. Make EYE CONTACT with the customer. When someone is trying to deceive you, they will appear nervous and may avoid eye contact.
2. Only accept the government issued photo IDs listed on the previous page.
3. If you are not familiar with the ID and cannot verify it using either the ID scanner or ID book, ask for another form of ID. If the customer fails to produce another form of acceptable ID, politely refuse the sale of alcohol. Serving minors (under 21) can result in YOU and The Board and Brew paying a substantial fine and/or YOU facing arrest and jail time. IT IS NOT WORTH GOING TO JAIL BECAUSE YOU DID NOT CHECK ID!
4. When someone hands you ID, make sure to check that the ID IS NOT EXPIRED. Check that the customer matches the photo and the physical description on the ID. You may ask the customer to sign a piece of paper so that you can compare it to the signature on the ID.
5. If the customer hands you their wallet with their ID, HAND IT BACK and ask them to remove the ID. This helps you avoid false claims that you stole something from them and allows you to better check the ID.
6. When you inspect the ID, make sure that the ID feels smooth all over. Raised sections (especially near the photo) indicate that it has been tampered with.
7. Some good verification questions are "What's your horoscope sign?" or "When did you graduate high school?" If you see they have to think about the answer, the ID may not be theirs and you should ask for another acceptable form of ID. If they cannot produce another form of acceptable ID, politely refuse the sale of alcohol.
8. It is against the law to re-laminate a driver's license. If you encounter a re-laminated driver's license, this should raise suspicions.
9. European licenses often do not have pictures, ask for a passport or immigration card instead.
10. Look for inconsistencies in the typeface/font. Inconsistencies indicate tempering.
11. Repeat some information back to the holder and make a small mistake. Ex: (The license says 123 Maple St. You ask them if they live at 127 Maple St. They say yes) Impostors are sometimes unfamiliar with details on the license.
12. Remember: if you are unsure, if you have doubt, if you get a gut feeling, GET A MANAGER!

[Type text]

SERVICE AT A TABLE WITH ALCOHOL

COUNT THE DRINKS - We have a **3 Drink Check** policy. A 4th drink is not served until the manager approves it.

DO NOT TAKE ALCOHOL ORDERS FROM A TABLE THAT IS NOT IN YOUR SECTION.

You must know how many alcoholic drinks you have served each customer at a table.

CHAT/TALK with the customer occasionally. Are they showing signs of intoxication?

SLOW DOWN the service for **FAST DRINKERS** and encourage them to **EAT!**

If you see an alcoholic drink in front of a customer who did not order it, ask the customer who ordered it to take possession of the drink. Politely explain to them that **we cannot allow someone to drink if we have not checked their ID. INFORM THE MANAGER IMMEDIATELY!**

DO NOT SERVE ALCOHOL TO A CUSTOMER SHOWING VISIBLE SIGNS OF INTOXICATION. Even if you have not served any alcohol to the customer (ex: the customer arrives intoxicated), do not serve them alcohol. If you are not sure, **ASK A MANAGER!**

BE CAUTIOUS with customers who are displaying signs of aggression. **NEVER CONFRONT A CUSTOMER.** If a customer makes you feel uncomfortable, **GET A MANAGER IMMEDIATELY!**

[Type text]

MANAGING ALCOHOL SERVICE

When verifying ID, use the scanner first. If the ID is not compatible with the scanner, use the current version of the ID book to determine validity.

If you become aware of a customer buying drinks for a minor, politely explain the law and our alcohol service policy to the table. Inform them that if the incident happens again, we will cut off service of alcohol to the table.

When determining sobriety consider the following:

- Is the customer slurring their speech?
- What body type? Smaller people have lower tolerance to alcohol than larger people.
- Have they eaten? Are they drinking on an empty stomach?
- Do they look alert or are their eyes glassy/unfocused?
- Are they being overly friendly, overly aggressive, or speaking loudly?
- How fast are they drinking? 3 drinks an hour? 2 drinks an hour? 1 drink an hour?
- Are they displaying a loss of coordination?

If you make the decision to cut off a customer, remember that a customer might not realize they are intoxicated - Be polite and friendly and explain that we are looking out for them. They are welcome to stay and play games while they sober up.

In the event a customer displays aggressive or violent behavior, attempt to de-escalate the situation verbally and in a friendly manner. NEVER physically engage the customer. Inform them that you will contact the police if they continue to make customers and staff feel uncomfortable.

If a fight occurs:

- Do not make physical contact unless it is absolutely necessary.
- Move customers to a safe area.
- Call the police immediately or have a staff member call the police immediately.
- Watch out for weapons.
- Document the entire event.
- NEVER ASK OR DIRECT YOUR CUSTOMER TO BREAK UP A FIGHT!

**BOARD OF LICENSE COMMISSIONERS
MAY 27, 2014**

NOTICE IS HEREBY GIVEN: that applications have been made with the Board of License Commissioners for Prince George's County, Maryland for the following alcoholic beverage licenses in accordance with the provisions of Article 2B.

TRANSFER

Leon S. Bathersfield, President/Treasurer, Vaughn Jordan, Vice President/Secretary for a Class B, Beer, Wine and Liquor License for the use of Taste of the Caribbean, Inc., **t/a Taste of the Caribbean**, 505 A Hampton Park Blvd., Capitol Heights, 20743 transfer from Taste of the Caribbean, Inc., t/a Taste of the Caribbean, Lorraine Newton, President/CEO, Leon Bathersfield, Vice President.

Atty: Linda Carter, Esquire Opp: _____

Cyrus Kibunja, Managing Member, Michelle Kibunja, Member for a Class B(R), Beer, Wine and Liquor License for the use of Heritage Hall, LLC, **t/a The Original Kilimanjaro**, 13501 Baltimore Avenue, Laurel, 20707 transfer from Rio Sports Enterprises, Inc., t/a Rio Restaurant & Lounge, Tak Yoon, President/ Secretary/Treasurer, Cornel Greene, Recording Secretary.

Atty: Abigale Bruce-Watson, Esquire Opp: _____

Chang Baek Choi, President, Constance Arlene Duncan, Vice President for a Class B+, Beer, Wine and Liquor License for the use of Laurel Spirit, Inc., **t/a Laurel Bowie Liquor & Deli**, 9830 Mallard Drive, Laurel, 20708 transfer from PKP Liquor & Deli Inc., t/a Laurel-Bowie Liquor & Deli, Joon H. Pak, President/Secretary/Treasurer, Sheri D. Simpson, Vice President.

Atty: Jung-Hoon Samuel Kim, Esquire Opp: _____

Jing Sheng Huang, President, Mark Wang, Vice President/Treasurer, Xuan Huang-Fu, Vice President/Secretary for a Class B(BLX), Beer, Wine and Liquor License for the use of Affluent MD, Inc., **t/a Bon Chon Hyattsville**, 6507 America Blvd., #101, Hyattsville, 20782 transfer from Hyattsville Center, LLC, t/a Hank's Tavern and Eats, Matthew Davis Burbank, Authorized Person.

Atty: Robert Kim, Esquire Opp: _____

TRANSFER OF LOCATION

Cecil Deonauth, President/Secretary/Treasurer for a Class B(R), Beer, Wine and Liquor License for the use of Penguin Liquors, LLC, **t/a Sportsman's Pub**, 109 Second Street, Laurel, 20707 transfer of location from Penguin Liquors, t/a Sportsman's Pub, 116 Washington Blvd., Laurel, 20707, Andrew Sancomb, President/Vice President/Secretary/Treasurer.

Atty: _____ Opp: _____

Collette G. Gingles, Member for a Class D(R), Beer and Wine License for the use of Marketplace Beer and Wine, LLC, **t/a Marketplace Beer & Wine**, 3264 Superior Lane, Bowie, 20715 transfer of location from Mirzaie Beer & Wine, LLC, t/a Seven Eleven Store (Laurel), 12009 Laurel Bowie Road, Laurel, 20708, Mehdi G. Mirzaie, Member/Authorized Person, Agyarkwa Kwabe Amoyaw, Member/Authorized Person, Farzaneh Mirzaie, Member/Authorized Person.

Atty: Abigale Bruce-Watson, Esquire Opp: _____

NEW

Brian McClimens, Managing Member, Benjamin Epstein, Managing Member for a New Class B, Beer and Wine License for the use of Ben and Brian Games, LLC, **t/a The Board and Brew**, 8150 Baltimore Avenue, Suite F2&G, College Park, 20740.

Atty: _____ Opp: _____

Deisy M. Alvarez, President, Pedro A. Alvarez, Vice President for a New Class B, Beer and Wine License for the use of Daisy's Grill Restaurant, Inc., **t/a Daisy's Grill Restaurant**, 8503-5 Oxon Hill Road, Fort Washington, 20744.

Atty: Jason Deloach, Esquire Opp: _____

Steven Thornton, Authorized Person, Charles Burton Heiss, Authorized Person for a New Class B(BLX), Beer, Wine and Liquor License for the use of Nando's of Laurel, LLC, **t/a Nado's Peri Peri**, 14828 Baltimore Avenue, Building 1, Laurel, 20707.

Atty: Leanne M. Schrecengost, Esquire Opp: _____

Stuart R. Damon, Managing Member for a New Class B(BLX), Beer, Wine and Liquor License for the use of Oyster Bar Management, LLC, **t/a The Walrus Oyster & Ale House**, 152 Waterfront Street, National Harbor, 20745.

Atty: Linda Carter, Esquire Opp: _____

Regular Session

May 27, 2014

Page | 3

A hearing will be held at 5012 Rhode Island Avenue, Hearing Room 200, Hyattsville, Maryland 20781, **10:00 a.m., Tuesday, May 27, 2014**. Additional information may be obtained by contacting the Board's Office at 301-699-2770.

BOARD OF LICENSE COMMISSIONERS

Attest:

Diane M. Bryant

April 4, 2014

CLASSES OF LICENSES:

Class A License	Off Sale only, six (6) days a week; No sales of alcoholic beverages on Sunday
Class B License	On Sale seven (7) days for sale of beer and wine, six (6) days for sale of alcohol over 15.5% by volume – on sale only if issued after 1996
Class C License	On Sale only, seven (7) days
Class D License	On and Off Sale, seven (7) days – on sale only if issued after 1996

DESCRIPTION OF CLASS OF LICENSES AND HOURS OF SALES

Class A, Beer	Hours of off sale service are 6:00 a.m. to 12:00 midnight, six (6) days a week, Off Sale only of Beer, no consumption on the licensed premises. No Sales Permitted On Sunday.
Class A, Beer and Wine	Hours of off sale service are 6:00 a.m. to 12:00 midnight, six (6) days a week, Off Sale only of Beer and Wine, no consumption on the licensed premises. No Sales Permitted On Sunday.
Class A, Beer, Wine Liquor	Hours of off sale service are 6:00 a.m. to 12:00 midnight, six (6) days a week, Off Sale only of beer, wine and liquor no consumption on the licensed premises. No Sales Permitted On Sunday.
Class B, Beer	Hours of on sale consumption are 6:00 a.m. to 2:00 a.m., On Sale consumption only of beer unless grand fathered in prior to July 1, 1975. Holder of licenses prior to that date may exercise off sale privileges to include seven-(7) day license with food requirement until 12:30 a.m.
Class B, (GC)	This license is a seven (7) day license for the sale of beer and wine for the exclusive use on the premises of the M-NCPPC golf courses located within Prince George's County. Hours of operation are 11:00 a.m. to 10:00 p.m., daily Monday through Sunday.
Class B, Beer and Wine	Hours of on sale consumption are 6:00 a.m. to 2:00 a.m., On Sale consumption only of beer and wine unless grand fathered in prior to July 1, 1975. Holder of licenses prior to that date may exercise off sale privileges to include seven-(7) day license with food requirement until 12:30 a.m.
Class B, Beer, Wine & Liquor	Hours of on sale consumption are 6:00 a.m. to 2:00 a.m. Premises with approved live entrainment may remain open until 3:00 a.m. This license includes seven (7) days On Sale Beer and Light Wine, six (6) days On Sale Beer, Wine and Liquor. Special Sunday Sale Permit required for On Sale consumption of Liquor. (*See Rule No. 66)

Class B(R), Beer, Wine &
Liquor

THIS DESCRIPTION APPLIES TO LICENSES ISSUED PRIOR TO OCTOBER 1996 - For Class B, Beer, Wine and Liquor licenses issued prior to October 1996 the hours of on sale consumption are 6:00 a.m. to 2:00 a.m. except on Friday and Saturday with approved live entertainment. Premises with approved live entertainment may remain open until 3:00 a.m. This license includes seven (7) days On & Off Sale Beer and Light Wine, six (6) days On & Off Sale Beer, Wine and Liquor. All off sales to be conducted over or contiguous to the main bar. Hours of service for off sale over the main bar are 6:00 a.m. until 12:00 midnight. Special Sunday Sale Permit required for On Sale consumption of Liquor. (*See Rule No. 66)

Class B+, Beer, Wine &
Liquors

Hours of on sale consumption are 6:00 a.m. to 2:00 a.m. except on Friday and Saturday with approved live entertainment. Premises with approved live entertainment may remain open until 3:00 a.m. This license includes seven (7) days On & Off Sale Beer and Light Wine, six (6) days On & Off Sale Beer, Wine and Liquor. (Separate off sale facility to sell beer, wine and liquor off sale). Hours of service for off sale over the main bar are 6:00 a.m. until 12:00 midnight. No off sale of Liquor on Sunday. Special Sunday Sale Permit required for On Sale consumption of Liquor. (*See Rule No. 66)

Class B, BH

Hours of on sale consumption are 6:00 a.m. to 2:00 a.m. except Friday and Saturday with live entertainment. Premises with approved live entertainment may remain open until 3:00 a.m.. On sale consumption of alcoholic beverage is allowed from 8:00 a.m. – 2:00 a.m. on Sunday. This license has no off sale privileges.

Class B, BLX

Hours of on sale consumption are 6:00 a.m. to 2:00 a.m. except Friday and Saturday with live entertainment. Premises with approved live entertainment may remain 3:00 a.m. Six (6) day On Sale consumption of Beer, Wine and Liquor and seven (7) days On Sale Beer and Wine, No off Sale privilege at all, Sunday Sales Permit required to serve alcoholic beverages. Food must be served until 12:30 a.m. in conjunction with sale of alcoholic beverages

Class B, Country Inn

Hours of operation and manner of dispensing alcoholic beverages to be determined by the Board of License Commissioners consistent with Article 2B Section 6-201. All sales to be On Sale only.

Class B-DD

This license is available in Designated Areas Only. The restaurant must provide bi-annual certifications that the sale of food exceeds the sales of alcoholic beverages.

- Class B, ECF Hours of on sale consumption are 6:00 a.m. to 2:00 a.m. Monday through Saturday. This license includes seven (7) days On Sale Beer and Light Wine, six (6) days On Sale Beer, Wine and Liquor. Special Sunday Sale Permit required for On Sale consumption of Liquor. (*See Rule No. 66). This license is known as an "Education Conference Facility" license to the University of Maryland, University College Center of Adult Education for the sale of beer, wine and liquor by the drink within the center, from one or more outlets, for consumption on the license premises.
- Class B, MB22 This license in on sale only of liquor to a Class 7 Microbrewery licensed establishment in the 22nd Legislative District.
- Class B, RD This license is an on sale only license for liquor by the drink in an establishment located in a designated Revitalization District
- Class B, ECF/DS Hours of on sale consumption are 6:00 a.m. to 2:00 a.m. Monday through Saturday. This license includes seven (7) days On Sale Beer and Light Wine, six (6) days On Sale Beer, Wine and Liquor. Special Sunday Sale Permit required for On Sale consumption of Liquor. (*See Rule No. 66). This license is known as an "Education Conference Facility/Dining Services" license to the University of Maryland, College Park Campus for the sale of beer, wine and liquor by the drink within the center, from one or more outlets, for consumption on the license premises.
- Class B, ECR
Equestrian Center This license is a seven-(7) day license for the sale of beer, wine and liquor for use at the Equestrian Center. Hours of on sale consumption are Monday through Saturday from 8:00 a.m. to 2:00 a.m. Sunday sales of beer and light wine containing 15.5% or less of alcohol by volume from 8:00 a.m. to 2:00 a.m. Special Sunday Sale Permit required for On Sale consumption of Liquor. (*See Rule No. 66)
- Class B, BCE Catering Hours of on sale consumption are 6:00 a.m. to 2:00 a.m. Monday through Saturday. This license includes seven (7) days On Sale Beer and Light Wine, six (6) days On Sale Beer, Wine and Liquor. Special Sunday Sale Permit required for On Sale consumption of Liquor. (*See Rule No. 66). This license is limited and restricted to on sale consumption of alcoholic beverages on the licensed premises by participants of catered events. No off sale privileges will be exercised.
- Class B, Baseball Stadium This license is a seven-(7) day license for the sale of beer and wine for use at a Baseball Stadium. Hours of on sale consumption are Monday through Saturday from 6:00 a.m. to 2:00 a.m. and Sunday from 8:00 a.m. to 2:00 a.m.
- Class B, Football Stadium This license is a seven-(7) day license for the sale of beer, wine and liquor for use at the Football Stadium.

Class C Beer,
Beer and Wine

Hours of on sale consumption are 6:00 a.m. to 2:00 a.m. seven-(7) days On Sale consumption only.

Class C, Beer, Wine &
Liquor
Fraternal
Veterans
Yacht Club
Country Club
Golf & Country Club

Hours of on sale consumption are 6:00 a.m. to 2:00 a.m., seven (7) days On Sale on consumption limited to members and their guests except in the case of a Country Club - the word customer is used

Class D, Beer
Beer and Wine

Licenses issued pursuant to Rule and Regulation Number 22 the hours of on sale consumption are 6:00 a.m. to 2:00 a.m. with no food requirements. This is a seven-(7) day On Sale only License.

Class D(R), Beer
Beer and Wine

THIS DESCRIPTION APPLIES TO LICENSES ISSUED PRIOR TO OCTOBER 1996 - Hours of on sale consumption are 6:00 a.m. to 2:00 a.m.; that hours for off sale service is 6:00 a.m. - 12:00 midnight with no food requirements. Licenses issued prior to October 1996 may sell beer and wine On and Off Sale seven (7) days a week.

MEMORANDUM

TO: Mayor and Council

FROM: Michael Stiefvater, Economic Development Coordinator *MS*

THROUGH: Terry Schum, Planning Director *TS*
Joseph L. Nagro, City Manager

DATE: May 2, 2014

SUBJECT: Support for The Board and Brew's Neighborhood BusinessWorks Application

ISSUE

The Board and Brew is attempting to open a board game café on the ground floor of The Varsity housing complex at 8150 Baltimore Avenue this summer and are currently pursuing funding through the Maryland Department of Housing and Community Development's (DHCD) Neighborhood BusinessWorks program (NBW). As part of their application package, The Board and Brew must obtain the support of the appropriate governing body of the locality in which the project is situated. For municipalities, this requirement is met by the adoption of a resolution.

BACKGROUND

The Board and Brew first approached the City in March 2013 about their interest in locating their business here. The concept (see Attachment 1), a café focused on entertainment through board games, is based on a model that has emerged in recent years and been successful in those locations. While a similar business exists in Washington, D.C., the concept is unique to this area and provides residents of all ages with a place to convene. In discussions with City staff, the owners were encouraged to meet with the Maryland Small Business and Technology Development Center to explore financing options for the build out of the retail space. The result of their meetings led to a loan from the U.S. Small Business Administration. Additionally, the business applied to the City's Commercial Tenant Improvement Program and received approval for a \$25,000 grant in February 2014, which is dependent on the attainment of all permits and the ultimate opening of their business.

SUMMARY

Due to unforeseen construction issues, The Board and Brew's opening has been delayed and they are required to build out the entirety of their retail space, instead of the phased approach they originally planned. In order to finance the remaining improvements, the owners are seeking a loan through the NBW that provides flexible gap financing to small businesses locating or expanding in designated neighborhood revitalization areas throughout the State (see Attachment 2 for the NBW fact sheet). Businesses are eligible for loans from \$25,000 to \$500,000 for a

variety of uses, including leasehold improvements, machinery and equipment, and working capital.

RECOMMENDATION:

Staff recommends supporting The Board and Brew's application for financing through the Neighborhood BusinessWorks program by adopting the necessary resolution (see Attachment 3).

ATTACHMENTS:

1. The Board and Brew's Concept
2. Neighborhood BusinessWorks Fact Sheet
3. Resolution 14-R-08

ATTACHMENT 1: The Board and Brew's Concept

Mission Statement

The Board and Brew provides the College Park community with a unique entertainment venue, combining a vast collection of board games and frequent community-building events, with quality food and beverage.

Executive Summary

The Board and Brew introduces a form of entertainment unique to the Washington D.C. region in the form of a board game café. This is a business model in an emerging industry that has met with success in cities such as Toronto, Seattle, Portland and Chicago, but has no direct local competition. We will establish our business in the city of College Park, directly adjacent to a large college campus desperately in need of new entertainment venues.

For an affordable fee, *The Board and Brew* will provide patrons with access to an extensive on-site board game collection designed to appeal to a broad audience. New and used games will be available for purchase, and we will pair this entertainment offering with high quality food and beverage, with a focus on specialty coffee and tea, as well as small plates that can be enjoyed throughout our customers' gaming experience.

Community building events including a trivia, open-mic, and learn-a-game nights, regular tournaments and leagues will allow *The Board and Brew* to appeal to a wide audience. Targeted sales strategies designed to appeal to distinct segments of our customer base will maximize our potential for return customers.

Our business model provides us with a distinct advantage over other limited-service restaurants. Namely, the revenue stream provided by renting access to our board game collection for on-site use providing our business with a larger profit margin than the typical restaurant or café. In addition, the board games will keep our customers at *The Board and Brew* for extended periods, providing the opportunity to increase food and beverage sales. Our business model takes this longer-than-average customer stay into account, monetizes the time spent at our tables in a relaxed atmosphere, and provides ample seating to accommodate the number of customers required to turn a healthy profit.

The Board and Brew seamlessly integrates multiple revenue streams, combining a coffee house, entertainment venue and retail store in one location. The relative level of focus on each of these components can be appropriately scaled to our clientele's demands, fluidly targeting the diverse markets found nearby, and adapting to maximize profitability over time.

NEIGHBORHOOD BUSINESSWORKS PROGRAM

Fact Sheet

PURPOSE OF THE PROGRAM

The Neighborhood BusinessWorks program (NBW) provides a revitalization resource to help stimulate investment in Maryland's older communities. The NBW loans provide flexible gap financing to small businesses locating or expanding in locally designated neighborhood revitalization areas throughout the State.

ELIGIBLE APPLICANTS

- Maryland-based small businesses (small business as defined by the U.S. Small Business Administration)
- Nonprofit organizations whose activities contribute to a broader revitalization effort and whose projects are intended to promote investment in commercial districts or town centers

Note: Local governments are not eligible applicants

AMOUNT OF FINANCING AVAILABLE

- \$25,000 - \$500,000
- Each project assessed for financial need, up to 50 percent of total project cost (Refinancing will not be considered part of the project cost.)

ELIGIBLE PROJECTS

- Retail businesses, including franchises
- Manufacturing businesses
- Service-related businesses
- Mixed-use projects, consisting of a commercial or retail use at street level and no more than 12 residential units.

Note: Some restrictions apply (see the General Restrictions section).

ELIGIBLE USES OF FUNDS

- Market/planning/feasibility studies
- Real estate acquisition
- New construction or rehabilitation
- Leasehold improvements
- Machinery and equipment
- Working capital (when part of total project cost)
- Certain other costs associated with opening or expanding a small business

NOTES:

1. A Minority Business Enterprise Plan is required for those projects where NBWP funds will exceed \$250,000 for construction or rehabilitation.
2. Construction projects are reviewed by this Department's offices of Maryland Historical Trust and Codes Administration prior to funding

LOAN TERMS

- Interest rate is below market, based on underwriter's analysis
- Loan term up to 15 years, depending on loan size and underwriting
- Minimum 5 percent applicant capital cash contribution is required (based on total project cost)
- Personal guarantees and collateral are required
- No prepayment penalties

GENERAL RESTRICTIONS

- Loan terms cannot exceed 10 years.
- Loan proceeds must be used for projects located in Maryland.
- Points charged by the lender cannot exceed 1% of the loan amount.
- A loan may not be used for the furtherance of sectarian or religious purposes or instruction



The Maryland Department of Housing and Community Development (DHCD) pledges to foster the letter and spirit of the law for achieving equal housing opportunity in Maryland

CRITERIA CONSIDERED

- Project viability and potential
- Impact of the project on its neighborhood
- Significant exterior improvements
- First floor commercial or retail space use which generates street level activity
- Improvements to a vacant/underutilized building or site
- Introduction of needed goods or services to a neighborhood
- Creation of new jobs
- Readiness to proceed

RESTRICTION & CONSIDERATIONS

Priority is given to projects that strengthen neighborhood commercial districts and are part of a greater revitalization strategy. The following types of projects and activities will not be considered for NBW financing:

- Speculative developments (All properties must be pre-leased for a minimum of 51% of the leasable space prior to loan closing.)
- Refinancing
- Residential or transient living facilities (other than mixed-use projects described in Eligible Projects section), e.g., multifamily or single-family housing developments, nursing homes, assisted living facilities, crisis care centers, group homes, transitional housing, and homeless shelters
- Facilities such as community halls, fire stations, hospitals, colleges, or universities
- Adult bookstores, adult video shops, other adult entertainment facilities, gambling facilities, gun shops, liquor stores, massage parlors, pawn shops, tanning salons, or tattoo parlors.

APPLICATION

A complete NBW loan application consisting of the items on the Required Documentation Checklist in the application package must be submitted before a project can be fully processed. If the application for funds is approved, additional documentation will be necessary to close the loan

FOR ADDITIONAL INFORMATION, PLEASE CONTACT

Michael J. Haloskey III
Director, Business Lending Programs
Phone: 410-514-7237 Email: Haloskey@mdhousing.org
Maryland Department of Housing and Community Development
Neighborhood BusinessWorks Program
100 Community Place, Crownsville MD 21032
Phone: 410-514-7237 Fax: 410-514-7925
<http://www.NeighborhoodBusinessWorksProgram>
MD Relay for the Deaf: 1-800-735-2258

EMPLOYMENT OPPORTUNITIES

As part of Maryland's continuing efforts to provide successful Welfare-to-Work opportunities, the Department of Housing and Community Development encourages Neighborhood Business Development Program applicants to make jobs available to Temporary Cash Assistance recipients. For further information on how to reach these resources, please contact the Department of Human Resources, Office of Work Opportunities at 410-767-7976 or the Department of Labor, Licensing and Regulation, Office of Employment Training at 410-767-2800 or the Maryland Job Service at 410-767-3416.

Maryland also maintains a job bank on the internet at <https://mwe.dllr.state.md.us/JobSeeker/JobSeekerHome.asp>

ATTACHMENT 3: Resolution 14-R-08

Resolution of the Mayor and Council of the City of College Park supporting Maryland Department of Housing and Community Development Neighborhood BusinessWorks Program financing to The Board and Brew.

WHEREAS, the Mayor and Council of the City of College Park is interested in promoting the revitalization of our community by encouraging the development and/or expansion of for-profit and nonprofit small businesses; and

WHEREAS, the Board and Brew applied to the Neighborhood BusinessWorks Program for financing to build out a retail space in order to open a board game café at 8150 Baltimore Avenue; and

WHEREAS, this Project is located in a State-approved locally designated revitalization area and conforms to the local zoning code; and

WHEREAS, the regulations of the Neighborhood BusinessWorks Program require that all projects receiving financing be approved and supported by the appropriate governing body of the locality in which the project is situated; now, therefore,

BE IT RESOLVED THAT, the Mayor and Council of the City of College Park hereby endorses the financing to The Board and Brew; and

BE IT FURTHER RESOLVED THAT, copies of this Resolution be sent to Michael Haloskey, Director, Neighborhood BusinessWorks Program at the Maryland Department of Housing and Community Development, 100 Community Place, Crownsville, MD 21032.

READ AND PASSED THIS 13th day of May, 2014.

BY ORDER: I hereby certify that Resolution Number 14-R-08 is true and correct and duly adopted by the Mayor and Council of the City of College Park.

ATTEST/WITNESS:

CITY OF COLLEGE PARK, MARYLAND

By:

Name: Andrew Fellows

Title: Mayor

Date: May 13, 2014

3

University

Bible

Church

MEMORANDUM

TO: Mayor and Council

THROUGH: Joseph Nagro, City Manager
Terry Schum, Planning Director *tas*

FROM: Miriam Bader, Senior Planner *MB*

DATE: May 2, 2014

SUBJECT: Preliminary Plan of Subdivision 4-13020
University Bible Fellowship Church

ISSUE

The applicant, University Bible Fellowship Church, is requesting a Preliminary Plan of Subdivision in order to combine two adjoining lots that it currently owns into one lot. The applicant needs to combine these two adjoining lots to streamline the development review process for a proposed new addition. Lot 3, Block 1 is 1.60 acres; the residue of Lot 3, Block 1 is 0.76 acres; when these two lots are combined, the new lot will be 2.36 acres.

The Prince George's County Planning Board Hearing is scheduled for May 15, 2014. The Maryland-National Capital Park and Planning Commission (M-NCPPC) technical staff report may be available May 9, 2014.

SUMMARY

Location

The subject property is located at 3600, 3602 and 3604 Metzert Road, 300 feet east of its intersection with Acredale Court, outside the city limits of College Park.

Zoning

The subject property is zoned Rural-Residential (R-R).

Existing Use

The subject property contains three structures: A 4,307 square foot sanctuary with a 163 seat capacity, a 2,331 square foot parsonage, a 1,084 square foot chancery and 31 parking spaces. The parsonage is rented out as a residential use and the chancery is used as an office. There is an existing sidewalk along the eastern front of the property

but the sidewalk does not extend in front of the chancery. City staff recommends that a 5-foot wide sidewalk be extended in front of the chancery to the western property line.

Surrounding Uses and Zoning

Direction from subject site	Use	Zoning
North	Single-Family Residential	R-55 (inside City Limits)
South (across Metzerott Road)	Single-Family Residential	R-55 (inside City Limits)
West	Single-Family Residential	R-R (outside City Limits)
East	Single-Family Residential and Moose Lodge	R-R (outside City Limits)

Proposed Use

The applicant is proposing to build a 4,896 square foot addition to the rear of the existing church to use as a dining hall, offices, a nursery room and classrooms. The applicant is also proposing to construct 27 new parking spaces for a total of 58 parking spaces and updating stormwater management facilities to include micro- bio-retention, drainage swales, and porous pavement. The number of parishioners is not anticipated to increase because the sanctuary will remain the same size and no other uses will operate at the same time as the church. The dining area will seat 134 people.

The one-story addition will be clad with vinyl siding, vinyl casement windows and asphalt shingle roofing (see Attachment 4). The applicant is proposing to install a 6-foot high board-on-board fence along the western and northern property lines. No Detailed Site Plan is required since the lot is greater than 2 acres.

The applicant meets the Zoning Ordinance regulations (see table below) except for the landscape ordinance. The applicant has submitted an alternative compliance plan (see Attachment 2) to address the non-compliance. This is a separate administrative review process by the M-NCPPC at the time of building permit review. City staff has requested to be involved in this process.

Access

The subject property is currently served by three driveway curbcuts off of Metzerott Road. The easternmost driveway serves the church and the parking lot. The center driveway serves the parsonage, and the westernmost driveway serves the chancery but are not necessary with the expanded parking and subdivision as one lot. City staff recommends eliminating the parsonage and chancery curb-cuts and driveways and providing walkways to connect these structures to the parking lot. Since the use is not anticipated to generate any additional traffic; no traffic study or Adequate Public Facilities impact study is required.

Zoning Ordinance Regulations

Description	Required	Provided	Complies
Front yard setback	25'	30.6'	Yes
Rear yard setback	20'	42.8'	Yes
Side yard setback	17' combined/8'	25.4' and 39.6'	Yes
Building height	35'	25'	Yes
Lot coverage	60%	44.5%	Yes
Parking	41 spaces	59 spaces	Yes
Loading space	1 space	1 space	Yes

Due to its location, the membership of the University Bible Fellowship Church consists of many university students. Because many of the students bike to the church, City staff feels it appropriate for the Church to provide bike parking facilities to accommodate these bicycles, such as bike racks. The Zoning Ordinance does not specify a bicycle parking standard; however, the US 1 Sector Plan provides a standard that City staff feels appropriate to use for this case given the circumstances. The Sector Plan standard is: 1 bicycle parking space for every 3 vehicular spaces. In this case, since 59 vehicular parking spaces are provided, 20 bicycle spaces are recommended.

RECOMMENDATION

Staff recommends supporting Preliminary Plan of Subdivision 4-13020 for University Bible Fellowship Church subject to the following conditions:

Prior to the issuance of a Use and Occupancy permit:

1. Provide 10 inverted u-shaped bicycle racks (parking for 20 bicycles).
2. Eliminate the curb-cuts and driveways to the parsonage and chancery and provide sidewalk access from these structures to the parking lot.
3. Eliminate the existing southeastern parking space along the property frontage.
4. Extend the sidewalk (5-foot wide) along the entire frontage of the property.

ATTACHMENTS

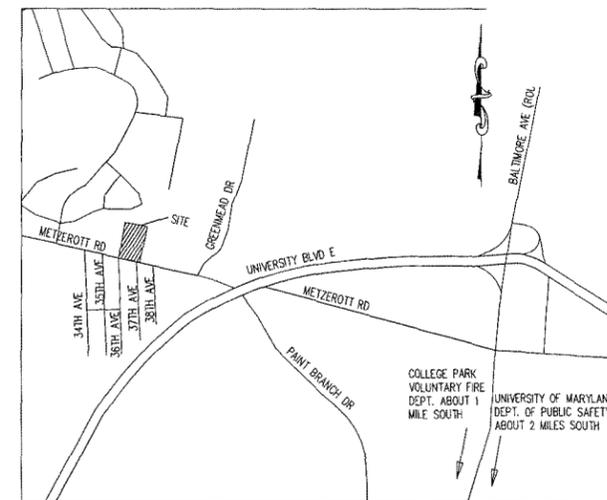
1. Preliminary Plan
2. Alternative Compliance Plan
3. Floor Plans
4. Elevations

GENERAL NOTES

- PROPOSED SITE CONSISTS OF PART OF LOT 3 LIBER 7881 FOLIO 259 BLOCK 1 PLAT 04 AND LOT 3 LIBER 2882 FOLIO 13 BLOCK 1 PLAT 04.
- TAX MAP 0025 AND GRID 0084.
- W.S.C. SHEET 211NE03.
- PROPOSED ADDITION TO THE EXISTING CHURCH AND ADDITIONAL PARKING BY COMBINING P/O LOT 3 AND LOT 3.
- NO PRIOR APPROVAL
- TOTAL ACREAGE: 2.36 AC. ZONE: R-R (LOT 3: 1.69 AC.) (PART OF LOT 3: 0.76 AC.) AREA OF 1,125 SF (0.026 AC.) IS DEDICATED TO THE PUBLIC RIGHT OF WAY FROM PART LOT 3
- NET DEVELOPABLE AREA OUTSIDE OF PMA - N/A
- ACREAGE OF ENVIRONMENTAL REGULATED FEATURES - N/A
- ACREAGE OF 100-YEAR FLOODPLAIN - N/A
- ACREAGE OF ROAD DEDICATION - 1,125 SF (0.026 AC)
- EXISTING ZONING USE: R-R (RURAL RESIDENTIAL)
- ADDITION TO EXISTING CHURCH AND REQUIRED PARKING.
- BREAKDOWN OF PROPOSED DWELLING UNIT BY TYPE (RESIDENTIAL ONLY) N/A
- DENSITY CALCULATION (RESIDENTIAL ONLY) - N/A
- MINIMUM LOT SIZE REQUIRED BY ZONING ORDINANCE AND SUBDIVISION REGULATIONS (24-130) - 20,000 SF
- MINIMUM LOT WIDTH AT FRONT BUILDING LINE - 100 FT.
- MINIMUM LOT WIDTH AT FRONT STREET LINE - 70 FT.
- SUSTAINABLE GROWTH TIER - NO
- ANDREWS, INTERIM LAND USE CONTROL - NO
- CENTER OR CORRIDOR LOCATION - YES (UNIVERSITY BLVD. RT-193)
- GROSS FLOOR AREA: EXISTING - 5,351 SF PROPOSED - 10,287 SF
- CONCEPT SWM APPROVAL #32724-12 ON 02/11/2013.
- NO CHANGE IN EXISTING AND PROPOSED WATER/SEWER CATEGORY DESIGNATION
- AIRPORT - COLLEGE PARK AIRPORT (COS) AVIATION POLICY AREA (APA) NUMBER - N/A
- MANDATORY PARK DEDICATION REQUIREMENT - N/A
- CEMETARIES ON OR CONTIGUOUS TO THE PROPERTY - NO
- HISTORIC SITES ON OR VICINITY OF THE PROPERTY - NO
- TYPE ONE CONSERVATION PLAN - EXEMPT
- WITHIN CHESAPEAKE BAY CRITICAL AREA - NO
- WETLANDS - NO
- STREAMS - NO
- SOIL TYPE - SILTY CLAY AND SANDY SILT TYPE SOIL WITH LOW INFILTRATION RATE (HYDROLOGIC SOIL GROUP D)
- IN OR ADJACENT TO AN EASEMENT HELD BY THE MARYLAND ENVIRONMENTAL TRUST, THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION, OR ANY LAND TRUST OR ORGANIZATION
- SUSTAINABLE TIER GROWTH - YES, TIER #1
- INTERIM LAND USE CONTROL - NO

ADDITIONAL NOTE:

- AVIATION POLICY AREA MAP INSET - N/A
- DRAINAGE AREA MAP INSET (NRI IS INCLUDED)
- PROPOSED PUBLIC DEDICATION AREA - N/A
- ONE HUNDRED YEARS FLOODPLAIN, STREAMS, WETLANDS AND THEIR ASSOCIATED BUFFERS - N/A
- HISTORIC AND/OR ARCHEOLOGICAL RESOURCES AND SITE WITHIN OR ADJACENT TO THE SITE - N/A
- CEMETARIES WITHIN OR ADJACENT TO THE SITE - N/A
- NO PRIVATE WELL AND SEPTIC
- NOISE CONTOUR FOR 65 dBA Ldn - N/A
- BICYCLE AND PEDESTRIAN IMPACT STATEMENT (BPIS) SCOPING AGREEMENT - N/A (BPIS IS NOT REQUIRED BECAUSE THE SQUARE FOOTAGE OF ADDITIONAL BUILDING AREA DOES NOT EXCEED THE 5,000 SF LIMIT)



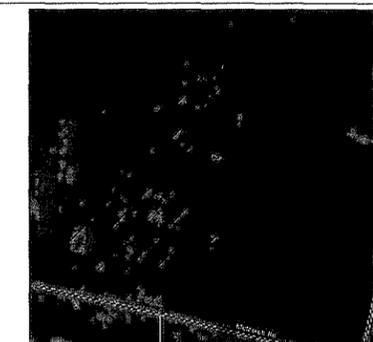
LOT COVERAGE CALCULATION:

EXISTING BUILDING:	5,351 SQ. FT.
PROPOSED ADDITION:	4,896 SQ. FT.
EXISTING PARKING AREA:	16,550 SQ. FT.
PROPOSED PARKING AREA:	11,924 SQ. FT.
EXISTING SIDEWALK, DRIVEWAYS:	4,165 SQ. FT.
TOTAL:	42,926 SQ. FT.
TOTAL SITE AREA:	101,772 SQ. FT.
IMPERVIOUS AREA WITHIN NEW COMBINED COVER:	42,926/101,772 = 42.18%
TOTAL LOT COVERAGE:	42.18%
GROSS FLOOR AREA:	10,287 SF

SITE & PARKING CALCULATIONS:

- SITE AREA: 102,896 SF (2.36 AC.)
- ZONE: R-R, RURAL RESIDENTIAL
- USE: BIBLE FELLOWSHIP HALL
- PARKING:
 - A. RATE: 1 SPACE/4 SEATS (LEGAL OCCUPANCY)
 - LEGAL OCCUPANCY = 163 SEATS (SEE NOTE BELOW)
 - B. SPACE REQUIRED: (163/4) = 40.75 = 41 SPACES
 - C. SPACE PROVIDED: 59 SPACES
 - D. PARKING SPACE BREAKDOWN:
 - 50 REGULAR (9.5'X19')
 - 5 COMPACT (8'X16.5')
 - 2 HANDICAP (8'X19' SIZE) (5'X19' STRIPING IN THE MIDDLE)
 - 1 VAN ACCESSIBLE SPACE (16'X19')
 - E. TRAVELWAY WIDTHS PROPOSED:
 - ONE-WAY = 18'
 - TWO-WAY = 22'
- LOADING SPACES: ONE LOADING SPACE REQUIRED FOR COMBINED FLOOR AREA MORE THAN 10,000 SF. LOADING SPACE SIZE = 10'X35'
- LOT COVERAGE: 42.18% (FROM ABOVE)
- MAXIMUM GRADE FOR HANDICAP RAMPS & SPACES = 5%
- PROPOSED BUILDING HEIGHT = 24.8 FT

OCCUPANCY & PARKING NOTE:
 1. EXISTING SANCTUARY HAS 163 SEATS CAPACITY. CHURCH ADDITION IS A DINING AREA AND CAN ACCOMMODATE 134 SANCTUARY ATTENDANTS.
 2. NO OTHER USES WILL OPERATE AT THE SAME TIME AS THE CHURCH.
 3. PARSONAGE WAS BUILT PRIOR TO 1949 AND NO PARKING IS REQUIRED.

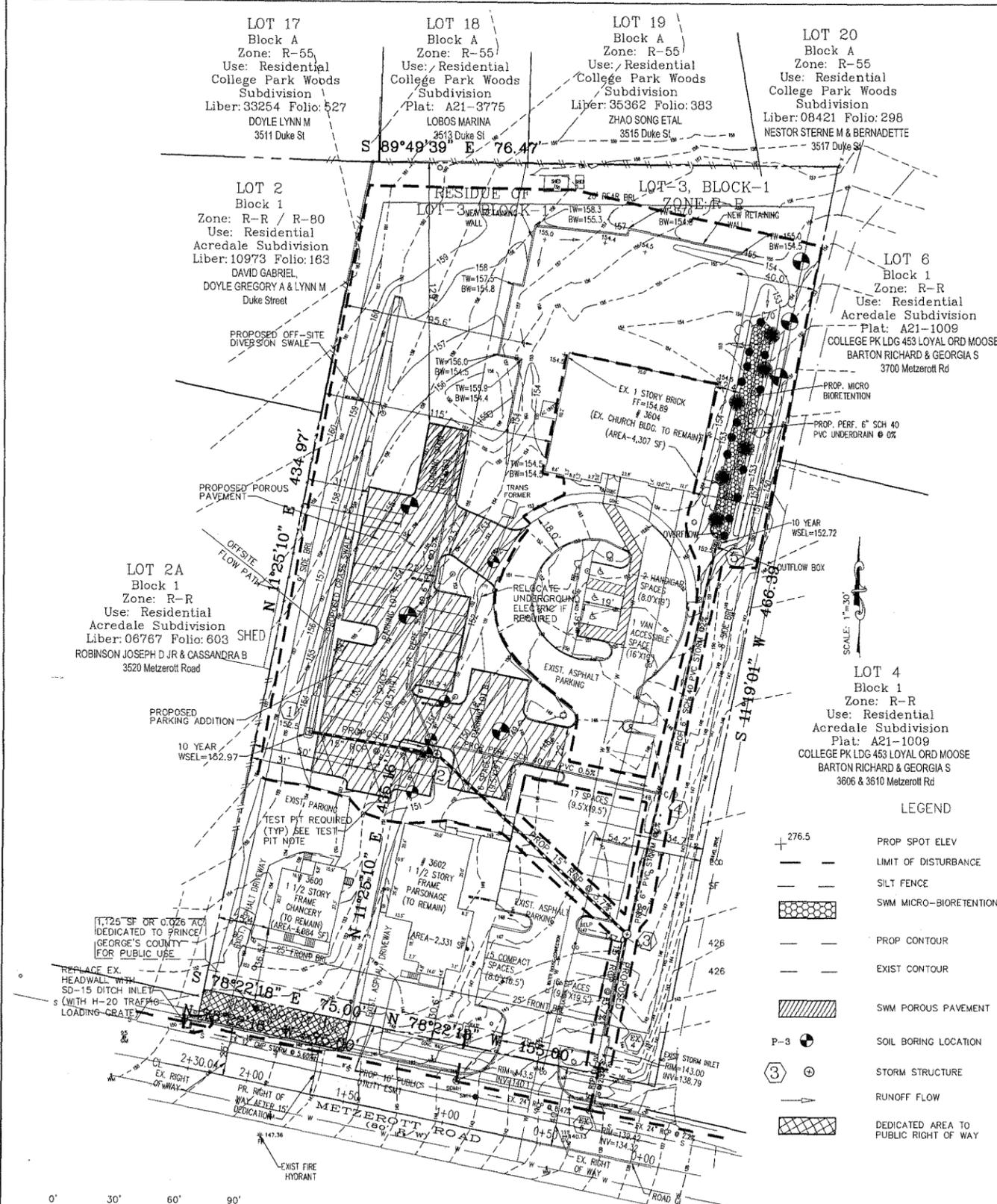


THIS BLOCK IS FOR OFFICIAL USE ONLY
 OR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.
M-NCPPC APPROVAL
 PROJECT NAME: University Bible Church
 PROJECT NUMBER: 4-13020
 For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet. Revision numbers must be included in the Project Number.

LANDPLAN ASSOCIATES, INC.
 966 HUNGERFORD DRIVE, SUITE 6A
 ROCKVILLE, MD, 20850
 TEL: (301) 278-9990
 WWW.LANDPLANASSOCIATES.COM
 DESIGN BY: MA
 CHECKED BY: MA
 DATE: 10-29-2013

PRELIMINARY PLAN
 UNIVERSITY BIBLE FELLOWSHIP
 CASE # 4-13020
 3600 & 3602 METZEROTT ROAD
 COLLEGE PARK, MD 20740

SHEET NO. 1 OF 1
 FILE NO.



LEGEND

- PROP SPOT ELEV
- LIMIT OF DISTURBANCE
- SILT FENCE
- SWM MICRO-BIOTENTION
- PROP CONTOUR
- EXIST CONTOUR
- SWM POROUS PAVEMENT
- SOIL BORING LOCATION
- STORM STRUCTURE
- RUNOFF FLOW
- DEDICATED AREA TO PUBLIC RIGHT OF WAY

ZONING REQUIREMENTS FOR R-R ZONE:

DESCRIPTION	REQUIRED	PROVIDED
FRONT SETBACK	25'	30.6'
SIDE SETBACK	17/8'	25.4'/39.6'
REAR SETBACK	20'	42.8'
MINIMUM 15' ON ONE SIDE PROVIDED		25'
SWM CONCEPT APPROVAL		44.47%
(NOT TO EXCEED)		

LOADING SPACE REQUIREMENTS:
 PER SECTION 27-582 OF ZONING ORDINANCE. SINCE THE GROSS FLOOR AREA IS MORE THAN 10,000 SF ONE LOADING SPACE IS PROVIDED WHICH HAS SIZE OF 10'X35' AND SHOWN IN PARKING LOT A.

SOILS TABLE*

SOIL	HYDROLOGIC GROUP	DESCRIPTION
ML, MH	D	SILTY CLAY AND SANDY SILT TYPE SOIL WITH LOW INFILTRATION RATE

*REFER TO GEOTECHNICAL REPORT

OWNER/APPLICANT
 UNIVERSITY BIBLE FELLOWSHIP
 3604 METZEROTT RD
 COLLEGE PARK, MD 20740

ENGINEER
 LAND PLAN ASSOCIATES, INC.

EXISTING PARCEL INSET
 SCALE: 1" = 60'

Sample Schedule 4.3-1 LOT 1B

Buffering Incompatible Uses Requirements

General Plan designation: Developed Tier, Corridor Node or Center

Use of proposed development: Developing or Rural Tier

Impact of proposed development: CHURCH

Use of adjoining development: MEDIUM

Impact of adjoining development: SFD

Minimum required building setback: 40 feet

Building setback provided: 42.8 feet

Minimum required width of landscape yard: 30 feet

Width of landscape yard provided: (50% Credit Fence) 15 feet

Linear feet of buffer strip required along property line and right-of-way: 74 linear feet

Percentage of required bufferland occupied by existing trees: 0%

Total number of plant units required in buffer strip: 45 p.u.

Total number of plant units provided: shade trees 4 p.u., evergreen trees 5 p.u., ornamental trees 3 p.u., shrubs 1 p.u., Total 13 p.u.

Sample Schedule 4.3-1 LOT 1H

Buffering Incompatible Uses Requirements

General Plan designation: Developed Tier, Corridor Node or Center

Use of proposed development: Developing or Rural Tier

Impact of proposed development: CHURCH

Use of adjoining development: MEDIUM

Impact of adjoining development: SFD

Minimum required building setback: 40 feet

Building setback provided: 42.8 feet

Minimum required width of landscape yard: 30 feet

Width of landscape yard provided: (50% Credit Fence) 30 feet

Linear feet of buffer strip required along property line and right-of-way: 4 linear feet

Percentage of required bufferland occupied by existing trees: 0%

Total number of plant units required in buffer strip: 2 p.u.

Total number of plant units provided: shade trees 1 p.u., evergreen trees 1 p.u., ornamental trees 0 p.u., shrubs 0 p.u., Total 2 p.u.

Sample Schedule 4.3-1 LOT 2

Buffering Incompatible Uses Requirements

General Plan designation: Developed Tier, Corridor Node or Center

Use of proposed development: Developing or Rural Tier

Impact of proposed development: CHURCH

Use of adjoining development: MEDIUM

Impact of adjoining development: VACANT LOT 50' BUFFER

Minimum required building setback: 40 feet

Building setback provided: 40 feet

Minimum required width of landscape yard: 15 feet

Width of landscape yard provided: (50% Credit Fence) 15 feet

Linear feet of buffer strip required along property line and right-of-way: 126 linear feet

Percentage of required bufferland occupied by existing trees: 0%

Total number of plant units required in buffer strip: 16 p.u.

Total number of plant units provided: shade trees 7 p.u., evergreen trees 5 p.u., ornamental trees 3 p.u., shrubs 1 p.u., Total 16 p.u.

Sample Schedule 4.3-1 LOT 2A

Buffering Incompatible Uses Requirements

General Plan designation: Developed Tier, Corridor Node or Center

Use of proposed development: Developing or Rural Tier

Impact of proposed development: CHURCH

Use of adjoining development: MEDIUM

Impact of adjoining development: SFD

Minimum required building setback: 40 feet

Building setback provided: 28 feet

Minimum required width of landscape yard: 15 feet

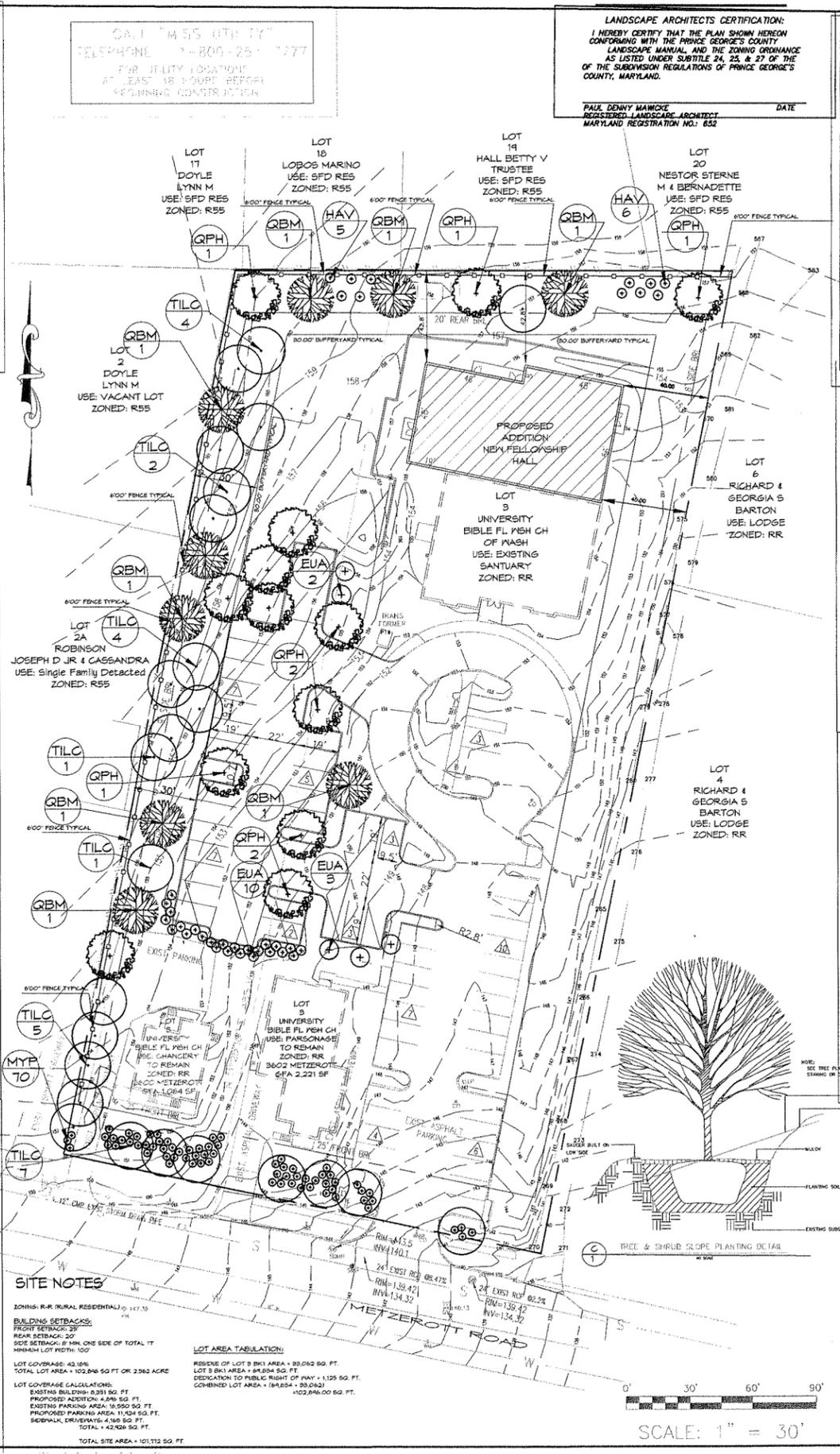
Width of landscape yard provided: (50% Credit Fence) 15 feet

Linear feet of buffer strip required along property line and right-of-way: 192 linear feet

Percentage of required bufferland occupied by existing trees: 0%

Total number of plant units required in buffer strip: 79 p.u.

Total number of plant units provided: shade trees 7 p.u., evergreen trees 5 p.u., ornamental trees 5 p.u., shrubs 4 p.u., Total 21 p.u.



Sample Schedule 4.3-1 LOT 1A

Buffering Incompatible Uses Requirements

General Plan designation: Developed Tier, Corridor Node or Center

Use of proposed development: Developing or Rural Tier

Impact of proposed development: CHURCH

Use of adjoining development: MEDIUM

Impact of adjoining development: SFD

Minimum required building setback: 40 feet

Building setback provided: 42.8 feet

Minimum required width of landscape yard: 30 feet

Width of landscape yard provided: (50% Credit Fence) 15 feet

Linear feet of buffer strip required along property line and right-of-way: 116 linear feet

Percentage of required bufferland occupied by existing trees: 0%

Total number of plant units required in buffer strip: 140 / 2 = 70 p.u.

Total number of plant units provided: shade trees 1 p.u., evergreen trees 5 p.u., ornamental trees 3 p.u., shrubs 1 p.u., Total 10 p.u.

Sample Schedule 4.3-1 LOT 20

Buffering Incompatible Uses Requirements

General Plan designation: Developed Tier, Corridor Node or Center

Use of proposed development: Developing or Rural Tier

Impact of proposed development: CHURCH

Use of adjoining development: MEDIUM

Impact of adjoining development: SFD

Minimum required building setback: 40 feet

Building setback provided: 42.8 feet

Minimum required width of landscape yard: 30 feet

Width of landscape yard provided: (50% Credit Fence) 30 feet

Linear feet of buffer strip required along property line and right-of-way: 40 linear feet

Percentage of required bufferland occupied by existing trees: 0%

Total number of plant units required in buffer strip: 48 / 2 = 24 p.u.

Total number of plant units provided: shade trees 2 p.u., evergreen trees 3 p.u., ornamental trees 3 p.u., shrubs 4 p.u., Total 12 p.u.

Sample Schedule 4.3-1 LOT 6

Buffering Incompatible Uses Requirements

General Plan designation: Developed Tier, Corridor Node or Center

Use of proposed development: Developing or Rural Tier

Impact of proposed development: CHURCH

Use of adjoining development: MEDIUM

Impact of adjoining development: LODGE

Minimum required building setback: NONE

Building setback provided: N/A

Minimum required width of landscape yard: N/A

Width of landscape yard provided: N/A

Linear feet of buffer strip required along property line and right-of-way: N/A linear feet

Percentage of required bufferland occupied by existing trees: N/A%

Total number of plant units required in buffer strip: N/A p.u.

Total number of plant units provided: N/A p.u.

Sample Schedule 4.3-1 LOT 4

Buffering Incompatible Uses Requirements

General Plan designation: Developed Tier, Corridor Node or Center

Use of proposed development: Developing or Rural Tier

Impact of proposed development: CHURCH

Use of adjoining development: MEDIUM

Impact of adjoining development: LODGE

Minimum required building setback: NONE

Building setback provided: N/A

Minimum required width of landscape yard: N/A

Width of landscape yard provided: N/A

Linear feet of buffer strip required along property line and right-of-way: N/A linear feet

Percentage of required bufferland occupied by existing trees: N/A%

Total number of plant units required in buffer strip: N/A p.u.

Total number of plant units provided: N/A p.u.

Sample Schedule 4.3-1

Requirements for Landscape Strip Along Street

230 LF FRONTAGE ALONG METZEROTT ROAD

General Plan designation: Developed Tier

Use of proposed development: Developing or Rural Tier

Impact of proposed development: CHURCH

Use of adjoining development: MEDIUM

Impact of adjoining development: SFD

Minimum required building setback: 40 feet

Building setback provided: 42.8 feet

Minimum required width of landscape yard: 30 feet

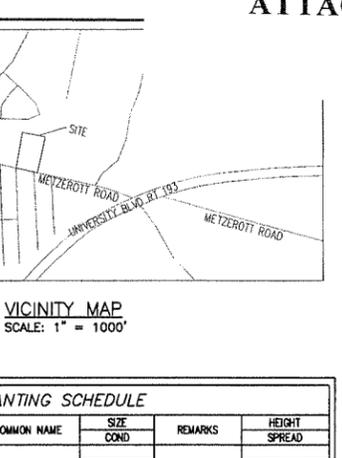
Width of landscape yard provided: (50% Credit Fence) 15 feet

Linear feet of buffer strip required along property line and right-of-way: 116 linear feet

Percentage of required bufferland occupied by existing trees: 0%

Total number of plant units required in buffer strip: 140 / 2 = 70 p.u.

Total number of plant units provided: shade trees 1 p.u., evergreen trees 5 p.u., ornamental trees 3 p.u., shrubs 1 p.u., Total 10 p.u.



PLANTING SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE COND	REMARKS	HEIGHT SPREAD
QPH	18	QUERCUS PHELLOS	WILLOW OAK	2 1/2-3" CAL B & B	Deciduous Yellow Fall Color	40'-60' 30'-40'
TILC	28	TILIA CORDATA	LITTLELEAF LINDEN	2 1/2-3" CAL B & B	Deciduous Yellow Fall Color	50' 25'-35'
QBM	4	QUERCUS BORALIS	EASTERN RED OAK	2 1/2-3" CAL B & B	Deciduous Scarlet Fall Color	60'-75' 45'-50'
HAV	11	HAMAMELIS VIRGINIANA	WITCH HAZEL	18"-24" B & B	Deciduous Red Fall Color	12'-15'
EUA	15	EUNYMUS ALATUS	KINGED EUNYMUS	18" x 18"	Red Fall Color	12'-15'
MYP	10	MYRTICA PENNSYLVANICA	NORTHERN BAYBERRY	18"-24" B & B	Deciduous Red Fall Color	12'-15'

Sample Schedule 4.3-2

Interior Planting for Parking Lot 7000 Square Feet or Larger

1) Parking Lot Area (see Figure 4.3-2): 11,224 sq. ft.

2) Interior landscape area required: 566 sq. ft.

3) Minimum number of shade trees required: 2

4) Number of shade trees provided: 2

5) Is there a parking island to be treated? Yes

6) Is there a parking island to be treated? Yes

7) Is there a parking island to be treated? Yes

8) Is there a parking island to be treated? Yes

9) Is there a parking island to be treated? Yes

10) Is there a parking island to be treated? Yes

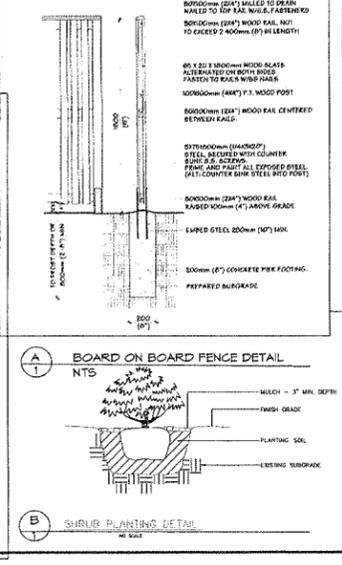
11) Is there a parking island to be treated? Yes

12) Is there a parking island to be treated? Yes

13) Is there a parking island to be treated? Yes

14) Is there a parking island to be treated? Yes

15) Is there a parking island to be treated? Yes



Sample Schedule 4.3-1

Sustainable Landscaping Requirements

1) Percentage of native plant material required in each category: 20%

2) Native plants: 20% of total number required

3) Native plants: 20% of total number required

4) Native plants: 20% of total number required

5) Native plants: 20% of total number required

6) Native plants: 20% of total number required

7) Native plants: 20% of total number required

8) Native plants: 20% of total number required

9) Native plants: 20% of total number required

10) Native plants: 20% of total number required

11) Native plants: 20% of total number required

12) Native plants: 20% of total number required

M.N.C.P.P.C. APPROVALS

PROJECT NAME: UNIVERSITY BIBLE FELLOWSHIP

PROJECT NUMBER: 3600-METZEROTT ROAD

APPROVALS:

Approval of	Date	Signature	Certification Title

LANDPLAN ASSOCIATES, INC.

466 HUNGERFORD DRIVE, SUITE 6A
ROCKVILLE, MD 20850
TEL: (301) 271-8800

WWW.LANDPLANASSOCIATES.COM

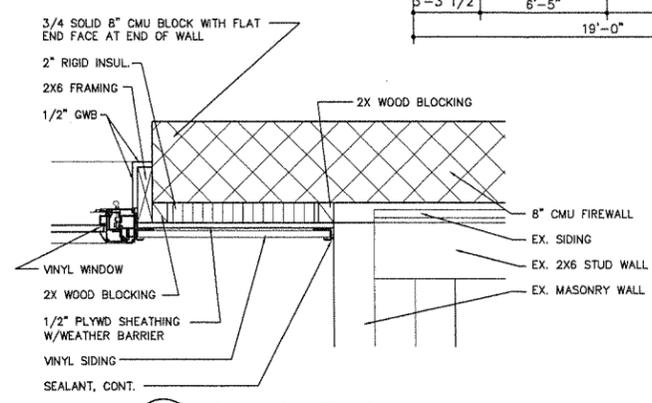
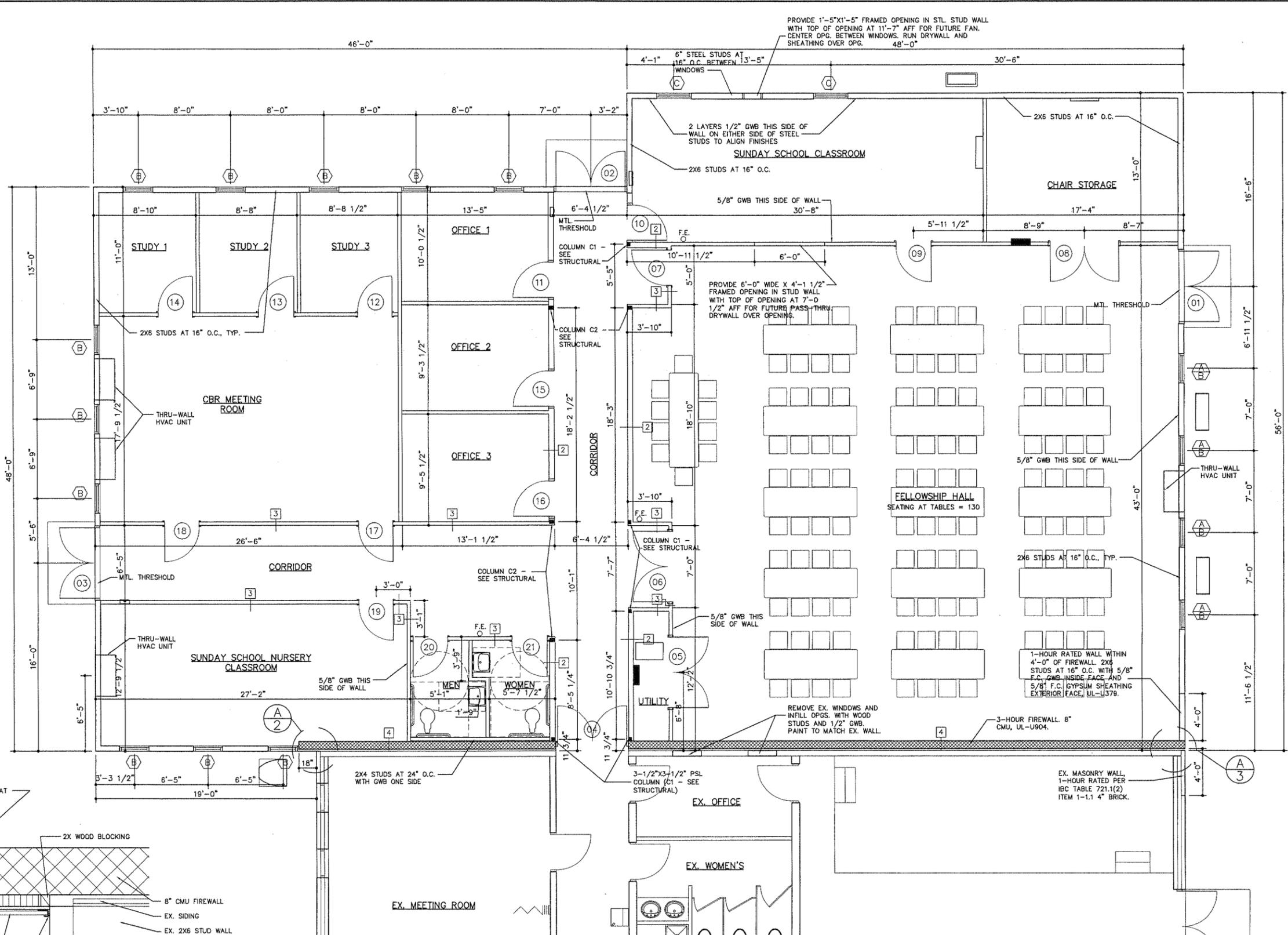
DESIGN BY: MDP

DATE: 03-17-14

ALTERNATIVE COMPLIANCE PLAN FOR UNIVERSITY BIBLE FELLOWSHIP 3600-3604 METZEROTT ROAD COLLEGE PARK, MD 20740

SHEET NO. 1 OF 1

FILE NO.



FLOOR PLAN - ADDITION
1/4" = 1'-0"

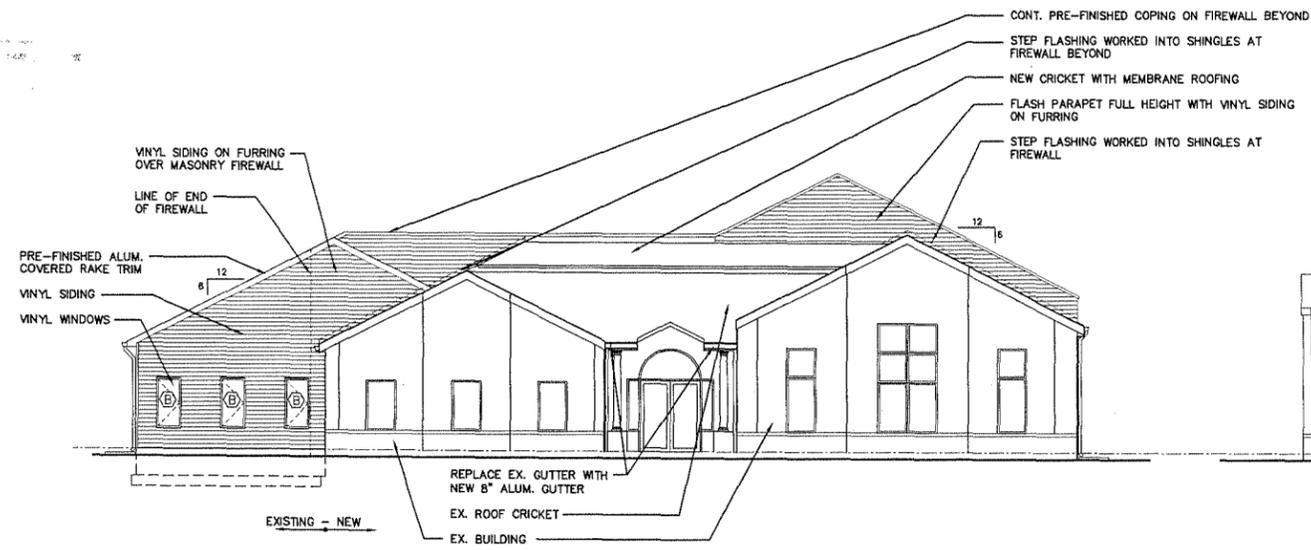
CORKILL CUSH REEVES, PA
ARCHITECTS
10,111 M.L.King, Jr. Hwy, Suite 202, Bowie, MD 20720
PHONE: 301.977.2488
FAX: 301.977.2489
architecture · planning · feasibility · landscape · interiors

UNIVERSITY BIBLE FELLOWSHIP
3604 METZEROTT ROAD
COLLEGE PARK, MARYLAND 20740

PROFESSIONAL CERTIFICATION
I CERTIFY THAT THESE PLANS WERE PREPARED BY ME, OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT OF THE STATE OF MARYLAND.
LICENSE NUMBER: 2850-A
EXPIRATION DATE: 10/15/14

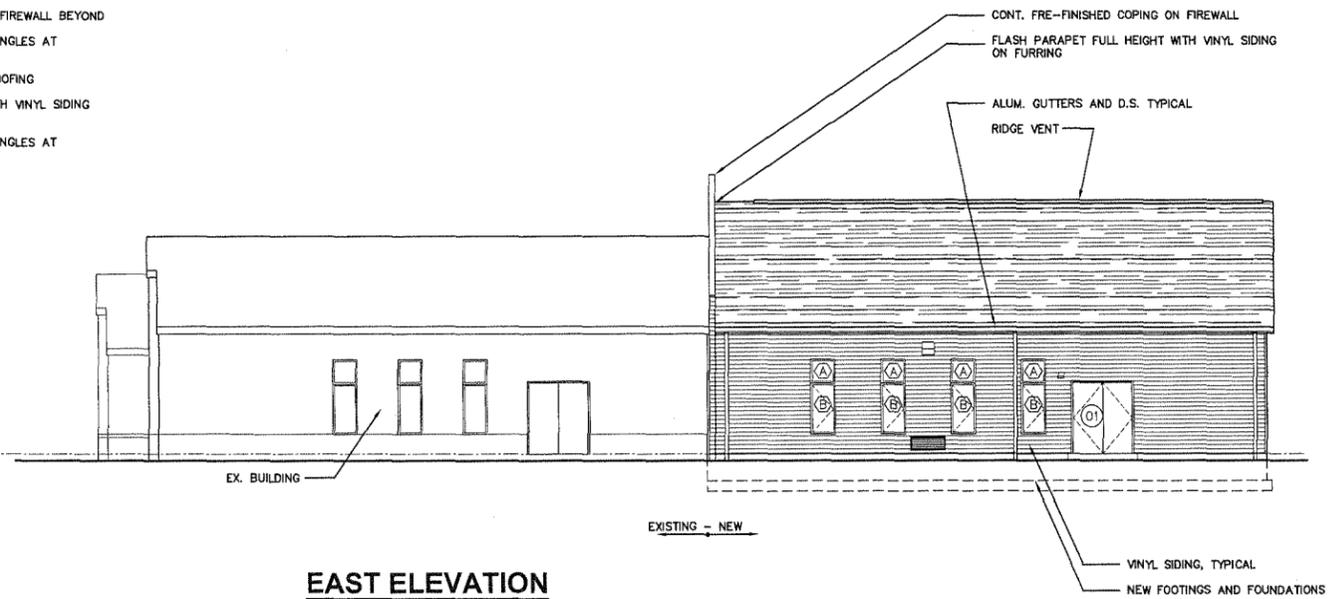
Project No. NA-
Date 1-2-13
Revisions
Project Architect NA-
Drawn By NA-
Checked By NA-
Scale AS NOTED
Area
XREF MAINPLAN
File Name: A1-A2

Title PLAN
Dwg. No. **02**
© 2012



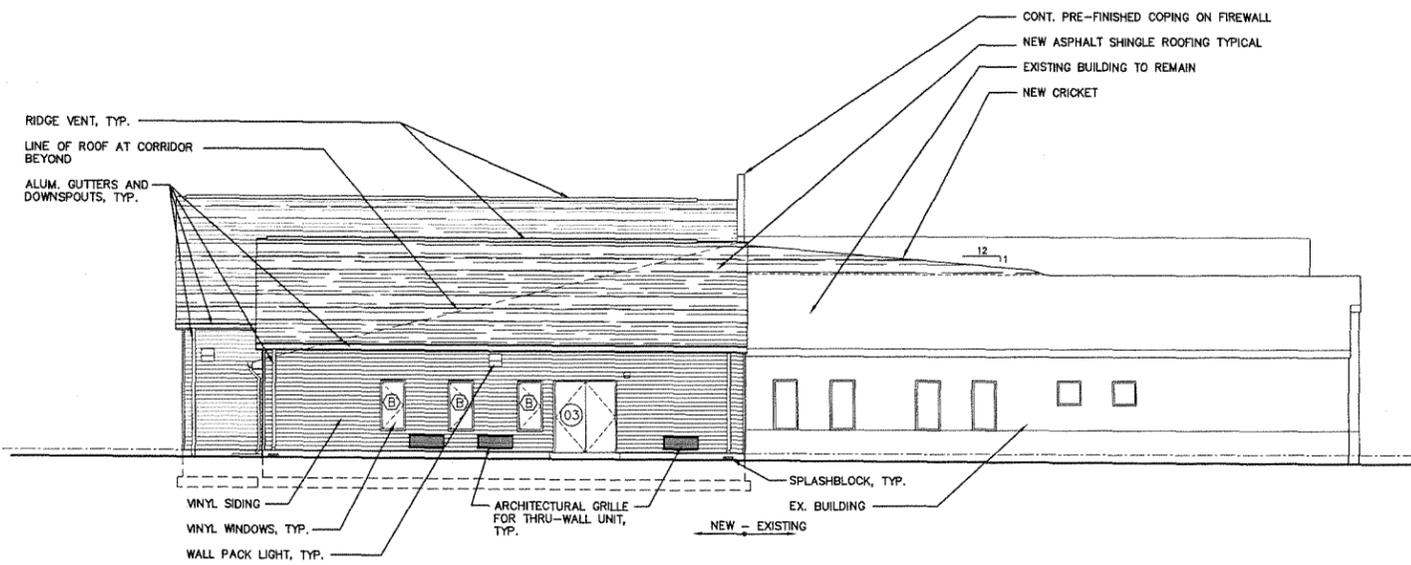
SOUTH ELEVATION

1/8"=1'-0"



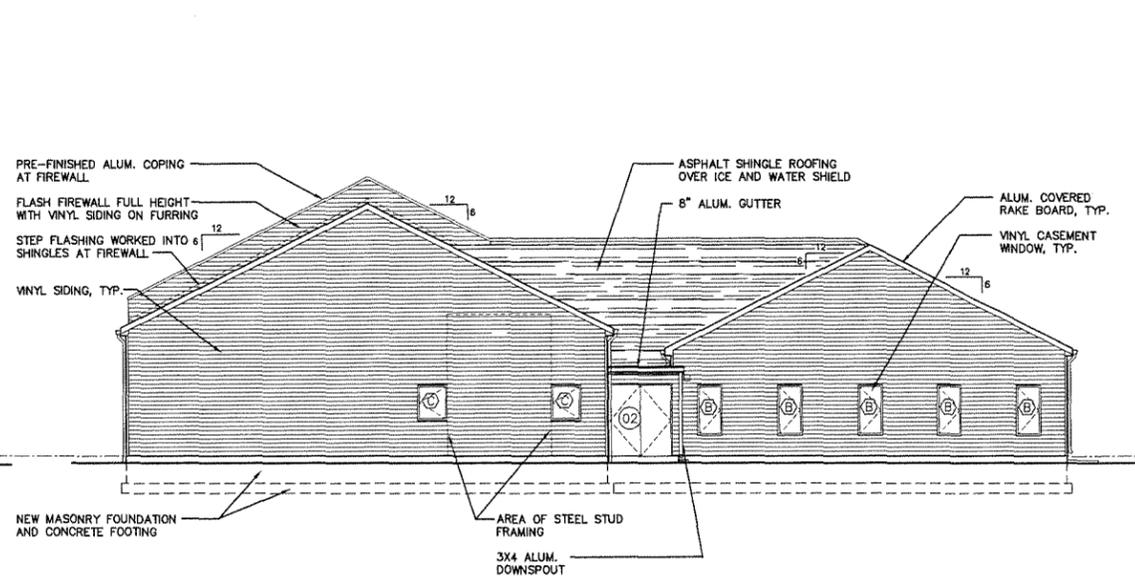
EAST ELEVATION

1/8"=1'-0"



WEST ELEVATION

1/8"=1'-0"



NORTH ELEVATION

1/8"=1'-0"

CORKILL CUSH REEVES, P.A.
A R C H I T E C T S
 10.111 M.L.King, Jr. Hwy. Suite 202, Bowie, MD 20720
 architecture · planning · feasibility · landscape · interiors
 TEL: 301.877.2448 FAX: 301.877.2449

UNIVERSITY BIBLE FELLOWSHIP
 3604 METZEROTT ROAD
 COLLEGE PARK, MARYLAND 20740

PROFESSIONAL CERTIFICATION:
 I CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT IN THE STATE OF MARYLAND.
 LICENSE NUMBER: 2650-A
 EXPIRATION DATE: 10/15/14

Project No. -NA-
 Date 1-2-13
 Revisions
 Project Architect -NA-
 Drawn By -NA-
 Checked By -NA-
 Scale AS NOTED
 Area
 XREF NONE
 File Name: Elevations

Title ELEVATIONS

Dwg. No.

04

© 2012

4

Chapter 38, Ethics



MEMORANDUM

To: City of College Park City Council

From: City of College Park Ethics Commission

Via: Janeen Miller, City Clerk

Cc: Suellen Ferguson, City Attorney; Jack Robson, Chief of Elections

Subject: Suggested amendments to the Ethics Chapter

Date: February 21, 2014 (revised and republished April 8, 2014)

The purpose of this Memorandum is to transmit the attached suggested amendments to the Ethics Chapter for the City Council's consideration. We have provided a brief explanation of the suggested amendments below. The Commission's suggestions are based upon its experience administering the Ethics Chapter and a recent change to the Maryland State public ethics law.

After the Commission issued its February 21 proposal and memorandum, the Ethics Commission Chair and Ethics Council met with the Supervisor of Elections, City Attorney, City Clerk, and Assistant City Clerk, to discuss the Commission's proposal and additional amendments to the Code. As a result, the Commission has revised its proposal and is issuing this revised version of its February 21 memorandum that addresses the changes to its proposal. The explanations for the newly proposed amendments are underlined.

§ 38-4 Definitions.

The proposed amendment to the definition of "interest" to exclude mutual fund holdings reflects an amendment to the Maryland Public Ethics Law that went into effect on October 1, 2013. The State amendment was intended to reduce the disclosure burden upon state and local officials by eliminating the requirement that they disclose interests held in mutual funds. The rationale behind the State amendment is that state and local officials are unlikely to be able to influence the value their interest in a typical mutual fund through the performance of their official duties. The Commission agrees that the disclosure of elected officials' mutual fund holdings is not necessary to prevent conflicts of interest.

§ 38-8 Procedures for adjudicating alleged violations.

We suggest an amendment to the ethics complaint procedures to allow the Commission to dismiss ethics complaints that clearly are not viable, either because they are filed more than one year after the alleged violation or because the facts alleged in the complaint, even if true, do not constitute an ethics violation. Currently, the Code appears to require the Commission to hold a preliminary hearing on every complaint, regardless of the facial validity of the complaint.

§ 38-15 Financial disclosure of City elected officials and candidates to be City elected officials.

The proposed amendments to section 38-15(B) formalize the City's current practice of having the City Clerk receive financial disclosure statements on behalf of the Ethics Commission and Board of Elections Supervisors. In response to a request relayed to the Commission by the City Clerk, the amendments also formalize the filing requirements for elected officials for whom an actual or potential conflict of interest arises regarding a matter before the Council. In such cases, the Councilmember would be required to file a Statement of Actual or Potential Conflict of Interest before the official takes any action relating to the matter.

The proposed amendment to section 38-15(C)(2)(a) is intended to correct an apparent error in the existing Code. Specifically, that subsection currently appears to require incumbent candidates that have already filed a financial disclosure statement for the preceding calendar year to file a candidate disclosure statement that covers the preceding calendar year and the current calendar year. The proposed amendment expressly eliminates this duplicative reporting requirement for incumbents.

The suggested amendments to section 38-15(C) address inconsistencies between the *financial disclosure* procedures and deadlines for candidates and the City's *election* procedures and deadlines. First, the amendments eliminate provisions relating to refiling requirements for candidates that file their authorization of candidacy in the calendar year prior to the election year. Although, in the event the City holds a special election in January or February, candidates may have to file their financial disclosure statements in a different calendar year than the year the election will be held, given the City's short election cycle, candidate disclosure statements will always include disclosures of all interests held by a candidate up through approximately 90 days before the election.¹ Accordingly, requiring special election candidates to file a second financial disclosure statement is not necessary to ensure that the candidates' statements remain current. Second, the amendments eliminate the requirement that the Board of Election Supervisors provide candidates with 20 days' written notice of their failure to file a financial disclosure statement before deeming them to have withdrawn their candidacy, as the Board is already prohibited from accepting an authorization of candidacy without the candidate's financial disclosure statement.

The proposed amendment to section 38-15(C)(5) (renumbered section 38-15(C)(3) in the proposal) is intended to clarify the scope of the Board of Election Supervisors' review of candidate disclosure statements before accepting them as filed. The existing Code prohibits the Board from accepting candidate disclosure statements unless they are "in proper form." There has been some confusion amongst the Ethics Commission and the Board of Elections Supervisors regarding the meaning of "in proper form." The proposed amendment clarifies that the Board is to accept a disclosure statement as long as it contains the identifying information of the candidate (name, address, office sought, etc...), is signed under oath, and includes answers to all of the mandatory questions in the disclosure statement form. "Mandatory questions" include the first question of each schedule to the disclosure statement, which ask whether the candidate has anything to report in the specified category (e.g., interests in real property, interests in corporations, gifts received from persons doing business with the City, sources of earned income), and, if the candidate answered "yes" for any of the schedules, the "mandatory questions" would include the follow up questions in those schedules. The Financial Disclosure Statement form has already been amended to require that reporting officials complete each schedule of the form, even if they merely indicate that they have no interests to report on the schedules.

¹ Candidate disclosure statements must include interests held during the previous calendar year and during the current calendar year through the date of filing. The deadline for filing candidate disclosure statements is 46 days before the election, and most candidates file on or shortly before the deadline. Therefore, most candidate disclosure statements cover interests held until approximately 46 days before the election. The City Clerk does not make the candidate disclosure statement forms available to candidates until approximately ninety days before the election, so the earliest filers would still have to disclose interests held through approximately 90 days before the election.

§ 38-17. Additional conflict of interest statements and correction of inaccurate or incomplete filings required.

The suggested amendment to section 38-17(B) establishes a deadline for candidates whose financial disclosure statements appear to the Ethics Commission to be inaccurate or substantively incomplete to correct, supplement, or explain the apparent problem. The candidates must respond to the Ethics Commission within 15 days or before the deadline for the withdrawal of candidacy. The suggested amendment also shortens the time allowed for elected officials and employees to respond to the Ethics Commission's concerns about their financial disclosure statements from thirty days to fifteen days.

Ethics Commission's Proposed Amendments to the Ethics Chapter

April 8, 2014

Note: Revisions to the Commission's February 21, 2014, proposal are highlighted.

§ 38-4 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

* * *

INTEREST

Any legal or equitable economic interest, whether or not subject to an encumbrance or condition, which is owned or held, in whole or in part, jointly or severally, directly or indirectly, by any person subject to this chapter. One who serves as an officer or director of a business entity, whether operated for profit or not, has an "interest" in that business entity. For purposes of this chapter, the term "interest" applies to any interest owned or held at any time during the calendar year for which a required statement is to be filed or made upon the record of the City Council or any City body. For purposes of §§ 38-15 and 38-16, interest includes any interest held at any time during the reporting period.

* * *

B. For all purposes in this chapter, "interest" does not include:

- (1) An interest held in the capacity of a personal agent, representative, custodian, fiduciary or trustee, unless the holder has an equitable interest therein.
- (2) An interest in a time or demand deposit in a financial institution.
- (3) An interest in an insurance or endowment policy or annuity contract under which an insurance company promises to pay a fixed number of dollars either in a lump sum or periodically for life or some other specified period.
- (4) An interest in a common trust fund or a trust that forms part of a pension or profit-sharing plan which has more than 25 participants and which has been determined by the Internal Revenue Service to be a qualified trust or college savings plan under the Internal Revenue Code.
- (5) An interest in a business entity, if the official or employee owns 3% or less of the business, including ownership of securities held directly or indirectly, such as through mutual funds.

(6) A mutual fund that is publicly traded on a national scale unless the mutual fund is composed primarily of holdings of stocks and interests in a specific sector or area that is regulated by the individual's governmental unit.

* * *

§ 38-8 Procedures for adjudicating alleged violations.

A. Complaint.

- (1) Who may file. Any person may file a complaint with the Commission alleging a violation of any of the provisions of this chapter or of Chapter 34. The Commission may consider possible violations of this chapter or Chapter 34 on its own initiative. Within five working days of the Commission's decision to consider a possible violation, or as soon thereafter as is practicable, the Commission shall draft a written complaint specifying the section(s) of this chapter or Chapter 34 alleged to have been violated and transmit a copy of such complaint, signed by the Chair, to its Ethics Counsel.
- (2) Contents. The complaint must assert facts that if proven true would constitute a violation of the provisions of this chapter or of Chapter 34. It is not necessary that the complaint cite the chapter provisions allegedly violated, but such citation is advised. All complaints shall be in writing and signed under oath. Complaints initiated by the Commission shall be signed by the Chair.
- (3) Ethics Counsel review. The Commission shall immediately transmit a copy of the complaint to its Ethics Counsel. The Ethics Counsel shall review the complaint and, at his or her discretion, may prepare an addendum to the complaint. The purposes of this addendum are to assure that the respondent has adequate notice of the specific Code provisions alleged to have been violated and to aid the Commission in limiting the scope of any preliminary hearing to relevant factual inquiries. Any addendum is to be submitted to the Commission within 10 working days of receipt of the complaint by

the Ethics Counsel. If the Ethics Counsel determines that the complaint is time barred under paragraph (4) of this subsection or does not assert facts that if proven true would constitute a violation of this chapter or Chapter 34, the Ethics Counsel may recommend that the Commission dismiss the complaint without notice to the respondent or a preliminary hearing. Upon receipt of the recommendation, the Commission may dismiss the complaint.

(4) Limitation on actions. No complaint shall be processed if filed more than one year from the date of the action alleged to constitute a violation.

B. Notice to parties. Within 15 working days after the complaint is transmitted to its Ethics Counsel, the Commission shall provide the complainant with written acknowledgment of receipt of the complaint together with a copy of any Ethics Counsel addendum and shall provide the respondent with copies of the complaint and any Ethics Counsel addendum. Within 10 working days after acknowledging receipt of the complaint, the Commission shall provide written notice to the complainant and to the respondent of the date for a preliminary hearing.

C. Preliminary hearing.

(1) Right to Counsel. The complainant and the respondent shall have the right to be represented by counsel at any preliminary or final hearing. The Commission shall be represented by its Ethics Counsel on complaints initiated by the Commission.

(2) Issue. The issue at a preliminary hearing shall be whether there exists reasonable grounds to believe that a violation of this chapter or Chapter 34 has occurred.

(3) Stating the complainant's case. The Ethics Counsel shall state the alleged violation and shall describe in narrative form the testimony and other evidence which would be presented to prove the alleged violation as stated in the written complaint. The complainant shall then be given an opportunity to describe in narrative form the testimony and other evidence which would be presented to prove the alleged violation. All statements at a preliminary hearing shall be under oath. There shall be no cross-examination. There is no subpoena power at a preliminary hearing. Members of the Commission may question the complainant, the Ethics Counsel or the respondent.

(4) ~~Respondents~~**Respondent's** right to respond. The respondent shall have the opportunity to respond but is not required to attend or make any statement. Such person may describe in narrative form the testimony and other evidence which would be presented to disprove the alleged violation. If the respondent agrees that a violation has occurred, he or she may at any time waive the right to a final hearing and consent to a decision based on the facts alleged in the complaint or otherwise agreed upon. The disposition of any complaint without final hearing shall be by written order of the Commission in the form specified by Subsection D(5).

(5) Dismissing the complaint. The Commission, at any time during the preliminary hearing, may dismiss a complaint if the complaint does not allege conduct which would be a violation of this chapter or Chapter 34. Before a complaint is dismissed for failure to allege a violation, the complainant or Ethics Counsel shall be permitted one opportunity, within a time period to be specified by the Commission, to revise and resubmit the complaint.

(6) Commission's decision. At the conclusion of the preliminary hearing, the Commission shall determine whether a final hearing should be held. If the Commission does not determine that reasonable grounds exist to believe that a violation of this chapter or Chapter 34 has occurred, the complaint shall be automatically dismissed. If at any time during the preliminary hearing the Commission determines that there is an ambiguity in the law that prevents it from making a determination of whether reasonable grounds exist to support a violation, and that there was no apparent intent to violate the code, the complaint shall be dismissed. In this event, the Commission shall forthwith report its determination that an ambiguity exists to the Mayor and Council, while maintaining the confidentiality of the proceeding. If the Commission decides that there are reasonable grounds to believe that a violation occurred, it shall schedule a final hearing. A decision to conduct a final hearing is not a finding that a violation has occurred.

(7) Confidentiality. During any preliminary inquiry by the Commission or following the filing of a

complaint, all meetings and activities of the Commission in connection with the complaint and the preliminary hearing shall be conducted in a confidential manner. The Commission, the complainant and the respondent shall not disclose any information relating to the complaint, except that the Commission may release any information agreed upon in writing by the respondent.

§ 38-15 Financial disclosure of City elected officials and candidates to be City elected officials.

* * *

B. Financial disclosure ~~statements~~statements.

(1) ~~Except as provided in Subsection C~~Required financial disclosure statements include:

- (a) Annual Financial Disclosure Statements;
- (b) Candidate Financial Disclosure Statements; and
- (c) ~~Statements of this section,~~Actual or Potential Conflict of Interest.

(2) A City elected official or a candidate to be a City elected official shall file the financial disclosure ~~statements~~statements required under this section:

- (a) On a form provided by the Commission;
- (b) Under oath or affirmation; and
- (c) With the City Clerk, who shall forward the statements to the Commission or the Board of Elections Supervisors, as appropriate.

(23) Deadlines for filing statements.

- (a) An incumbent City elected official shall file ~~a financial disclosure statement annually~~an Annual Financial Disclosure Statement no later than April 30 of each year for the preceding calendar year.
- (b) An individual who applies to fill a vacancy in an office for which ~~an Annual~~ Financial Disclosure Statement is required and who has not already filed a financial disclosure statement for the reporting period, shall file a statement for the preceding calendar year and the portion of the current calendar year to date of filing together with the application for appointment.
- (c) An elected official shall file a Statement of Actual or Potential Conflict of Interest disclosing employment and interests that raise conflicts of interest or potential conflicts of interest in connection with a specific proposed action by the official sufficiently in advance of the action to provide adequate disclosure to the public.

* * *

C. Candidates to be City elected officials.

(1) A candidate to be an elected City official shall file a financial disclosure statement ~~each year beginning with the year in which~~City Clerk with the ~~candidate's~~ authorization of candidacy ~~is filed through.~~ The City Clerk shall forward the year statement to the Board of the electionElection Supervisors.

(2) ~~A candidate to be an elected City official shall file a statement required under this section:~~

- (a) ~~In the year the authorization of candidacy is filed, no later than the filing of the authorization of candidacy.~~(i) Except as provided in paragraph (ii), the reporting period shall be the calendar year immediately preceding the year in which the authorization is filed; and the portion of the current calendar year to the date the authorization is filed;
- (b) ~~In the~~(ii) For elected officials that have filed a statement under another provision of this section for the preceding calendar year of, the election, if other than reporting period shall be the portion of the calendar year in whichto the date the authorization of candidacy is filed, on or before the earlier of April 30 or the last day for the withdrawal of candidacy; and;
- (c) ~~In all other years for which a statement is required, on or before April 30.~~

(3) ~~A candidate to be an elected City official:~~

- (a) ~~Shall file the statement required under § 38-15C(2)(a) of this chapter with the Board of Election Supervisors at the time of filing of the authorization of candidacy and with the Commission prior to or at the time of filing the authorization of candidacy; and~~

~~(b) — Shall file the statements required under § 38-15C(2)(b) and (c) with the Commission.~~

~~(4) — If a candidate fails to file a statement required by this section after written notice is provided by the Board of Election Supervisors at least 20 days before the last day for the withdrawal of candidacy, the candidate is deemed to have withdrawn the candidacy.~~

~~(5) The Board of Election Supervisors may not accept any certificate of candidacy unless a statement has been filed in proper form. an authorization of candidacy unless it is accompanied by the candidate's financial disclosure statement that includes all required identifying and contact information, is signed under oath, and includes answers to every mandatory question.~~

~~(6-3) Upon receipt of a statement required under this section, the Board of Election Supervisors shall promptly forward the statement to the Commission or the office designated by the Commission, but in any event and shall do so no later than ~~within 30 days of receipt and no later than~~ the close of business on the day of the filing deadline, ~~whichever is earlier~~ for the authorization of candidacy.~~

§ 38-17. Additional conflict of interest statements and correction of inaccurate or incomplete filings required.

A. Supplemental disclosures regarding matters before City bodies. Any person identified in §§ 38-15 or 38-16 of this chapter who has a conflict of interest in any matter before a City body, the holding of which requires that the person be disqualified from participation in such matter pursuant to § 38-11 of this chapter, and which holding or conflict was not previously disclosed under this section, shall disclose such fact on the records of such City body and refrain from participating in any discussion or voting thereon.

B. City employees. A City employee shall notify in writing his or her supervisor of any interest he or she may have in a person, business entity or property, that would be affected by an exercise of discretionary authority by the City employee, and the supervisor shall reassign the matter, in addition, any employee who has a financial or other private interest in a matter before the City Council or any board, commission, committee or authority, the holding of which would require that the person be disqualified from participation in such matter pursuant to § 38-11 of this chapter, shall disclose such fact on the records of the Council or such City body and refrain from participating in any discussion or giving any official opinion thereon.

C. Any person required to file a conflict of interest, lobbying registration, or financial disclosure statement pursuant to this chapter shall correct any inaccurate or incomplete filings with the Commission within **3015** days of learning or being notified that the statement is inaccurate or incomplete. Any candidate for office notified that a ~~form~~statement is, or appears to the Commission to be, inaccurate or incomplete must provide the additional information required to the Commission or confirm the accuracy and completeness of the ~~form~~statement within 15 days or prior to the withdrawal of candidacy deadline, whichever is first to occur.

5

HEAL Cities and Towns Campaign

MEMORANDUM

TO: Mayor and Council

THROUGH: Joe Nagro, City Manager
Terry Schum, Director of Planning, Community and Economic Development *TCS*

FROM: Steve Beavers, Community Development Coordinator *SB*

DATE: May 2, 2014

SUBJECT: Healthy Eating Active Living (HEAL) Cities Campaign

ISSUE:

The Healthy Eating Active Living Cities Campaign is an initiative of the Institute for Public Health Innovation in partnership with the Maryland Municipal League. The program provides free support to cities to establish municipal policies that make it easier for residents and employees to make healthier food choices and be more physically active. The Board of Directors of the Maryland Municipal League recently passed a League Resolution endorsing the HEAL Cities & Towns Campaign and encouraging interested municipalities to participate by adopting a resolution to pursue policy actions suitable to their jurisdiction.

SUMMARY:

The HEAL Campaign has identified 3 issue areas (physical activity, nutritious food and workplace wellness) and a number of policy goals within each area. A participating jurisdiction must choose a minimum of 2 goals that they can reasonably work on. Staff recommends the following:

1. Adopting a Complete Streets policy to ensure that our streets are safe for all users including pedestrians, bicycles and the handicapped.
2. Providing access to more nutritious and sustainable food through community gardens and urban agriculture.
3. Promoting the acceptance of Supplemental Nutrition Assistance Program/Electronic Benefits Transfer (SNAP/EBT) at our farmers markets.
4. Establishing a wellness policy to promote healthy living among our employees.

The HEAL Cities program provides free coaching and technical assistance help the City further these goals. While some of the actions covered by the draft resolution may already be underway in the City, HEAL promotes institutionalizing these practices by adopting formal policies. This will help to reinforce our support of these goals and encourage broad support from all departmental levels within the City. It will also help to ensure continuity of these programs well into the future. The resolution requires City staff to work with HEAL staff on implementation and to report back to the Council on progress being made and additional actions that may be needed.

By adopting this resolution, the City will have the opportunity to participate in the Inaugural class of HEAL Cities. In addition, College Park will be recognized at the MML convention in June, 2014 for our commitment to being a Healthy Eating and Active Living Community.

RECOMMENDATION:

Staff recommends adoption of the HEAL resolution.

ATTACHMENTS:

1. Draft resolution
2. Rationale for our goals
3. Background Information

**RESOLUTION 14-R-09 SETTING FORTH THE CITY OF COLLEGE PARK'S
COMMITMENT TO OBESITY PREVENTION**

Preamble

WHEREAS, in January 2013, the Maryland Municipal League entered into a memorandum of understanding with the Institute for Public Health Innovation to work collaboratively on the HEAL Cities & Towns Campaign; and

WHEREAS, The City of College Park has the ability to affect the health of its residents; and

WHEREAS, planning and constructing a built environment that encourages walking, biking, and other forms of physical activity can promote health; and

WHEREAS, high rates of costly chronic disease among both children and adults are correlated to environments with few or no options for healthy eating and active living; and

WHEREAS, more than half of Maryland's adults are overweight or obese and therefore at risk for many chronic conditions including diabetes, heart disease, cancer, arthritis, stroke, and, hypertension; and

WHEREAS, one in three youth in Maryland is overweight or obese; and

WHEREAS, more children are being diagnosed with diseases linked to overweight and obesity previously seen only in adults, such as Type 2 diabetes and heart disease; and

WHEREAS, the current generation of children are expected to have shorter lives than their parents due to the consequences of obesity; and

WHEREAS, obesity takes a tremendous toll on the health, productivity of all Marylanders; and

WHEREAS, the annual cost to Maryland—in medical bills, workers compensation and lost productivity— for overweight, obesity, and physical inactivity exceeds \$3 billion; and

WHEREAS, supporting the health of residents and the local workforce would decrease chronic disease and health care costs and increase productivity;

NOW, THEREFORE, LET IT BE RESOLVED that the City of College Park Council hereby recognized that obesity is a serious public health threat to the health and wellbeing of adults, children and families in College Park and a commitment is needed to put healthy choices within reach of all residents. While individual lifestyle changes are necessary, individual effort alone is insufficient to combat obesity's rising tide. Significant societal and environmental changes are needed to support individual efforts to make healthier choices. To that end, the City of College Park adopts this Healthy Eating Active Living resolution:

Physical Activity, Active Transportation, and Land Use

BE IT FURTHER RESOLVED that the City of College Park Council and relevant staff responsible for the design, construction and maintenance of neighborhood streets should make every effort to:

- Ensure streets are safe for all users (motorists, bicycles, pedestrians, and the handicapped) by adopting a Complete Streets policy.

Access to Affordable Nutritious Foods

BE IT FURTHER RESOLVED that the City of College Park Council and relevant staff should make every effort to:

- Promote Farmers Markets and encourage SNAP/EBT to be accepted at those markets.
- Develop and promote community gardens and urban agriculture by identifying vacant land and a process for conversion to community gardens or urban agriculture.

Municipal Workplace Wellness

BE IT FURTHER RESOLVED that, in order to promote employee wellness and set an example for other local employers, the City of College Park Council and relevant staff pledge to adopt and implement a workplace wellness policy that will:

- Involve municipal staff by convening a workplace wellness committee with representatives from each department. The wellness committee will consider further actions for implementation by the Human Resources Department in conjunction with the City Manager's Office.

Implementation

BE IT FURTHER RESOLVED that the head of each affected agency or department should report back to the City Council annually regarding steps taken to implement the Resolution, additional steps planned, and any desired actions that would need to be taken by the Council.

BE IT FURTHER RESOLVED that College Park Staff shall work with HEAL Cities & Towns Campaign Staff to explore HEAL policies and to identify those policies that are suitable for the City 's unique local circumstances.

BE IT FURTHER RESOLVED that Staff will report back to this Council with recommendations not later than 180 days from the date of this Resolution.

ADOPTED by the Mayor and City Council of the City of College Park, Maryland at a regular meeting on
the ____ day of _____, 2014

EFFECTIVE the ____ day of _____, 2014

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



Rationale for selection of included policy goals in HEAL Resolution for consideration by College Park City Council – May 6, 2014

The City of College Park Council and relevant staff responsible for the design, construction and maintenance of neighborhood streets should make every effort to Design Streets/Roads to be safe for all users (motorists, bicycles, pedestrians, handicapped) by **adopting a Complete Streets policy.**

- “Complete Streets are streets for everyone. They are designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists, and public transportation users of all ages and abilities are able to safely move along and across a complete street.” (National Complete Streets Coalition)
- Prince George’s County leads the State of Maryland in pedestrian fatality rates. (Report from Department of Public Works and Transportation, the Maryland State Highway Administration) Both the State of Maryland and Prince George’s County have adopted Complete Streets policies to begin addressing street safety. College Park should adopt a Complete Streets policy to ensure that pedestrians, bicyclist, and motorists of all abilities can safely move regardless of jurisdiction.
- People want transportation options. Too often people feel like driving is their only option. Improving the design of streets to accommodate pedestrians and bicyclists expands transportation choices to make walking and biking safe, viable options.
- A Complete Streets Policy does not mean putting a sidewalk and bike lane on every road.
- A Complete Streets Policy changes the process by which streets and roads are designed. Rather than designing roads only for motorists and vehicular traffic, Complete Streets Policies “direct transportation planners and engineers to routinely design and operate the entire right of way to enable safe access for all users, regardless of age, ability, or mode of transportation.” (National Complete Streets Coalition)
- Streets that are walkable and bikeable have been shown to benefit the local economy. (See: Frostburg First! - Frostburg, MD, Bike Friendly Businesses - Salisbury, MD, City of Frederick, MD using bicycling to promote tourism, among other examples)
- Alignment with other initiatives: Adopting a Complete Streets policy supports efforts toward a Gold Medal in Goal 5 of *Let’s Move!*

The City of College Park Council and relevant staff should make every effort to **promote Farmers’ Markets and encourage SNAP/EBT to be accepted at those markets.**

- By encouraging all vendors at the Farmers Market to accept SNAP and other Federal nutrition programs, it increases the purchasing power of residents who were not previously patronizing the market. This is a win/win situation. Farmers reap greater financial benefit



from a previously untapped market, and SNAP recipients are able to access healthy, locally-grown produce.

The City of College Park Council and relevant staff should make every effort to **Develop and promote community gardens and urban agriculture** by identifying vacant land and a process for conversion to community gardens or urban agriculture

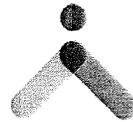
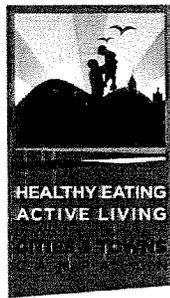
- Community gardens increase access to fresh, nutritious food and decrease hunger.
- In the event of a natural or man-made disasters that interrupts transportation, community gardens can ensure food security
- Urban agriculture increases surrounding property values and encourages home ownership.
- Community gardens promote community engagement, pride, and ownership that offer a focal point for community satisfaction and organizing.
- Alignment with other initiatives: community gardens are a component of Sustainable Maryland Certification.

The City of College Park Council and relevant staff should make every effort to involve the municipal staff in determining wellness by **convening a workplace wellness committee** that includes representatives from each department. The **workplace wellness committee will consider further policy actions for adoption and implementation** by the Human Resources Department in conjunction with the City Manager's Office.

- Municipal workplace wellness benefits not only the physical health of municipal employees, but the City's fiscal health, too. According to Healthiest Maryland Businesses, for every \$1.00 invested in workplace wellness, you can expect between \$3.50 to \$5.81 return on investment resulting from:
 - reduced health care costs
 - reduced employee absenteeism
 - increased employee productivity
- Alignment with other initiatives: Workplace Wellness is a component of Sustainable Maryland Certification.

For questions, sample policies, and additional ideas, please contact: Marisa Jones, HEAL Cities & Towns Campaign, at mjones@institutephi.org or (202) 803-6121

The HEAL Cities & Towns Campaign is an initiative of the Institute for Public Health Innovation (IPHI) in partnership with the Maryland Municipal League. Learn more about the Campaign at: www.healcitiesmidatlantic.org and about IPHI at www.institutephi.org



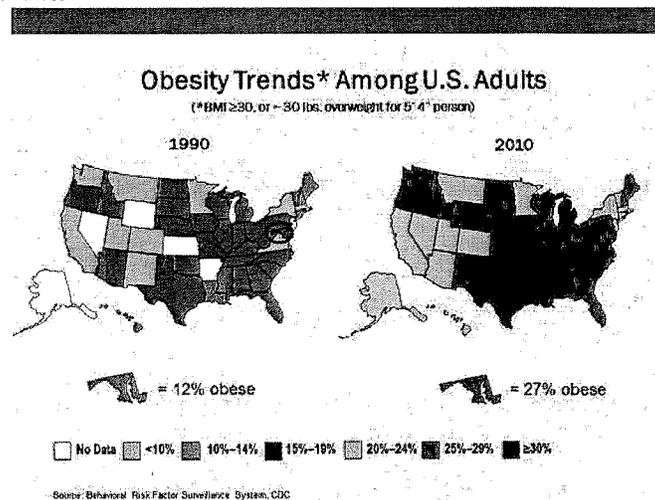
**Institute
for
Public
Health
Innovation**

Leadership at the Intersections of Health

Healthy Eating Active Living (HEAL) Cities & Towns Campaign for the Mid-Atlantic

Why is the HEAL Cities, Towns, & Counties Campaign necessary?

The obesity epidemic is on the rise. It is costly to Marylanders, and threatens the long-term health and quality of life for residents. It is also the reason that today's youth may—for the first time in modern history—live shorter lives than their parents.¹



The science of weight gain has not changed between 1990 and 2010. So what has?

People want to be healthy. Our health is shaped by the places in which we live, work, and play. Our day-to-day routines are influenced by our environments in ways we may not recognize on a daily basis. For example:

- When the closest store doesn't sell fresh ingredients, it's more convenient to get takeout than prepare a nutritious dinner.
- When the stairwell is locked, the elevator is the easiest way to get up to the office.
- When playgrounds are closed after school hours, kids choose video games rather than playing outside.

These are all consequences of policies. These may seem small and subtle, but over time these consequences add up. Maryland's cities and towns can promote policies that allow healthy habits to form effortlessly. For example, policies that keep stairwells in City Hall unlocked allow employees to take the stairs. Spending 3 minutes taking the stairs a few times a day is easier than scheduling a 30-minute gym session into your daily routine.

Why policy?

Healthy eating and active living (HEAL) is not just for individuals or families. HEAL policies can greatly impact the way people live – and improve both the physical and fiscal health of a community. So, municipal leaders across the United States are now recognizing that HEAL policies should be part of short- and long-term city planning as a key component to reducing health care costs, creating safer community environments, improving quality of life and attracting economic development. The HEAL Cities & Towns Campaign is committed to ensuring that this region remains a great place to live, work, and do business.

While educational and programmatic approaches are important, HEAL Cities & Towns focuses on local policies that set the framework and shape the environment in which employees, residents and businesses make decisions about nutrition and physical activity. Policies are a sustainable approach to positive environmental change.

How does the HEAL Cities & Towns Campaign help build healthy, prosperous communities?

The HEAL Cities & Towns Campaign actively supports government leaders to adopt local policies that promote healthy eating and physical activity environments, in order to help make healthy choices the easiest choices for residents to make.

The Campaign asks Maryland localities to articulate their visions for what a healthy community looks like to them, and pursue that vision with free support from HEAL Cities & Towns Campaign staff.

HEAL Cities & Towns Campaign works with Municipal leaders to:

- See their role in shaping healthy communities
- Assess their municipality's physical activity and food environments
- Identify specific opportunities for their municipality to improve its physical activity and food environments
- Make those opportunities happen
- Get recognition for their work

How does the HEAL Cities & Towns Campaign support local elected officials?

(All provided FREE of cost)

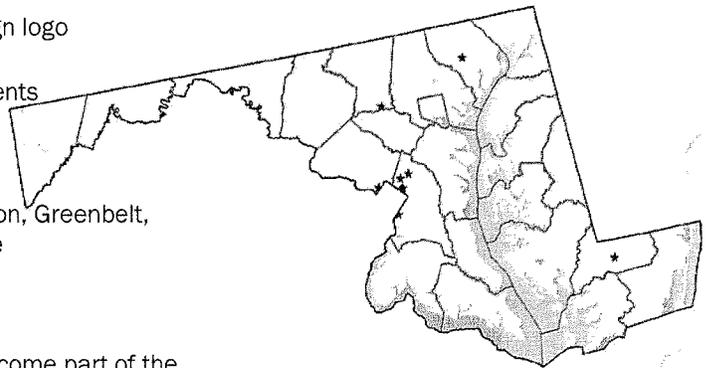
- Sample policies
- Strategies for successful policy adoption
- Presentations at City council meetings/work sessions
- Regional trainings
- Webinars
- HEAL staff working on-site with you/staff
- Phone access to HEAL Cities & Towns staff

Select Benefits of Joining HEAL Cities & Towns Campaign

- Technical assistance on policy work
- Marketing materials, including use of Campaign logo
- Media relations assistance
- Recognition at Maryland Municipal League events

Who is already doing this in Maryland?

- Bel Air, Bladensburg, Colmar Manor, Edmonston, Greenbelt, Forest Heights, Salisbury, Somerset, Sykesville



Put Your Community on the Map!

The first 10 communities to join become part of the *Inaugural Class* of HEAL Cities & Towns in Maryland!

Who runs the HEAL Cities, Towns, & Counties Campaign for the Mid-Atlantic? Who funds it?

The HEAL Cities & Towns Campaign for the Mid-Atlantic is part of a growing national campaign that is currently taking place in California, Oregon, and Colorado. The Institute for Public Health Innovation embarked on this initiative in 2012 with funding from Kaiser Foundation Health Plan of the Mid-Atlantic States and a strategic partnership with the Maryland Municipal Leagues.



THE
MARYLAND
MUNICIPAL
LEAGUE

For more information: www.healcitiesmidatlantic.org or Twitter: HEALMidAtlantic
Email: mjones@instituteptphi.org or Call: (202) 407-7088 x1026

Municipalities' Role in Reversing the Obesity Epidemic & Creating Healthy, Prosperous Communities

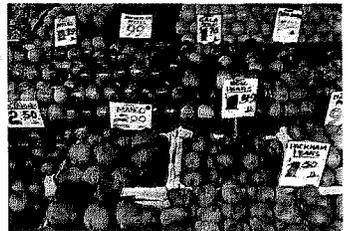
Cities, towns, and their residents face increased health care costs and diminished quality of life due to the epidemic of obesity and overweight. *City leaders throughout Maryland have the opportunity to step up to help address the obesity epidemic in their communities by giving all residents the chance to make healthy choices.*

This fact sheet is intended to help mayors, city council members, and executive staff see how municipalities can use local policies to give all residents the opportunity access affordable, nutritious foods and lead physically active lives, in turn creating healthy, prosperous communities.

High Prevalence of Obesity and Overweight Costs Cities in Medical Care and Preventable Disease

Due to the rapid rise in obesity, today's youth may—for the first time in modern history—live shorter lives than their parents.¹

- An average of 1 in 3 Maryland youth are overweight or obese²
- More than half of Maryland's adults are overweight or obese: 28.3 percent are obese and another 36 percent are overweight³
- Obese adults face increased risks for many chronic conditions: diabetes, heart disease, stroke, cancer, arthritis, liver and gallbladder disease, infertility, hypertension, and mental health conditions⁴
- In 2009, Maryland spent \$3.032 Billion on obesity-related expenditures.⁵
- Reducing the average Body Mass Index in Maryland by 5% could lead to health care savings of more than \$4B in 10 years in \$13B in 20 years.⁶



The Physical Environment and Food Environment Make a Difference

- In many communities, people who want to be more active are discouraged by their environment.
 - ⇒ Making the decision to be active is much easier when every neighborhood has safe sidewalks, crosswalks, bike paths, and transit options
- People who live in places with many unhealthy food outlets have significantly higher rates of obesity and diabetes than those with more opportunities to buy healthy food, regardless of race or wealth.
 - ⇒ Making the decision to eat healthier is much easier when nutritious food is available near the places we live, work, learn, play and worship



The **Healthy Eating Active Living (HEAL) Cities & Towns Campaign** provides free technical assistance and coaching to help city officials adopt policies that improve their communities' physical activity and food environments. Supporting healthy choices is essential to address the obesity epidemic among Virginia's children and adults.

The HEAL Cities & Towns Campaign for the Mid-Atlantic is part of a growing national campaign that

is currently taking place in California, Oregon, and Colorado. The Institute for Public Health Innovation embarked on this initiative with funding from Kaiser Foundation Health Plan of the Mid-Atlantic States and a strategic partnership with the Maryland & Virginia Municipal Leagues.

This fact sheet is one in a series providing background information and policy ideas for healthy cities and towns.

What Municipal Leaders Can Do:

- Prioritize health in plans for their town or city's future
- Adopt policies that promote healthy eating and physical activity environments
- Establish a culture of wellness for municipal employees
- *People want to be healthy*, but often times there are barriers to obtaining convenient, affordable, healthy foods and opportunities for physical activity. City leaders have the opportunity to remove those barriers, and create a place that enables people to make healthy choices about their physical activity and eating.



Municipalities Play an Important Role in Obesity Prevention

Increasingly, policymakers, advocates, and medical providers are recognizing that obesity is not caused by and cannot be reversed or prevented by individual actions alone. The community in which we live, work, learn, play, and worship shapes our opportunity to live a healthy life. In order to make healthy choices, individuals need the following:

- Convenient access to affordable, healthy foods
- Safe places to play and be active
- Opportunities to walk and bike within their neighborhoods

City officials can improve the physical activity and food environments in their cities and contribute to preventing obesity among their employees and residents through:

- Municipal workplace wellness policies
- Land use decisions
- Redevelopment priorities
- Community and economic development plans

In order for the HEAL Cities Campaign to develop a broad menu of policy options to use in Maryland, share with us the policies your city or town has adopted to improve its food and physical activity environments on www.healcitiesmidatlantic.org

1. Olshansky SJ, Passaro DJ, Hershow RC, et al. A potential decline in life expectancy in the United States in the 21st century. *N Eng J Med*. Mar 17 2005;352(11):1138-1145.
2. 2007 National Survey of Children's Health. Data analysis provided by the Child and Adolescent Health Measurement Initiative, Data Resource Center. <http://www.childhealthdata.org/>
3. Centers for Disease Control Behavioral Risk Factor Surveillance System 2011

The Benefits to Your City/Town

By adopting one or more policies that improves the physical and food environments, your city could see these benefits:

- Cost savings through employee wellness policies and health incentives
- Improved quality of life for residents through active lifestyles
- Greater sense of community and civic engagement through community interactions in parks and public places
- Improved public safety and reduced crime by ensuring more "eyes on the street" when residents are out walking, biking, or running
- Neighborhood recreation options that keep kids out of the street
- Healthy kids do better in school, giving them a greater chance to contribute to the region's economic vitality in the future
- Greater life expectancy for the next generation than predicted under current circumstances
- Creation of attractive destinations that offer good food, multiple activities, and places where people want to spend time and money
- Less traffic congestion and cleaner air as folks leave their cars to ride bikes and walk

To find out more and get started, contact the campaign:

www.healcitiesmidatlantic.org
mjones@institutephi.org
(202) 407-7088 x 1026

Follow @HEALMidAtlantic

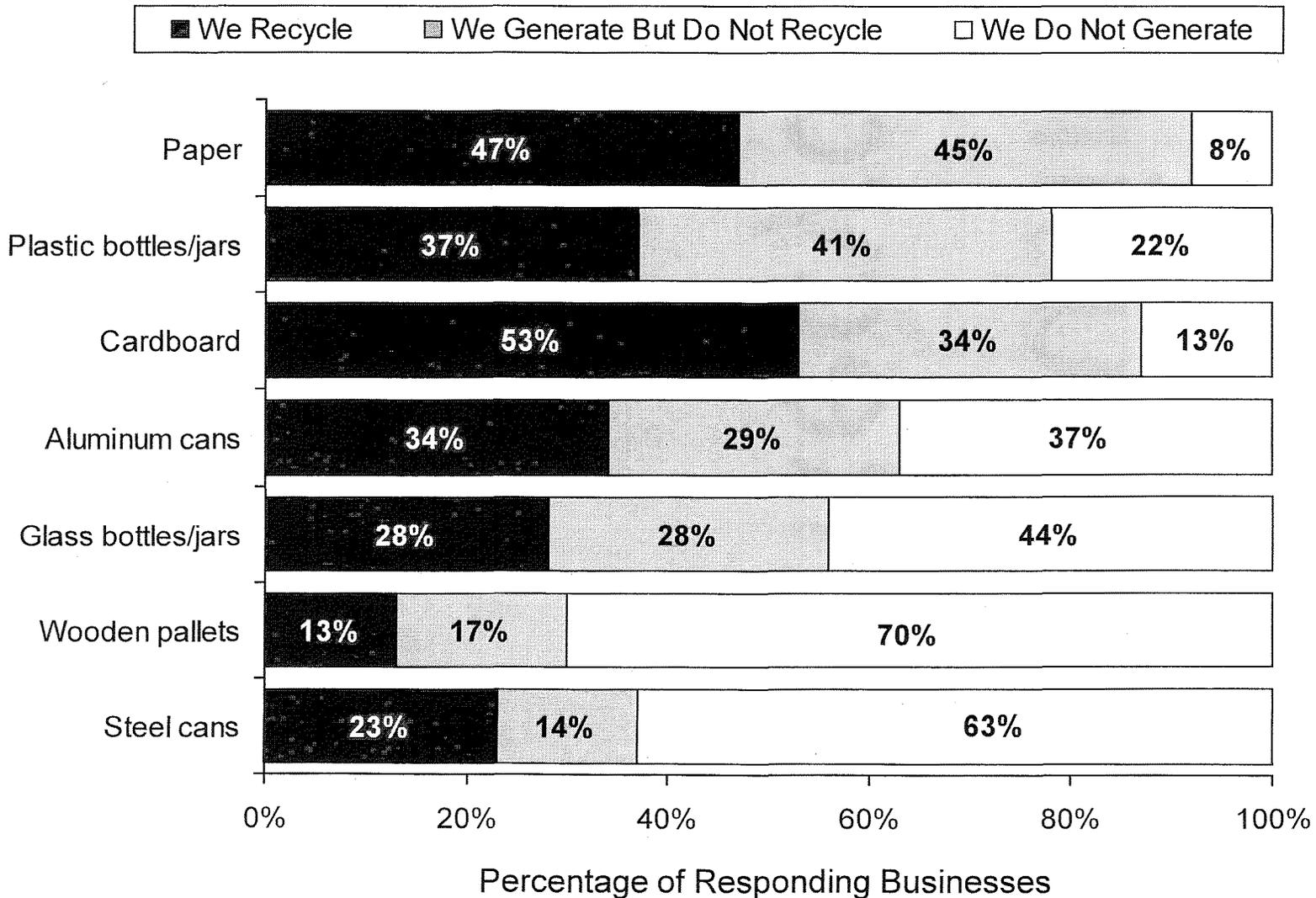


4. CDC <http://www.cdc.gov/chronicdisease/resources/publications/AAG/obesity.htm>
5. Trogdon, J.G., Finkelstein, E.A. Feagan, C.W., Cohen, J.W. (2012). *State- and Payer Specific Estimates of Annual Medical Expenditures Attributable to Obesity, Obesity, 10, 214-220.*
6. Trust for America's Health. Maryland Obesity Brief Sept. 2012. <http://healthyamericans.org/assets/files/obesity2012/>

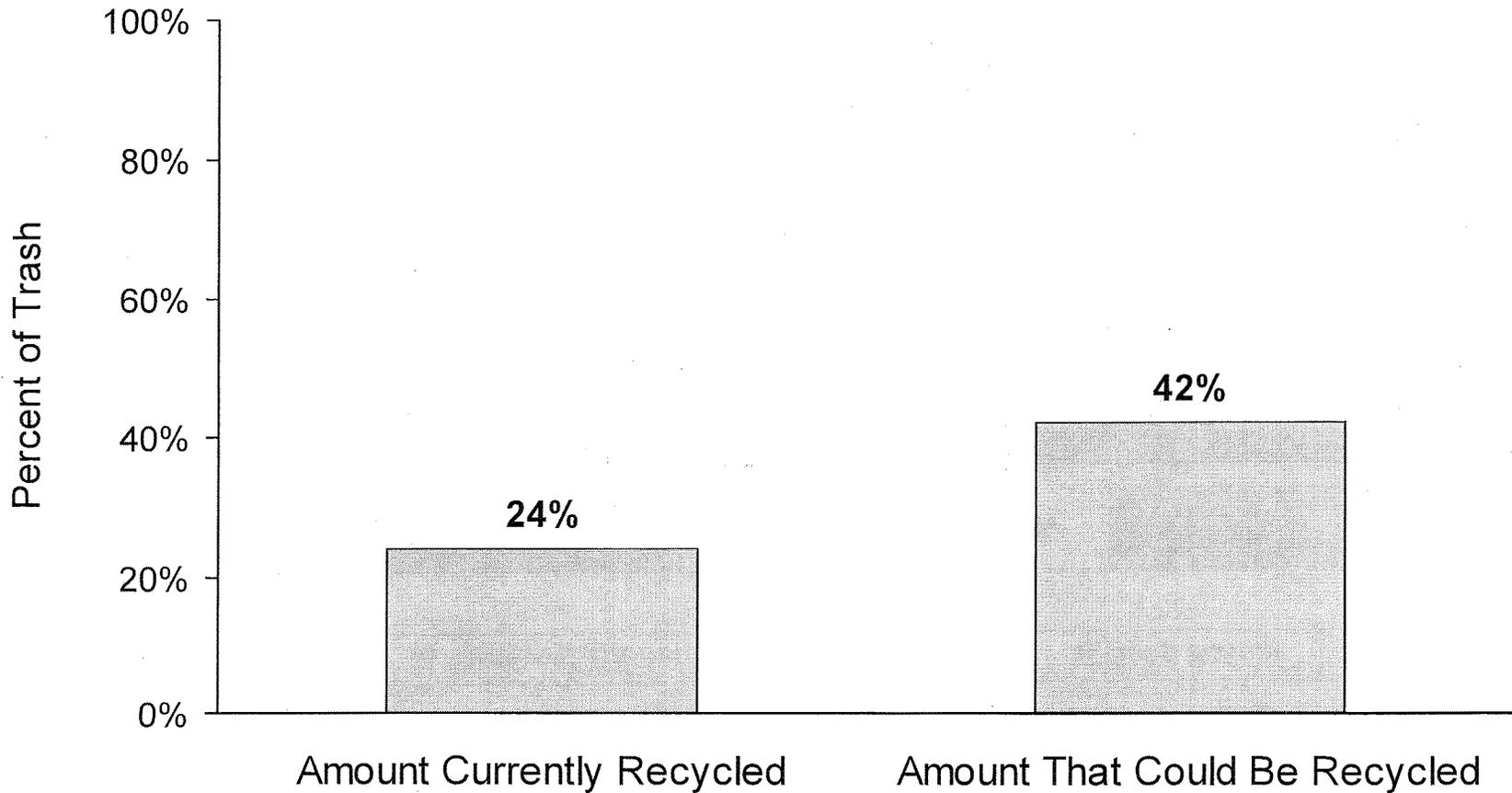
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Business Recycling

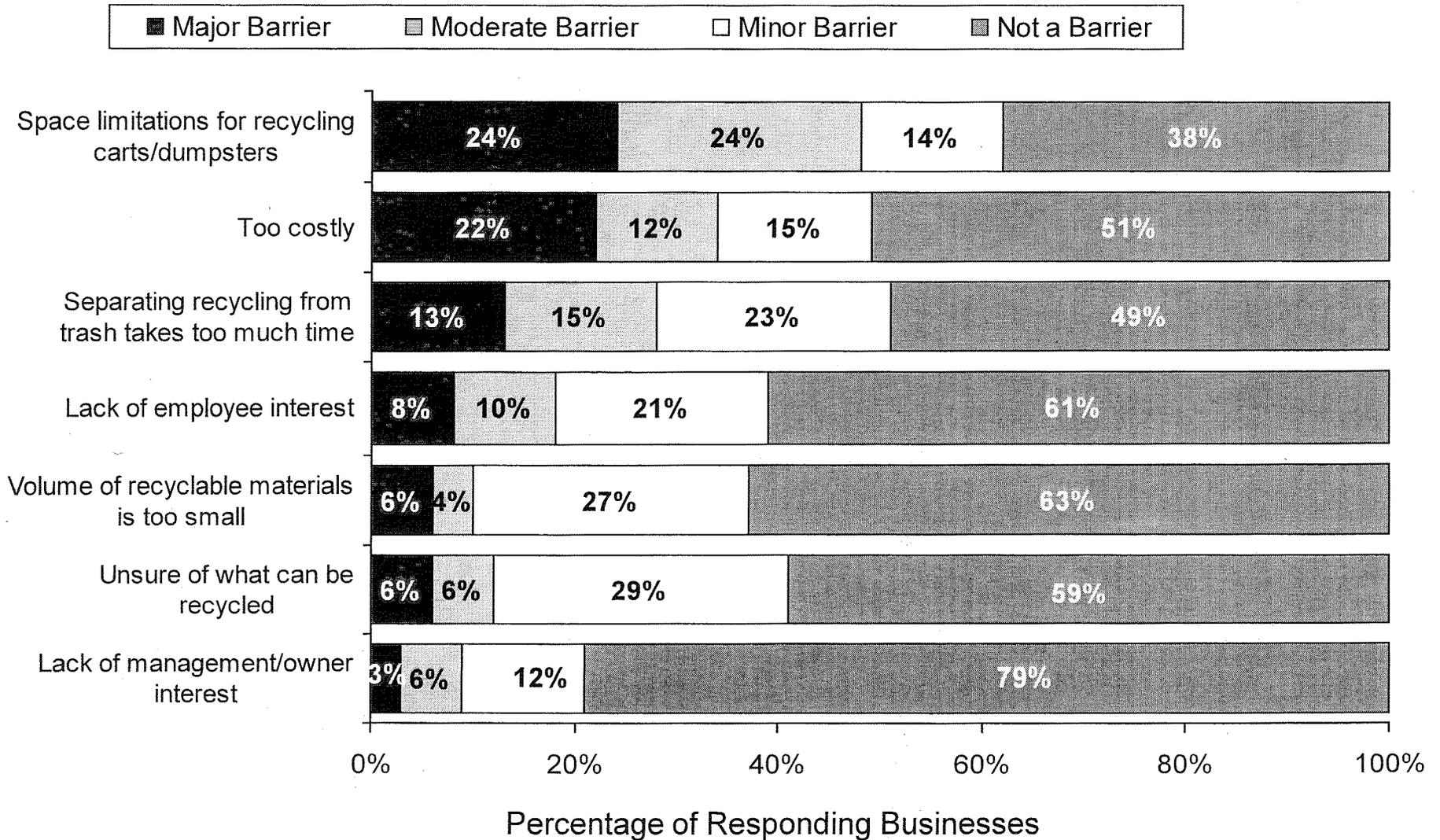
**Preliminary Results from College Park Business Recycling Survey:
Types of Trash That Responding Businesses Said They Generate and Recycle
(Based on 107 Respondents as of 5/1/14)**



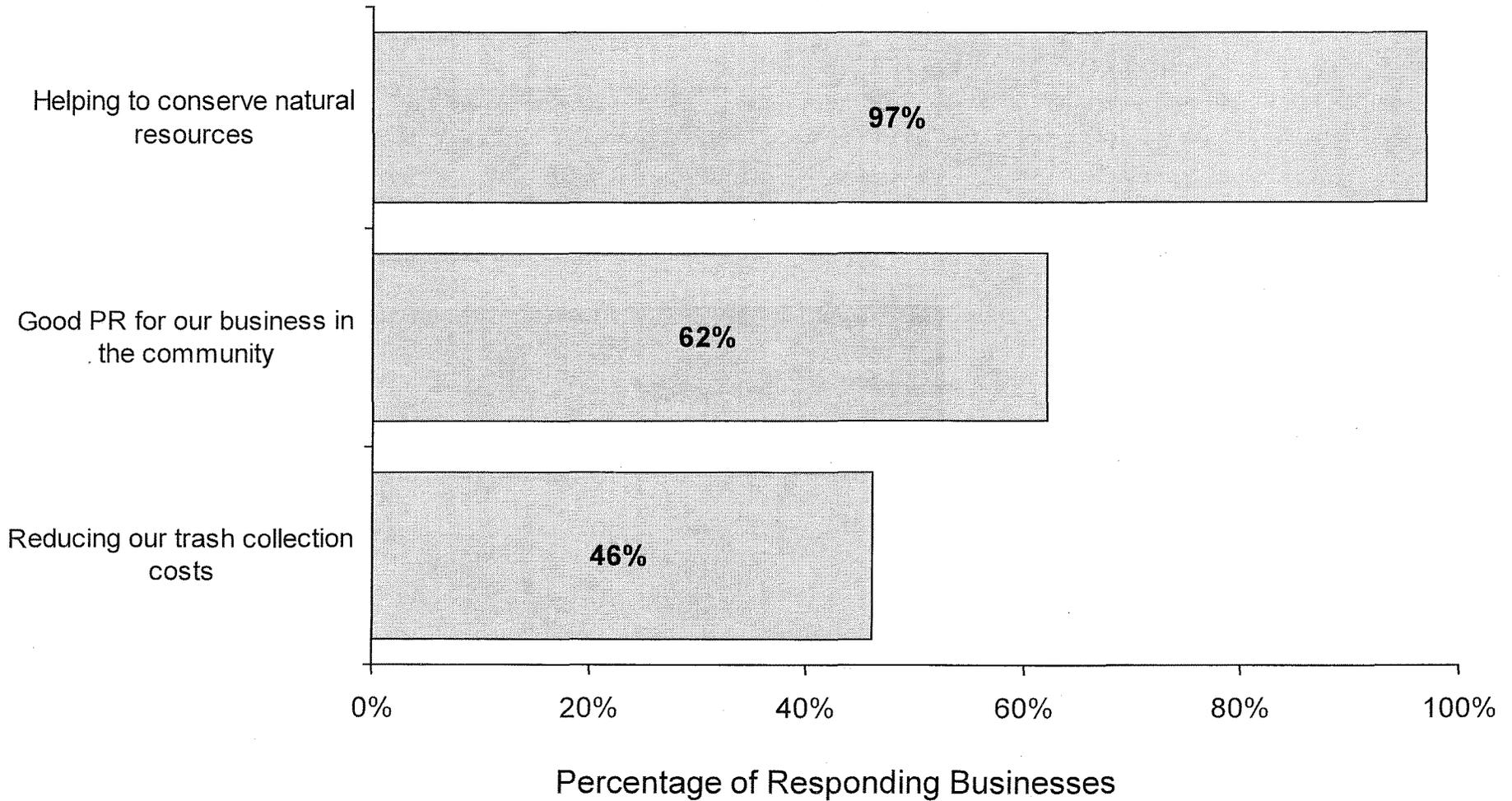
**Preliminary Results from College Park Business Recycling Survey:
Percentage of Trash That Responding Businesses Estimate That They
Currently Recycle and Could Recycle
(Based on 107 Respondents as of 5/1/14)**



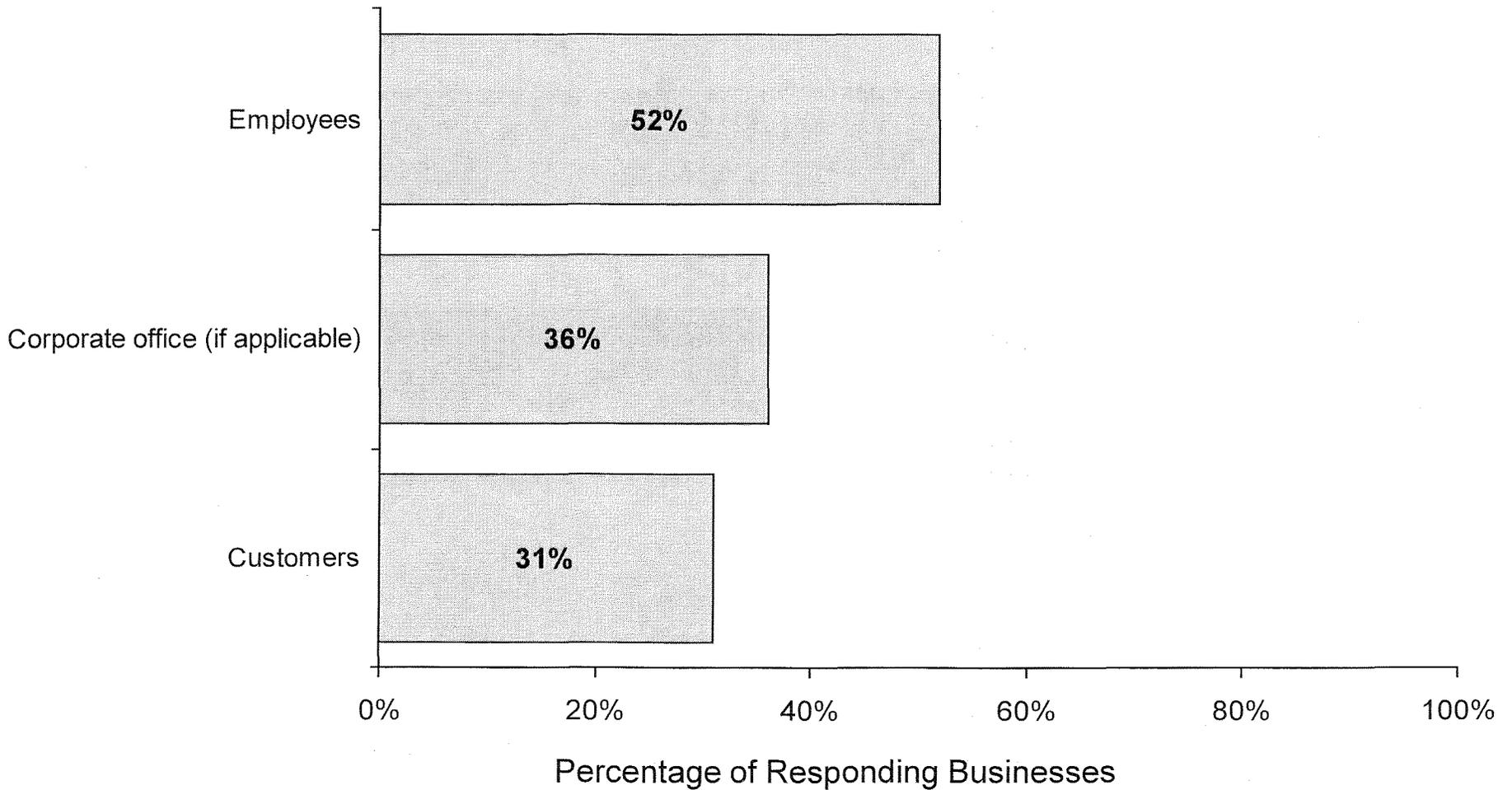
Preliminary Results from College Park Business Recycling Survey: Reported Barriers to Recycling (Based on 104 Respondents as of 5/1/14)



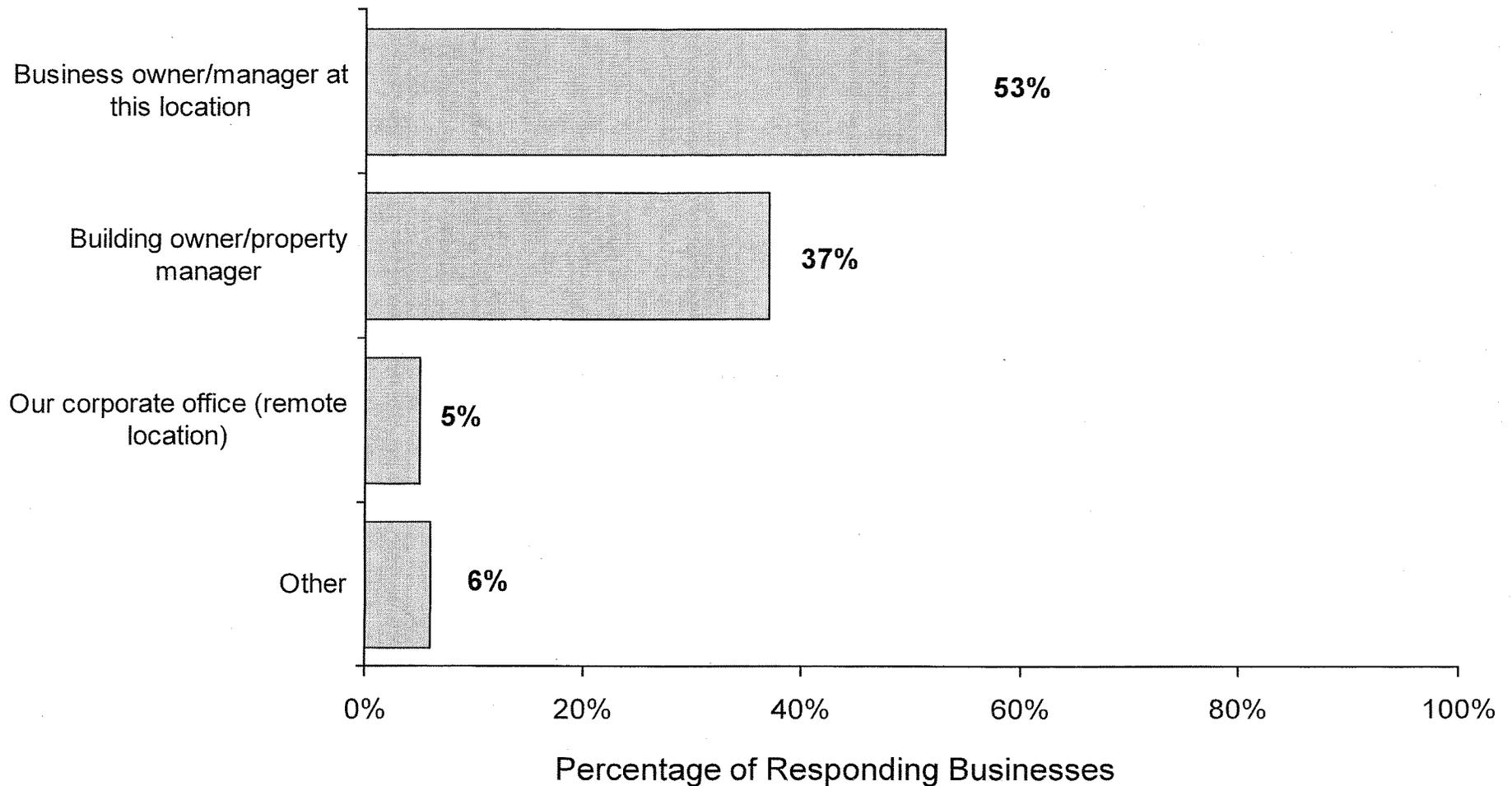
**Preliminary Results from College Park Business Recycling Survey:
Perceived Benefits of Recycling
(Based on 102 Respondents as of 5/1/14)**



**Preliminary Results from College Park Business Recycling Survey:
Parties Who Encouraged Businesses to Recycle
(Based on 103 Respondents as of 5/1/14)**



**Preliminary Results from College Park Business Recycling Survey:
Who Is Responsible for Contracting For Trash and Recycling Services
(Based on 104 Respondents as of 5/1/14)**



College Park Recycling Survey Results as of May 1, 2014

Open-ended item on suggestions for what the City of College Park could do to help businesses increase their recycling participation, and how they might use a City recycling grant:

A 1-time grant would help us pay for the reconfiguration of our dumpster area to accommodate an additional recycle dumpster
A monthly or annual tax credit for businesses that recycle over a certain weight. Also, helping with some positive PR within the businesses that do recycle to help the word out.
Building does not provide recycle bins or dumpsters for recycling. Provide the cart on wheels.
Bulk items could be recycled such as refrigerators, ovens, furniture, etc These are the items usually cannot be delivered so they need to be picked up by responsible parties. It would be good to pay the businesses a percentage of the weight. We have been recycling since we opened, as much as we can, including our cooking oil.
Cost and space are the primary concerns
Grant could be used to install recycling cans throughout Campus Village shopping plaza and also used to install a new pad for a recycling container. Even just a cardboard recycling container would be very useful.
Have an electronic recycling day in Old Town College Park?
Having recycling trash cans where there are already trash cans; and a common dumpster where businesses with little recycling can throw theirs.
I believe that Montgomery County requires recycling by all businesses. I do not believe this creates an undue burden on business. We do have a monthly shredding/recycling pickup since we generate a lot of paper preparing tax returns. [This was a comment in response to question 7: Contract managed by the Association.]
I think the management company should arrange recycling for the office complex. We will do our part.
It is up to the building manager so please reach out to him directly. Presumably, it is the cost that is holding him back. We think the grants are a GREAT idea.
It would be great if small businesses with moderate to low volumes of recycling could use the bins provided to residents. If we had a grant, we'd pay for a recycling service to set up at the complex, so all of the businesses here could use it.
Lower the hauling prices of the trash and recycling companies.
Make BIG simple posters for businesses (County one is tiny print/confusing); have bins in back for recycling that are marked well (there aren't any); encourage composting facility in College Park; deliver educational videos to each location; send speakers.
Make recycling receptacles more easily accessible to the public.
My business is extremely small and a grant really would not change anything in my circumstances.
need recycling containers
Not sure that we generate enough to recycle. We recycle cardboard by taking it home and recycling with our trash pick-up.
Offer free recycling pickup for businesses. Provide service as part of the taxes collected already from businesses.
Offset cost. I voluntarily recycle but it is very costly to maintain two dumpsters. The grant would help to by another recycle bin.
Our trash is all paper and some cardboard boxes. Having just 1 or 2 recycle bins in our basement would allow us to recycle. We can take the bins to the College Park Municipal Center ourselves where the other bins are.
-paving streets -paint building -provide us with recycling, steel/metal and trash containers -compactor for plastic and carton
Pick up more than once a week.
placing signs at the recycling bin
Provide bins and collection services. We are so busy conforming to tax, health, financial, human resources etc. recycling is not on our radar.
REI & MOMs produce a large amount of paper, cardboard, and plastic waste that is recycled. A compactor could help reduce pickups and eliminate or reduce the number dumpsters.
Residential customers are not only provided with recycling carts but also the material is picked up once a week. The same process can be followed for businesses in College Park. It is a self sustaining activity and need not be charged for providing and collecting recyclable materials.

Subsidize recycling costs or offer tax breaks to companies that do recycle.
The building does not have specific containers or place where to recycle plastics/metals. Make as mandate and push the landlord to make space for classified recycle - trash/cardboard/metals & plastics.
The Junior Tennis Champions Center is a 501(c)(3) organization that functions as a high performance junior tennis training facility and tennis club for the Prince George's County area. JTCC also brings tennis to underserved areas in Prince George's County and Washington, DC through our community outreach sites. A major gap in our organization is recycling, so I (Vijay Paul - Management Associate) have kick started an initiative to get kids and staff involved. We are in the initial stages of starting a facility-wide recycling and community giveback program. We will aim to get our junior tennis players, staff, and members involved in recycling and donation of goods to give back to Prince George's County. We are specifically working to create incentives for our junior players to recycle which includes a rewards program, i.e. a player receives a free gatorade for turning in 20 plastic bottles to recycle; a player receives free racquet stringing when they donate X number of goods to the community; etc. A one-time grant would be put towards actual recycling receptacles placed strategically throughout the facility (we currently have zero). One would be placed in each of our three indoor tennis buildings, one in the main lobby, one in our classroom, one in our administrative office area, and one in the kitchen for a total of seven (at minimum). Remaining funds would be put towards tennis equipment donation boxes that we will station at businesses and other community areas throughout Prince George's County. These would allow people to donate tennis racquets, sports clothing, and shoes that we will redistribute to our community sites, Prince George's County Parks and Recreation, and other tennis related organizations that provide affordable tennis to underserved areas.
To get a few strategically located cardboard dumpsters throughout downtown College Park to be used by merchants (near cameras)
To invest in recycling
We are able to recycle our paper and cardboard from WM. It is costly and we are evaluating the cost of recycling vs. the cost of putting in landfills. We have been recycling for about a month now and have found it to be more costly to us than traditional trash pickup and landfill disposal. If grant money was available, we would be able to invest in a compactor that would enable us to bring down the haul rate for recycling down due to the ability to have less pickups. We would like to recycle our breakroom items but are unable to do so at this time. We do not have the resources to dispose of them. We asked if the City was able to provide the containers that are provided to residence owners but was told they are not available to commercial businesses. We feel if we were provided with 3 - 4 containers, we would be able to recycle these items. We would bring the recycling containers to the road weekly as the residence owners currently do. I also want to thank the City of College Park for their concern in recycling and will work with them to provide any assistance / input they need to make this plan a reality.
We don't need or want a grant. If the City will supply single stream containers on condo property and empty them there will be no cost to the business
We will purchase recycling dumpsters and organize a education program for our employees and clients if they are interested.
We will put recycling containers in each guest room and increase more recycling containers in the public areas.
We would be more than happy to recycle if the City of College Park would pick it up.
We would like to expand our recycling program to include education and collection of appropriate hazardous wastes. These include common items such as light bulbs, batteries, ink cartridges, etc, that people do not often realize need to be disposed of separately from regular trash and recycling. We also believe composting is a very important form of recycling natural products back into usable soil. We currently compost on site but we would like to improve and expand our processes.
We would like to know the locations of city recycle centers.
We would like to offer the community a drop off location for small amounts of ferrous metal that they would otherwise not know what to do with. We would collect and recycle it.
We would pay for a dumpster to be in the back alley.
Will College Park provide a trash enclosure and recycling dumpster
Work with the waste removal companies to decrease the cost of recycling pick-ups, or to make the price gap between trash and recycling larger; thereby, encouraging more businesses to recycle.

DRAFT April 25, 2014

City of College Park

COMMERCIAL AND MULTI-FAMILY RECYCLING GRANT GUIDELINES

PROGRAM OVERVIEW

Program Description

The Commercial and Multi-Family Recycling Grant is a citywide program that reimburses existing, qualified businesses for certain expenses to enable or expand recycling of material generated at their facilities. The City of College Park (the "City") wants to help commercial establishments expand their recycling in order to reduce the cost and volume of materials sent to the landfill. The total amount of City funding available for FY15 is \$25,000.

Grants will be awarded on a competitive basis with a submission deadline for the initial round of review. Subsequent rounds of review will be announced should funding remain available after the initial round.

Examples of projects that could be eligible to receive a recycling grant include:

- Specialized recycling dumpsters or carts for collections.
- Interior recycling bins, compaction equipment, or related signage for use by employees and/or customers.
- Partnering with neighboring businesses to reconfigure trash collection area and create shared space for recycling dumpster or carts, pad, and/or enclosure.
- Purchase of new equipment that is required for a specific recycling collection service.

Applicants are encouraged to develop creative, innovative, lasting and collaborative proposals that increase recycling and could be replicated.

The program is administered by the City and operates on a reimbursement basis. All payments to contractors and City and County departments are the full responsibility of the applicant. The City will verify actual costs incurred by the grantee prior to reimbursement. The program application identifies the conditions and responsibilities for the grant and must be signed by all applicants and partnering businesses (if applicable). The general rules, guidelines, grant terms and conditions, and process are described below.

ELIGIBILITY REQUIREMENTS

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

- The commercial establishment is located within the municipal boundaries of the City of College Park.
- 100 percent of the material to be recycled is generated at the applicant's College Park property.
- If the applicant is not the owner of the building, they must possess a fully executed lease that extends, or allows for renewal, two years beyond the submittal deadline.
- The applicant and the property on which the improvements will be made (if applicable) are in good standing with the City (no outstanding code violations, current with all taxes, licenses, etc.).

APPLICATION PROCESS

1. Applicant will prepare and submit the City application and the documentation required in Section 1 of the Submittal Requirements to the City's Recycling Coordinator by the submittal deadline.
2. The Recycling Coordinator will conduct a preliminary review of the application, description, and legal documents and make an initial determination on whether the application is complete and meets the eligibility requirements. The applicant will be notified whether the application is complete and accepted for review, or if the application is deemed incomplete or ineligible.
3. Applications that meet the eligibility requirements will be referred to the Committee for a Better Environment (CBE) for review.
4. If the application is accepted for further review, the applicant may be requested to meet with the CBE to discuss the application. *Applications accepted for review are not guaranteed an award of any grant funds from the City.*
5. All applications deemed complete and eligible will be ranked by CBE based on the criteria listed in the Evaluation of Applications section below. A notice of a final decision will be sent to the applicant within 45 days of acceptance of the application for further review.
6. If the City offers to award funding to an applicant, the applicant will be provided additional guidance and documentation to complete the improvements, schedule an inspection of the completed improvements or purchases, and to receive reimbursement. The applicant shall submit the documentation required in Section 3 of the Submittal Requirements prior to disbursement of grant funds.

SUBMITTAL REQUIREMENTS

1. Preliminary Submittal – Application, Description, and Legal Documents

- Completed and signed application form.
- Copy of Prince George’s County (the “County”) Use and Occupancy Permit.
- In the case of an applicant in leased premises, a signed affidavit that the lease extends or allows for renewal at least two years beyond the submittal deadline.
- Written consent of property owner, if applicant does not own property and the proposed project requires property owner consent.
- Completed College Park Business Recycling Survey
- List of all improvements or equipment to be purchased, a cost estimate for each, the estimated total project cost, and the requested amount of grant funding.

2. Secondary Submittal (If applicable)

- Copies of any construction plans and drawings
- Copies of agreements with contractors
- Construction schedule
- Completed W-9 form

3. Closeout Submittal

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

GRANT TERMS

If contractors are needed for the improvements, they must be licensed and insured to do business in the State of Maryland. The applicant is responsible for selecting a qualified contractor and executing the corresponding construction agreement.

All work must be completed within 120 days of notification to the applicant of the grant award in order for the City to provide reimbursement. The City may extend the 120-day period for good cause.

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

- Proof that any required inspections and approvals from the County and/or the City have been completed.
- Receipt, review, and acceptance of all invoices or other evidence of payment for all improvements and equipment and any other supporting records required by the City.
- A final walkthrough by the Recycling Coordinator or designee to inspect the completed improvements or equipment.

ELIGIBLE COSTS

The program is intended to fund improvements and equipment that enable commercial establishments to recycle glass, metal, paper products, grease, oil, food, and/or any other recyclable material in order to decrease the volume of material sent to the landfill. These improvements may include the purchase of capital equipment designed for recycling, or facility changes to create space for the safe, temporary storage of recyclable materials prior to collection. Other eligible costs are construction-related permit fees required for the improvements and the labor and material costs related to the eligible improvements. Receipts must be provided for all materials. **Recycling collection services are not eligible costs for the grant reimbursement.**

The following terms apply to the eligible improvements:

- All improvements must comply with all City and County building codes.
- All improvements must obtain required construction-related permits.
- All improvement or equipment costs incurred prior to the grant award will not be eligible for reimbursement.

EVALUATION OF APPLICATIONS

Applications will be reviewed after the submittal deadline. Only complete applications will be reviewed and no late submissions will be allowed. Applications that meet the eligibility requirements will be ranked on the following criteria. The maximum score for an application is 35 points.

Evaluation Criteria

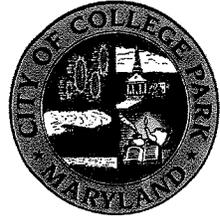
1. Collaborative or innovative approach to overcome existing barriers to recycling. Collaboration can be with neighboring businesses, customers, and/or residents. Innovative approaches can include shared space, unique design, incentives that increase recycling, new equipment. Maximum 9 Points
2. Percentage of total project cost covered by business and percentage requested in grant funding. Maximum 5 points
3. Estimated volume and type of material that will be recycled due to the grant, based on evidence of the volume of materials purchased or sold by the business, and/or the volume of recyclable material generated by the business and currently sent to the landfill. *Note: products that historically have been difficult to recycle may receive a high rating in this category even if the volume is low compared to other types of materials.* Maximum 5 Points
4. Estimated percentage of current waste that the business will recycle due to the grant. Maximum 5 points
5. Ability to replicate the project at similar businesses. Maximum 4 points
6. Probability that the project will continue two or more years after the grant award. Maximum 3 points
7. Effective plan for communicating with and gaining cooperation of employees and customers. Maximum 2 points
8. 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. 2 points

Total Maximum Points: 35

MAINTENANCE OBLIGATION

Applicant shall maintain the improvements to the property in good condition and in accordance with all applicable building codes. The commercial establishment recycling program shall continue for at least 12 months, and the recipient of the award shall provide quarterly reports to the City regarding the volume of materials recycled and other related metrics.

City of College Park
 Department of Public Works
 Davis Hall 9217 51st Avenue
 College Park, MD 20740-1947



COMMERICAL AND MULTI-FAMILY RECYCLING GRANT

Submittal Deadline: July 11, 2014 at 5:00pm

The Commercial and Multi-Family Recycling Grant is a City of College Park program that reimburses qualified entities for certain expenses to expand recycling and reduce their landfill costs due to recyclable materials sent to the landfill. The total amount of City funding available for FY15 is \$25,000. Contact Loree O’Hagan, the City’s Recycling Coordinator, at 240-487-3593 if you have any questions.

Please complete the form electronically or print legibly and return it to the address above or by email to lohagan@collegetparkmd.gov.

1. APPLICANT INFORMATION (If joint application, the lead entity completes below, and the other partnering business owners will complete the Participating Entities Form)		
Business Name:		
<input type="checkbox"/> Corporation (d/b/a)	<input type="checkbox"/> Partnership	<input type="checkbox"/> Sole Proprietorship
Mailing Address:		
City:	State:	Zip Code:
Business Owner:		
Phone:	Email:	
Contact Person (if different):		
Phone:	Email:	
2. PROPERTY INFORMATION		
Property Address:		
Property Owner:		
Property Owner’s Address:		
City:	State:	Zip Code:
Contact Person:		
Phone:	Email:	

3. PROJECT INFORMATION

Describe the proposed project to increase recycling at your facility. What are the current barrier(s) to recycling? How does the project address these barriers? How will the program continue after the first year? What businesses or properties are involved? What volume and percentage of recyclable materials will the project facilitate? See the evaluation criteria for other information to include. Use additional pages if necessary.

Target materials to recycle:

How are these materials currently disposed of?

Estimated monthly increase in recycling (pounds):

Estimated total cost of improvements:

Applicant contribution:

Grant request:

Estimated time to completion after notice to proceed:

I/We hereby affirm that I/we have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my/our knowledge. The applicant invites the City to make all reasonable inspections, investigations, and take pictures of the subject property during the process period associated with the application. I authorize the use of any pictures taken by the City.

I/We have read and understand the Commercial and Multi-family Recycling Grant guidelines and requirements. I/we understand that any improvements completed prior to the notice of grant award will not be eligible for reimbursement. I/we agree to maintain all improvements of the property in good condition and in accordance with all applicable building codes. If funded, I/we agree to provide monthly reports to the City for one year after the installation of the improvements, with information regarding the volume of recycling materials collected and a summary of the effectiveness of the project.

Applicant Signature

Date

Additional Business Owner Signature

Date

SUBMITTAL REQUIREMENTS

1. Preliminary Submittal

- Completed and signed Application form.
- Completed and signed Participating Entities form (if applicable)
- Written consent of property owner if applicant does not own property and if project involves permanent installations.
- List of proposed project improvements with a cost estimate.
- Estimated construction schedule / implementation schedule.
- Copy of Prince George's County (the "County") Use and Occupancy Permit.
- Completion of City's Business Recycling Survey, if not previously completed

2. Secondary Submittal *TO BE COMPLETED ONLY IF PROJECT IS ACCEPTED FOR GRANT FUNDING BY THE CITY and IF APPLICABLE*

- Copies of any construction plans and drawings, if applicable.
- Copies of agreements with contractors, if applicable.
- Construction schedule.
- Completed W-9 form.

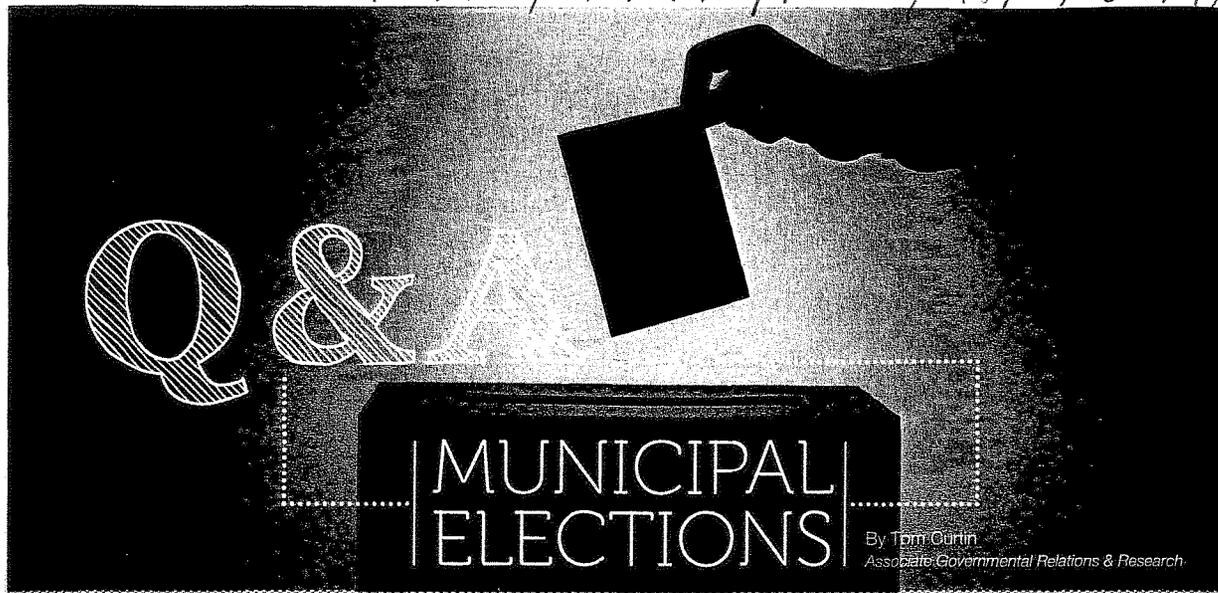
3. Closeout Submittal *TO BE COMPLETED ONLY IF PROJECT IS ACCEPTED FOR GRANT FUNDING BY THE CITY*

- Copy of any required inspections 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.

Note: Applying for a Commercial and Multi-Family Recycling Grant does not obligate the City to approve a grant for the specified project. Only after the review and approval of the application will the City approve a grant. The project shall comply with the Program Guidelines and only upon approved final inspections by the City will the grant funds be distributed.

7

Enfranchising
Non-Citizen
Residents in
City elections



Must a municipality provide for the "write-in" candidate option on election ballots?

Again, state law is silent on this issue, leaving municipalities wide latitude to decide whether to allow write-in voting on municipal election ballots. Additionally, the Supreme Court in a 1992 case, *Burdick v. Takushi*, 504 U.S. 428, held that a state or municipality may enact a ban on write-in voting without infringing on the constitutional right to vote.

Must a municipality provide for absentee voting? May a city or town require a valid excuse?

Section 4-108 of the Local Government Article, MD Code, provides that "A qualified voter may vote in a municipal election by absentee ballot," and that "municipalit[ies] shall provide a procedure to vote by absentee ballot." Further, the law states that "a municipality may use any method to enable absentee voters to vote, including using any facilities to transmit and receive applications for absentee ballots." A number of municipalities require a valid reason for voting absentee. Currently, there is legislation pending before the General Assembly in the 2014 session that would require no-excuse absentee voting in all municipal elections. You can contact Jim Peck or Tom Curtin at MML for an update on the status of this legislation.

How are election dates decided? What is the most common time for elections in Maryland?

Election dates are decided by either your municipality's charter or code of ordinances. Most municipalities in Maryland hold elections in May. Consult the chart to see the election months of your municipality and others in the state. ❖

Answers to MORE of your Municipal Elections Questions

Municipal Attorney Tom Yeager will lead a discussion on Municipal Elections at the upcoming MML convention in Ocean City. Stop by from 8:30-9:45 a.m. on Tuesday, June 10 for insights into the legal and practical challenges facing Maryland's cities and towns when they plan for and conduct elections.

With election season approaching for most municipalities, MML's Research Department offers this brief summary of the most commonly asked questions about municipal elections. These questions and answers are gathered from inquiries MML has received as well as recent changes to the law that impact municipal elections. For additional information about these questions or any subject related to elections, please contact Jim Peck (jimp@mdmunicipal.org), Director of Research, or Tom Curtin (tomc@mdmunicipal.org), Associate, Government Relations and Research, 410/268-5514.

Does state law or local law govern my municipality's elections?

Except for certain very limited instances, such as absentee voting and universal registration (see below), municipal elections are not impacted by state elections law. In fact, §1-101 of the Elections Law Article, MD Code in its definition of "Election," states that "Election" does not include, unless otherwise specifically provided in this article, a municipal election other than in Baltimore City." Therefore, when seeking information about the election methods in your municipality, the first place to look is to your local charter or code of ordinances.

Must my municipality provide for separate voter registration for municipal elections?

No. This is one of the very few instances regarding municipal elections where state law preempts local law. While municipalities may maintain supplemental registration lists, "universal registration" is codified in the State Election Law Article. Under § 3-403, "a voter residing in a municipal corporation is considered to be registered for elections in that municipal corporation if the voter is included on the statewide voter registration list at an address within the municipal corporation."

Can non-resident property owners run for election in my city? Can they vote in municipal elections?

Every municipal charter requires that a person be a resident in order to run for election. Residency is evaluated by a person's "domicile." According to the Maryland Court of Appeals in *Blount v. Boston*, 351 Md. 360 (1998), "although a person may have several places of abode or dwelling, he or she can only have one domicile at a time." Several key factors, among others, in determining domicile are where a person is a legal resident (e.g. where they hold a drivers' license), where they are registered to vote, statements on tax returns, and where personal items are kept. These factors, coupled with the individual's intent to remain or return to the area, determine domicile and ultimately the ability to run for elected office in a municipality. (For a copy of this Court of Appeals decision and/or case-by-case discussion with MML staff, please contact Jim Peck or Tom Curtin at the MML office.)

Non-resident property owners may not, however, vote in municipal elections. In a 1986 case in the U.S. District Court for the District of Maryland, the court held that "the equal protection clause [of the U.S. Constitution] mandates that registration of non-resident property owners be disallowed." This case was not appealed and remains controlling law.

Can non-citizens residing in my municipality vote in municipal elections?

While the Maryland Constitution requires citizenship as a prerequisite for voting in state elections, the law is otherwise silent on the issue. Therefore, individual municipalities are free to choose whether or not to allow non-citizen residents to vote. Currently, five municipalities in Maryland permit non-citizen residents to vote: Barnesville, Garrett Park, Glen Echo, Martin's Additions, Somerset and Takoma Park.

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8

Response to SHA
on
Undergrounding
Utilities on US 1

(Staff memo will be provided
early next week.)

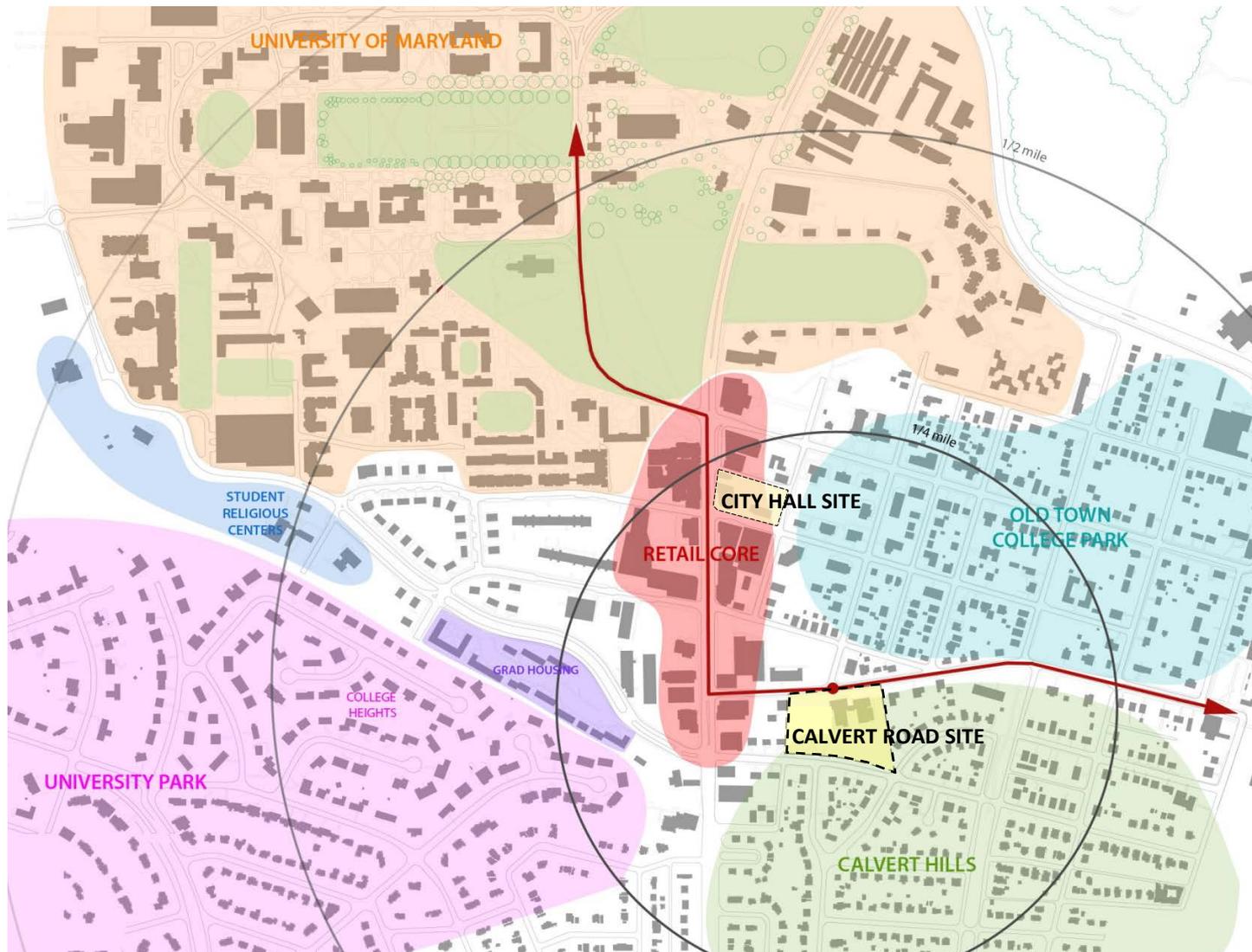
9

Use of City Hall
site and Calvert
Road site

Route 1 Corridor

Calvert Road & City Hall

SITE STUDIES



April 23, 2014

Route 1 Corridor

Workshop Summary

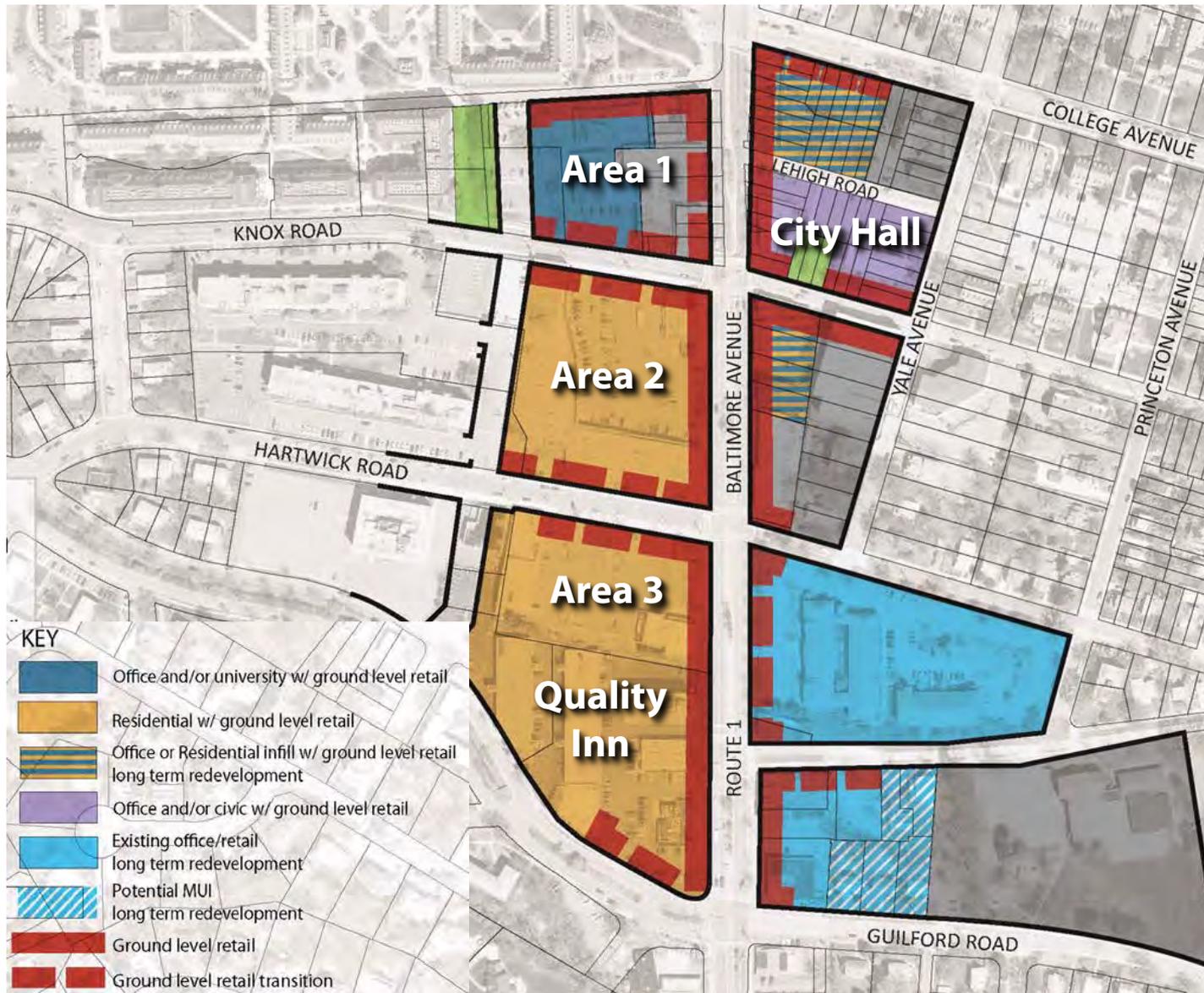
Area 1:
170,000 SF office/retail

Area 2:
300 +/- units + retail

Area 3:
200 +/- units + retail

Quality Inn Site:
250 +/- units + retail

City Hall Site:
City Hall 30,000 + SF
60,000 – 120,000 SF
office/retail



April 23, 2014

Calvert Road Option 1

City Hall only

Building 1 – City Hall
36,000 ft² +/-

*Renovate 2-story
structure: 6,000 ft² +/-*

*New construction:
10,000 ft² +/-/floor@
3 stories = 30,000 ft²
(approx; can be +/-)*

No Daycare

Parking
Surface – 50 spaces
(could be more if
needed)





Calvert Road Option 2

City Hall only

Building 1 - City Hall

*Renovate 2-story
structure: 6,000 ft² +/-*

*New construction:
10,000 ft² +/- /floor@
3 stories = 30,000 ft²
(approx; can be +/-)*

Parking 50 spaces
(could be more or less)







Calvert Road Option 3

City Hall & Day Care

Building 1 – City Hall
12,000 ft²/ floor @
3 stories = 36,000 ft²
(approx; can be +/-)

Building 2 – Day Care
13,000 ft² +/-
(renovate historic building
demo east wing)

Parking
Surface – 50 spaces
(could be more if
needed)





Calvert Road Option 4

City Hall & Day Care

Building 1 – City Hall
36,000 ft² +/-

*Renovate 2-story
structure: 6,000 ft² +/-*

*New construction:
10,000 ft² +/-/floor@
3 stories = 30,000 ft²
(approx; can be +/-)*

Building 2 – Day Care
8,000 ft²

*(all new construction
size can vary)*

Parking 50 spaces
(could be more or less)





Calvert Road Option 5

Day Care & Townhouses

Building 1 – Day Care
13,000 ft² +/-

Renovate 2-story structure:
6,000 ft² +/-

renovate southern addition:
7,000 ft² +/-

26 Townhouses:

- 8 Townhouses (3-story)
- 14 Stacked duplexes (4-story)
- 4 2/1's (3-story)

Parking 50 spaces
(could be more or less)



Calvert Road, Option 5 04-23-14

City Hall Site

Existing Conditions



City Hall Site Option 1

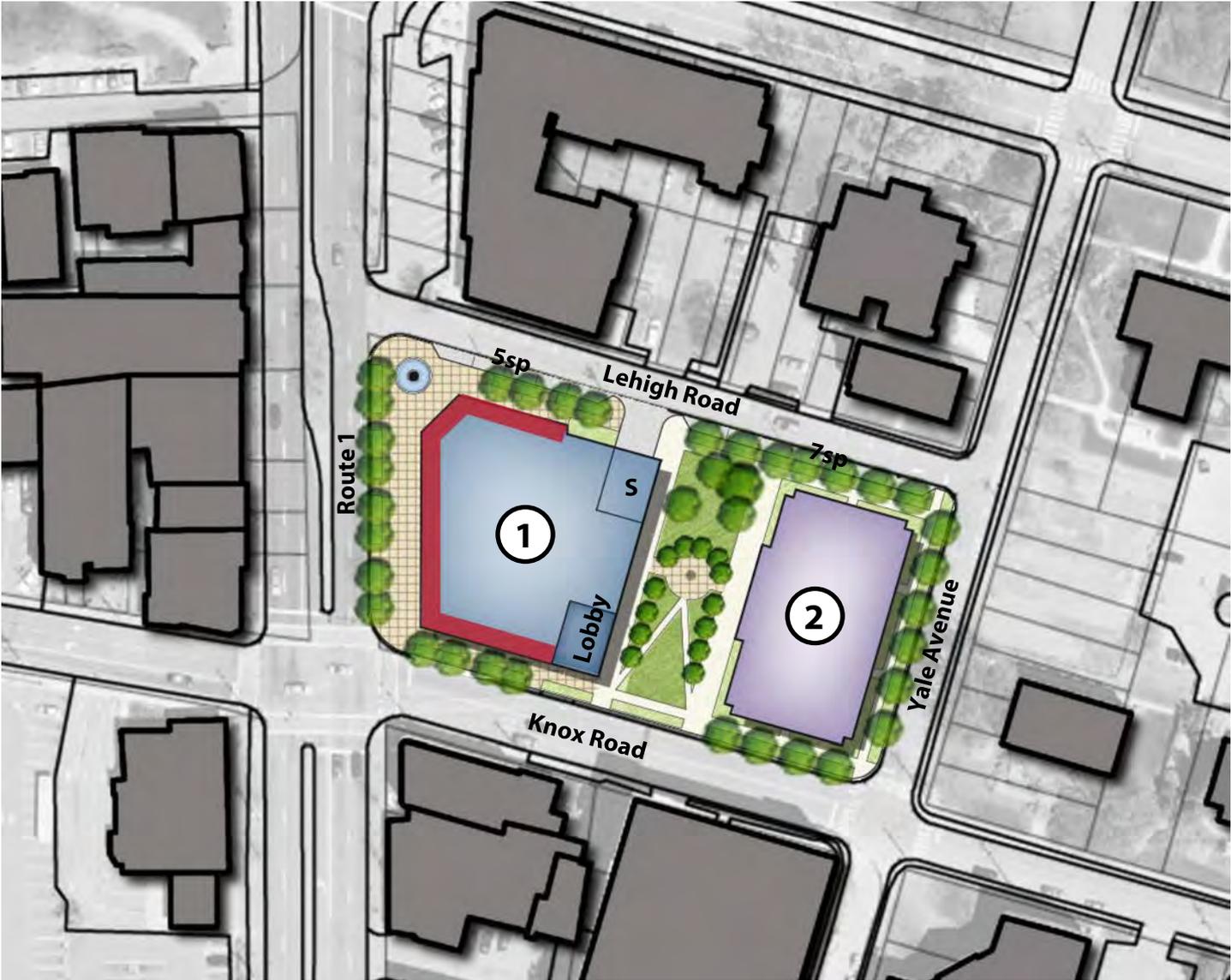
City Hall & Office

Building 1 –Retail/ Office
Retail: 17,000 ft²
Office: 19,000 ft²/ floor
@ 5 stories = 95,000 ft²

Building 2 – City Hall
12,000 ft²/ floor @
3 stories = 36,000 ft²
(approx; can be +/-)

Parking 12 spaces
On-Street –12spaces

- Key**
- Civic
 - Office
 - Retail Frontage



City Hall Site Option 1a

City Hall & Office

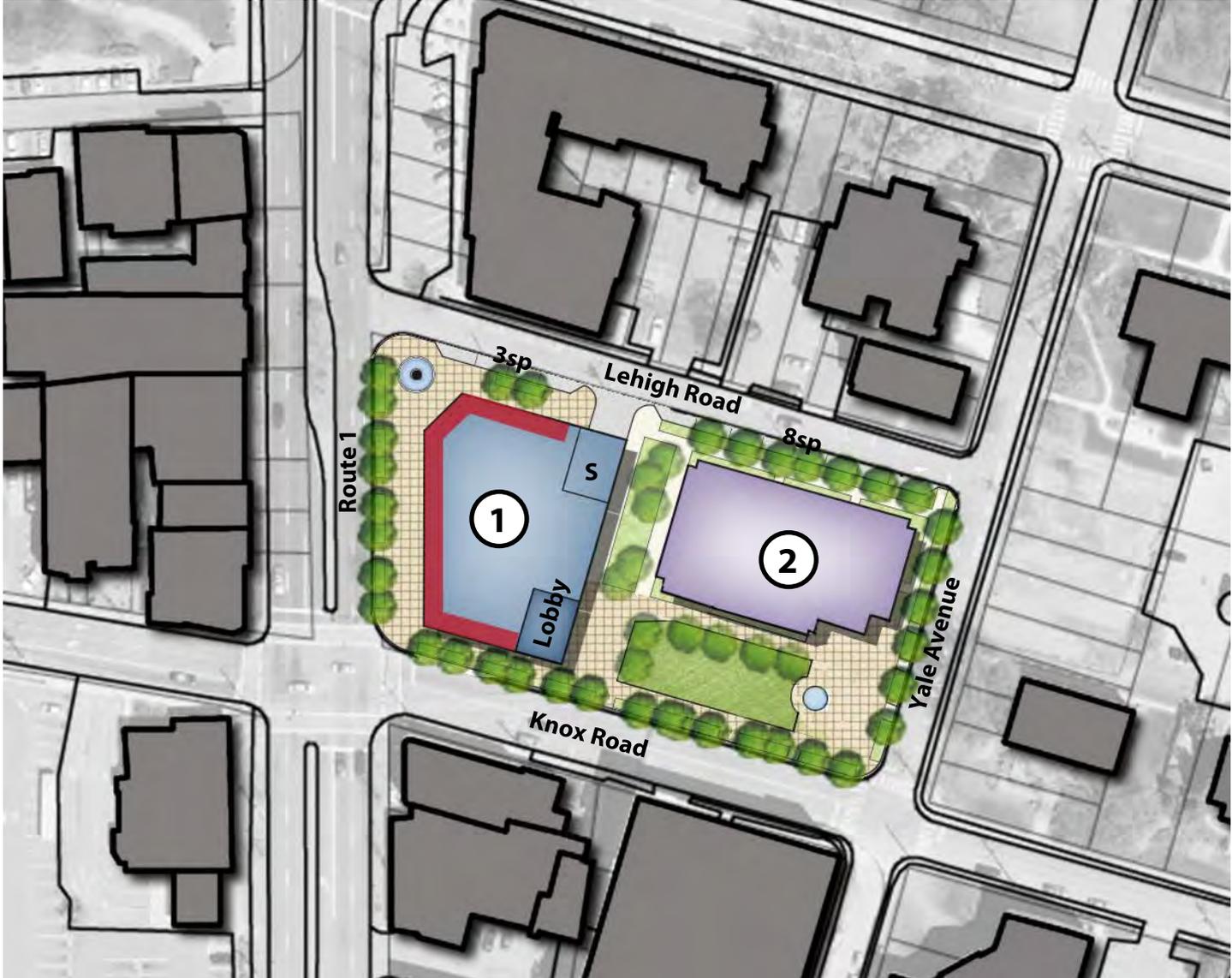
Building 1 –Retail/ Office
Retail: 13,000 ft²
Office: 15,000 ft²/ floor
@ 5 stories = 75,000 ft²

Building 2 – City Hall
12,000 ft²/ floor @
3 stories = 36,000 ft²
(approx; can be +/-)

Parking 12 spaces
On-Street –12spaces

Key

- Civic
- Office
- Retail Frontage





City Hall Site, Option 1a 04-23-14 Aerial View from Knox and Yale



City Hall Site, Option 1a 04-23-14 Aerial View from Route 1

City Hall Site Option 2

Office & Townhouses

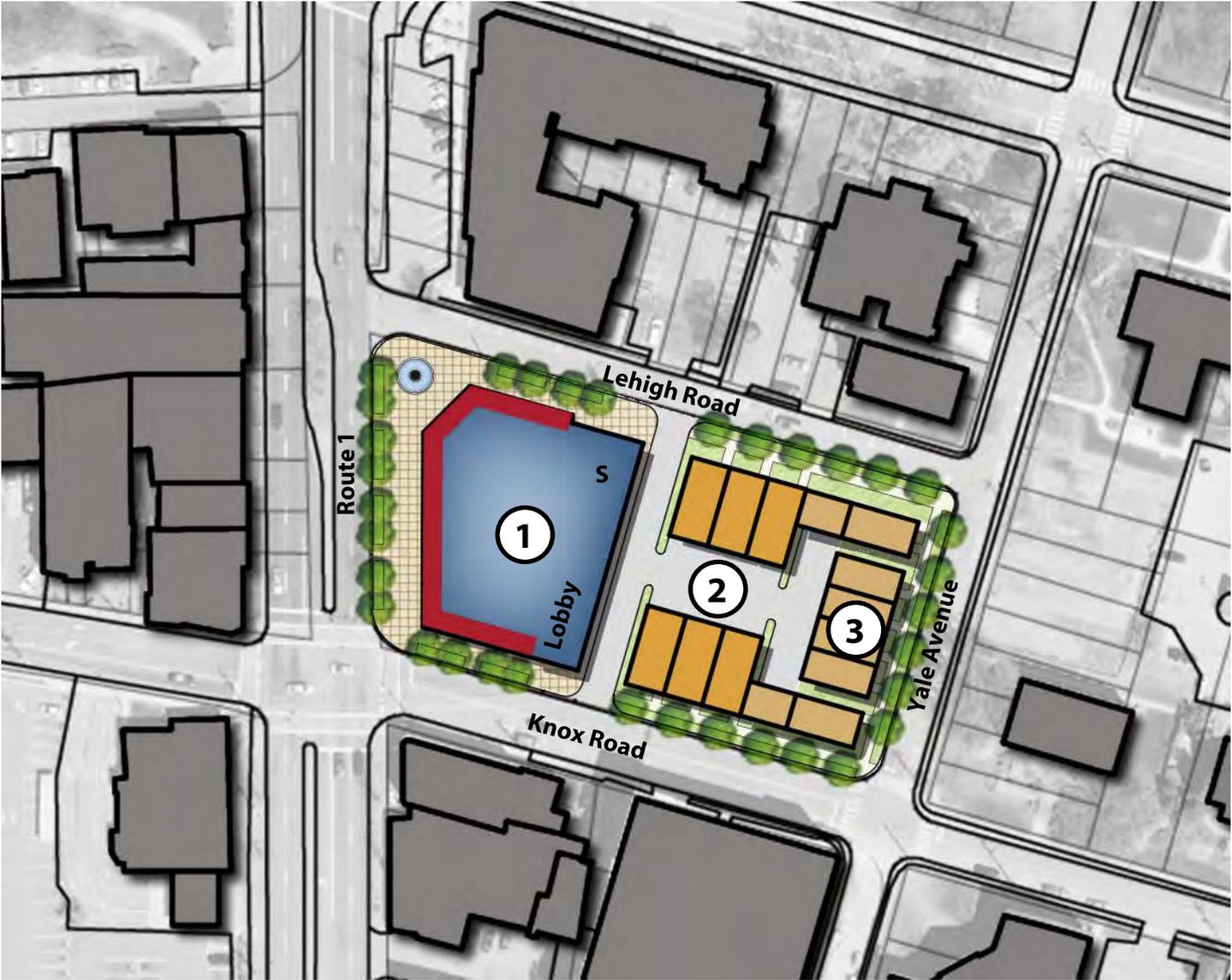
Building 1 – Retail/ Office
Retail: 15,000 ft²
Office: 17,000 ft²/ floor
@ 5 stories = 85,000 ft²

Building 2 – Stacked Flats
12 units (self parked)
(4 stories)

Building 3 – Townhouses
6 units (self parked)
(or, could be 12 units
of 2-over-1's)

Key

- Office
- Retail Frontage
- 24' Townhouse (Stacked)
- 20' Townhouse







City Hall Site, Option 2 04-23-14 Aerial View from Route 1

10

Replacement Vehicles



MEMORANDUM

TO: Mayor and Council

THRU: Joseph L. Nagro, City Manager 

FROM: Robert T. Stumpff, Director of Public Works

DATE: April 25, 2014

SUBJECT: Authorization to Purchase Replacement Vehicles

In May 2013, the Mayor and Council approved the FY 2014 operating and capital budgets. In the CIP Vehicle Replacement Schedule for FY 2014 three (3) automobiles were approved for replacement. Two Cavaliers, units #237 and #240 are the oldest autos in the fleet, and the fleet mechanics are finding it difficult to obtain replacement parts needed for continued operation of these vehicles. Both vehicles are assigned to the parking enforcement department.

Unit #237 is a 1998 Chevrolet Cavalier with 65,700 miles
Unit #240 is a 2000 Chevrolet Cavalier with 84, 820 miles
Unit #246 was a 2004 Chevrolet Cavalier, which was in an accident last year; our insurance carrier declared the vehicle totaled and removed it from our fleet.

Units 237 and 240 will be auctioned for sale upon delivery of the two new vehicles.

The current State of Maryland contract for vehicle purchase includes a 2014 Ford Focus S as the standard size automobile. The bid price for this vehicle is within the price range approved in the FY 2014 CIP vehicle replacement schedule. Therefore, I recommend the purchase of three (3) 2014 Ford Focus S standard sedans from Hertrich Fleet Services, Inc. Denton, MD at \$16,590.00 each for a total of \$49,770.00.

11

Cable
Commission
request

MOTION:

I move to accept the College Park Cable Commission's recommendation that the City request further information from Comcast Cable, Inc., with respect to its Form 394 filing on the Comcast-Time Warner merger; that a letter to Comcast in substantially the form attached be sent to Comcast; and that the City Manager be authorized to sign the letter.

DISCUSSION:

The City has received notice via the filing of a Form 394 and exhibits that Comcast Cable, Inc., a franchisee, is proposing to merge with Time Warner. Under the franchise agreement, Comcast is required to obtain the consent of the City for this merger/transfer. The City has 120 days from the date of submission of a completed FCC Form 394, together with all exhibits, and any required additional information, to act upon a transfer application. The City has thirty days from receipt of the Form 394 to notify Comcast if there is a claim that the information is not complete. Comcast's Form 394 was received on April 9, 2014, so any request must be made by May 10. The College Park Cable Commission on April 24, 2014, considered this issue and recommended that the City Council request additional information from Comcast, as per cable counsel advice. The Council accepts the Cable Commission's recommendation and so has authorized this letter.

MEMORANDUM

To: Mayor and Council

From: Suellen M. Ferguson

CC: Joe Nagro, City Manager

Date: May 2, 2013

Re: Comcast-Time Warner Merger

ISSUE:

The City has received notification from Comcast of its proposed merger with Time Warner. Under the Comcast franchise agreement, such a transfer requires the approval of the City. Comcast has provided a Form 394 and attachments. However, the information provided is not sufficient under the law.

DISCUSSION:

Under the franchise agreement, Comcast is required to notify and obtain the consent of the City for any transfer involving more than 10% of assets. The proposed merger with Time Warner is such a transfer. The City has 120 days from the date of submission of a completed FCC Form 394, together with all exhibits, and any additional information required by the terms of the franchise or applicable state or local law, to act upon a transfer application. The 120-day period for review of a transfer application does not begin until the applicant submits such information as is required in accordance with Federal Communications Commission regulations and by the City. The City has thirty days from receipt of the Form 394 to notify Comcast if there is a claim that the information is not complete. Comcast's Form 394 was received on April 9, 2014, so any request must be made by May 10.

After consultation with cable counsel, it is apparent that the Form 394 and exhibits do not provide the information required. The College Park Cable Commission on April 24, 2014, considered this issue and recommended that the City Council request additional information from Comcast, as per cable counsel advice. A letter requesting the additional information has been drafted and is attached.

RECOMMENDATION:

That the Council in special session accept the recommendation of the Cable Commission and direct the City Manager to send a letter in substantially the form attached to Comcast.

May 7, 2014

Klayton F. Fennell
Vice President, Government Affairs
One Comcast Center
Philadelphia, PA, 19103

Re: Application for Transfer – Notice of Incompleteness

Dear Mr. Fennell:

Thank you for your letter of April 9, 2014, and the attached Form 394 and exhibits (the “Application”), which was received on April 10, 2014. By this letter, we are notifying you that the proposed transaction requires the City of College Park’s approval. Closing the transaction without obtaining the City’s approval would be a material breach of the franchise and applicable law.

The City notifies you that the Application is incomplete, and that any deadlines for City action will not run until Comcast submits a complete application. Once the City receives a complete application, we will move promptly to complete our review within applicable deadlines.

The City is currently reviewing the Application and we expect to send additional information requests in the near future. In the meantime, to expedite the City’s review, we request that you provide the information and documents required to provide a complete application to the undersigned **within ten days** from the date of this letter. If a question is already fully answered in the Application, please indicate where the answer may be found.

The Application Is Incomplete.

The relevant statute, 47 U.S.C. § 537, states that the 120-day federal period for review of a transfer application does not begin until the applicant submits “such information as is required in accordance with Commission regulations and by the franchising authority.” Section 76.502 of the Federal Communications Commission’s rules states that a franchise authority has 120 days from the date of submission of a completed FCC Form 394, together with *all exhibits*, and any additional information required by the terms of the franchise or applicable state or local law, to act upon a transfer application. To be sure, the franchise agreement allows the Franchisee to notify the Town/City of a proposed transfer at least 150 days prior to the transfer’s contemplated effective date to request that the Town/City “waive some or all of the information requirements” that apply. However, Comcast made no such request.

The Application appears to be incomplete in several respects. Accordingly, the City does not believe that the 120-day period established by federal law for the City’s review has begun. Assuming that you will provide the missing information described below, and in the interest of a prompt review of such a completed application, we will continue our review in the interim based

on the information in the Application. By continuing its review, however, the City does not waive any claim that the Application is incomplete, or that the review period has not yet begun.

- (a) Form 394, § 1, Item 7 requires a schedule of all “additional information or material filed with this application that is identified in the franchise as required to be provided to the franchising authority.” The application states “N/A,” and does not include any additional information or material that the franchise agreement requires, including the following:

1. Franchise Agreement requires “any contracts, financing documents, or other documents that relate to the proposed transaction, and all documents, schedules, exhibits, or the like referred to therein.”

Exhibit 1 to your Application states that a copy of the Agreement and Plan of Merger as filed with the SEC is available at Comcast’s website. It also states, however, that “[c]ertain information, including Exhibits and Schedules to the Agreement and Plan of Merger, have been omitted, as the information is not necessary in order to understand the terms of the Agreement and Plan of Merger or contain confidential trade, business, pricing or marketing information, or other information not otherwise publicly available.”

This response is incomplete. Comcast agreed to provide “any contracts, financing documents, or other documents that relate to the proposed transaction, and all documents, schedules, exhibits or the like referred to therein.”

Please submit hard copies of the Agreement and Plan of Merger and the Form S-4 Registration Statement, and all documents, schedules, exhibits referred to therein. If you consider any material to be confidential, please indicate specifically within each exhibit, schedule, or elsewhere what information you regard as confidential and why. Any confidential information appropriately marked will be retained in confidence by the County and its authorized agents to the extent permitted by law, and consistent with the provisions of the franchise.

In addition, after the Application was submitted to the City, Comcast announced on April 28, 2014 another transaction with Charter Communications that involves the divestiture of Comcast subscribers as suggested in the Merger Agreement. The County needs to review the materials related to that divestiture transaction as they are integral to completing a full and accurate evaluation of the transaction described in the Application. Indeed, in the SEC filings made in connection with that announcement, Comcast has acknowledged that the two transactions are interrelated, stating that “[w]e will request review of all transactions on

an integrated basis.”¹Because information about the divestiture is necessary to understand the transaction described in the Application, the Form 394 is incomplete without that information. Please update the Application to include information about the divestiture transaction.

2. Franchise Agreement § 3(a)(2) requires “complete information on the proposed transaction, including details on the legal, financial, technical, and other qualifications of the transferee, and on the potential impact of the Transfer on Subscriber rates and services.”

The Application does not specifically address the potential impact of the transfer on subscriber rates and services. At a minimum, we would have expected you to submit a financial analysis of economies you must achieve to maintain company goals for rates of return, so that we could assess the impact on subscriber rates and services, including customer service. We are unable to find information that would allow us to perform that analysis.

- (b) Form 394, § I, Part I, Question 2(a) requires an assignor or transferor to attach a copy of “the contract or the agreement that provides for the assignment or transfer of control (including any exhibits or schedules thereto necessary in order to understand the terms thereof).” The Franchise Agreement requires you to submit “any contracts, financing documents, or other documents that relate to the proposed transaction, and all documents, schedules, exhibits or the like referred to therein.”

As noted in Item (a)(1) above, you did not provide complete information about the transaction. While we understand that you contend that some of this material may be unnecessary to our review, that conclusory statement is insufficient to make the application complete even absent the specific franchise requirement quoted above. Of course, by complying with Item (a)(1) above, you will also be complying with the requirements of Form 394, § I, Part I, Question 2(a).

The Application will be deemed complete when the City receives all the information and documents requested above, or when the County and Comcast reach an agreement regarding an alternative method to address the omissions.

The City Cannot Confirm the Application’s Accuracy.

As a general matter, it is not clear from our review at this stage whether the information in the Application provides sufficient support for all the claims made about the proposed transfer. It is therefore impossible for the Town/City to fully verify the accuracy of the information you have

¹ See page 17 of the investor presentation entitled “Charter and Comcast Agree to Transactions That Will Benefit Shareholders, Industry and Consumers” dated April 28, 2014, available on Comcast’s website at this link: <http://www.cmesk.com/eventdetail.cfm?eventid=144613> (last accessed April 29, 2014).

provided. The Town/City hereby notifies you that it “questions the accuracy of the information provided” for purposes of 47 C.F.R. § 76.502(b) with respect to all information in the Application, and reserves, without limitation, all its rights to seek further information and to raise further questions. (We do not, however, take the position that this reservation of rights—as distinct from the request above that you supply omitted information—affects the deadline for review established by 47 U.S.C. § 537.) Nevertheless, the City is confident that you will cooperate in addressing the County’s questions so that the City can reach a reasoned conclusion based on complete and accurate information.

As you respond to this letter, please note that as the City considers whether to consent to this transaction, it may consider, without limitation:

- The legal, financial, and technical qualifications of the transferee to operate the System;
- Any potential impact of the Transfer on subscriber rates or services; and
- Whether operation by the transferee or approval of the Transfer would adversely affect subscribers, the City’s interest under this Agreement, the Cable Ordinance, other applicable law, and is otherwise in the public interest.

The information in the Application is not sufficient to permit us to conclude that the City should approve the transfer. Our application process and this notice of incompleteness are designed to provide information that will allow us to undertake this review. We also expect that we will require additional information as the transfer process proceeds. We note that in the Franchise Agreement, Comcast has expressly agreed to “assist the City” with any inquiries “the City may deem necessary to determine whether the Transfer is in the public interest and should be approved, denied, or conditioned.”

Finally, we wanted to remind you of the status of Comcast’s Franchise Agreement with the City, as that will affect the proposed transaction. The Franchise Agreement is currently in negotiation between the City and Comcast. Given the status of the Franchise Agreement, we believe it would help both Comcast and the City if the renewal were finalized either before or contemporaneously with taking final action on the transfer request. We are confident that the two sides can reach agreement on a renewed franchise without altering the transfer action timeline. We are prepared to resolve the franchise renewal issues promptly.

We look forward to your response. Please contact the undersigned with any questions regarding this request.

Very truly yours,

Joseph L. Nagro
City Manager

12

Boards and Committees

City of College Park
Board and Committee Appointments

Shaded rows indicate a vacancy or reappointment opportunity.
The date following the appointee's name is the initial date of appointment.

Advisory Planning Commission			
Appointee	Represents	Appointed by	Term Expires
Larry Bleau 7/9/02	District 1	Mayor	12/15
Rosemarie Green Colby 04/10/12	District 2	Mayor	04/15
Christopher Gill 09/24/13	District 1	Mayor	09/16
James E. McFadden 2/14/99	District 3	Mayor	04/16
Clay Gump 1/24/12	District 3	Mayor	01/15
VACANT (formerly Smolka)	District 4	Mayor	08/14
Mary Cook 8/10/10	District 4	Mayor	08/13

City Code Chapter 15 Article IV: The APC shall be composed of 7 members appointed by the Mayor with the approval of Council, 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. Terms are three years. The Chairperson is elected by the majority of the Commission. Members are compensated. Liaison: Planning.

Aging-In-Place Task Force			
Appointee	Position Filled:	Resides In:	Term Expires
	Resident (1)		Upon completion and submission of final report to the City Council.
	Resident (2)		
	Resident (3)		
	Resident (4)		
	Resident (5)		
	Resident (6)		
	Resident (7)		
	Resident (8)		
	Councilmember (1)		
	Councilmember (2)		

Established April 2014 by Resolution 14-R-07. Final report of strategies and recommendations to Council anticipated January 2015. Composition: 8 City residents (with the goal of having two from each Council District) and 2 City Council representatives, for a total of 10. Quorum = 5. Task Force shall elect Chairperson from membership. Not a compensated committee. Liaison: Director of Youth, Family and Seniors Services.

Airport Authority			
Appointee	Resides in	Appointed by	Term Expires
James Garvin 11/9/04	District 3	M&C	07/14
Jack Robson 5/11/04	District 3	M&C	03/17
Anna Sandberg 2/26/85	District 3	M&C	03/16
Gabriel Iriarte 1/10/06	District 3	M&C	04/16
Christopher Dullnig 6/12/07	District 2	M&C	01/17
VACANT		M&C	
VACANT		M&C	

City Code Chapter 11 Article II: 7 members, must be residents and qualified voters of the City, appointed by Mayor and City Council, *term to be decided by appointing body*. Vacancies shall be filled by M&C for an unexpired portion of a term. Authority shall elect Chairperson from membership. Not a compensated committee. Liaison: City Clerk's Office.

Animal Welfare Committee			
Appointee	Resides in	Appointed by	Term Expires
Cindy Vernasco 9/11/07	District 2	M&C	02/17
Dave Turley 3/23/10	District 1	M&C	03/16
Christiane Williams 5/11/10	District 1	M&C	05/15
Patti Brothers 6/8/10	Non resident	M&C	02/17
Taimi Anderson 6/8/10	Non resident	M&C	06/13
Harriet McNamee 7/13/10	District 1	M&C	02/17
Suzie Bellamy 9/28/10	District 4	M&C	04/17
Christine Nagle 03/13/12	District 1	M&C	03/15

10-R-20: Up to fifteen members appointed by the Mayor and Council for three-year terms. Not a compensated committee. Liaison: Public Services.

Board of Election Supervisors			
Appointee	Represents	Appointed by	Term Expires
John Robson (Chief) 5/24/94	Mayoral appt	M&C	03/15
Terry Wertz 2/11/97	District 1	M&C	03/15
VACANT (formerly Gross)	District 2	M&C	03/15
Janet Evander 07/16/13	District 3	M&C	03/15
VACANT (formerly Smolka)	District 4	M&C	03/15

City Charter C4-3: The Mayor and Council shall, not later than the first regular meeting in March of each year in which there is a general election, appoint and fix the compensation for five qualified voters as Supervisors of Elections, one of whom shall be appointed from the qualified voters of each of the four election districts and one of whom shall be appointed by the Mayor with the consent of the Council. The Mayor and Council shall designate one of the five Supervisors of Elections as the Chief of Elections. This is a compensated committee; compensation is based on a fiscal year. Per Council action (item 11-G-66) effective in March, 2013: In an election year all of the Board receives compensation. In a non-election year only the Chief Election Supervisor will be compensated. Liaison: City Clerk's office.

Cable Television Commission			
Appointee	Resides in	Appointed by	Term Expires
Jane Hopkins 06/14/11	District 1	Mayor	06/14
Blaine Davis 5/24/94	District 1	Mayor	12/15
James Sauer 9/9/08	District 3	Mayor	09/14
Tricia Homer 3/12/13	District 1	Mayor	03/16
Clay Gump 3/12/02	District 3	Mayor	01/17

City Code-Chapter 15 Article III: Composed of four Commissioners plus a voting Chairperson, appointed by the Mayor with the approval of the Council, three year terms. This is a compensated committee. Liaison: City Manager's Office.

College Park City-University Partnership			
Appointee	Represents	Appointed by	Term Expires
Carlo Colella	Class A Director	UMD President	03/17
Edward Maginnis	Class A Director	UMD President	03/17
Michael King	Class A Director	UMD President	03/17
Brian Darmody	Class A Director	UMD President	03/17
Andrew Fellows	Class B Director	M&C	01/17
Maxine Gross	Class B Director	M&C	01/15
Senator James Rosapepe	Class B Director	M&C	02/16
Stephen Brayman	Class B Director	M&C	01/17
Dr. Richard Wagner	Class C Director	City and University	01/13

The CPCUP is a 501(c)(3) corporation whose mission is to promote and support commercial revitalization, economic development and quality housing opportunities consistent with the interests of the City of College Park and the University of Maryland. The CPCUP is not a City committee but the City makes appointments to the Partnership. Class B Directors are appointed by the Mayor and City Council; Class C Directors are jointly appointed by the Mayor and City Council and the President of the University of Maryland.

Citizens Corps Council			
Appointee	Represents	Appointed by	Term Expires
VACANT		M&C	
VACANT		M&C	
VACANT	Neighborhood Watch	M&C	
Dan Blasberg 3/27/12		M&C	03/15
David L. Milligan (Chair) 12/11/07		M&C	02/17

Resolution 05-R-15. Membership shall be composed as follows: A Citizen Corps Coordinator for each neighborhood shall be nominated and appointed by the Mayor and Council and serve as a potential member of the CPCCC for the term of their respective office in the neighborhood group. Mayor and Council shall nominate and appoint 5 to 7 residents to serve as community coordinators and to serve on the CPCCC. At least one member of the CPCCC shall be the Neighborhood Watch Coordinator, and at least one member shall represent each of the other Citizen Corps programs such as CERT, Fire Corps, Volunteers In Police Service, etc. Each member of the CPCCC shall serve for

a term of 3 years, and may be reappointed for an unlimited number of terms. The Mayor, with the approval of the City Council, shall appoint the Chair and Co-Chair of the CPCCC from among the members of the committee. The Director of Public Services shall serve as an ex officio member. Not a compensated committee. Liaison: Public Services.

Committee For A Better Environment			
Appointee	Resides in	Appointed by	Term Expires
Janis Oppelt 8/8/06	District 1	M&C	09/15
Suchitra Balachandran 10/9/07	District 4	M&C	01/17
Donna Weene 9/8/09	District 1	M&C	12/15
Gemma Evans 1/25/11	District 1	M&C	01/17
Benjamin Mellman 1/10/12	District 1	M&C	01/15
Macrina Xavier 08/14/12	District 1	M&C	08/15
Kennis Termini 01/14/14	District 1	M&C	01/17

City Code Chapter 15 Article VIII: No more than 25 members, appointed by the Mayor and Council, three year terms, members shall elect the chair. Not a compensated committee. Liaison: Planning.

Education Advisory Committee			
Appointee	Represents	Appointed by	Term Expires
Brian Bertges 06/18/13	District 1	M&C	06/15
Cory Sanders 09/24/13	District 1	M&C	09/15
Charlene Mahoney	District 2	M&C	12/14
VACANT	District 2	M&C	
VACANT	District 3	M&C	
Melissa Day 9/15/10	District 3	M&C	11/14
Carolyn Bernache 2/9/10	District 4	M&C	02/14
Doris Ellis 9/28/10	District 4	M&C	09/13
Tricia Homer	District 1	M&C	04/16
Peggy Wilson 6/8/10	UMCP	UMCP	02/14

Resolutions 97-R-17, 99-R-4 and 10-R-13: At least 9 members who shall be appointed by the Mayor and Council: at least two from each Council District and one nominated by the University of Maryland. Two year terms. The Committee shall appoint the Chair and Vice-Chair of the Committee from among the members of the Committee. Not a compensated committee. Liaison: Youth and Family Services.

Ethics Commission			
Appointee	Represents	Appointed by	Term Expires
Edward Maginnis 09/13/11	District 1	Mayor	08/15
VACANT	District 2	Mayor	
Sean O'Donnell 4/13/10	District 3	Mayor	04/12
Gail Kushner 09/13/11	District 4	Mayor	01/16
Robert Thurston 9/13/05	At Large	Mayor	02/16
Alan C. Bradford 1/23/96	At-Large	Mayor	07/15
Frank Rose 05/08/12	At-Large	Mayor	05/14

City Code Chapter 38 Article II: Composed of seven members appointed by the Mayor and approved by the Council. Of the seven members, one shall be appointed from each of the City's four election districts and three from the City at large. 2 year terms. Commission members shall elect one member as Chair for a renewable one-year term. Commission members sign an Oath of Office. Not a compensated committee. Liaison: City Clerk's office.

Farmers Market Committee			
Appointee	Represents	Appointed by	Term Expires
Margaret Kane 05/08/12	District 1	M&C	05/15
Robert Boone 07/10/12	District 1	M&C	07/15
Leo Shapiro 07/10/12	District 3	M&C	07/15
Julie Forker 07/10/12	District 3	M&C	07/15
Kimberly Schumann 09/11/12	District 1	M&C	09/15
VACANT			
VACANT		M&C	
VACANT	Student	M&C	

Established April 10, 2012 by 12-R-07. Up to 7 members. Quorum = 3. Three year terms. Not a compensated committee. Liaison: Planning Department. Agreement reached during July 3, 2012 Worksession to fill the seven positions as outlined above. Effective September 11, 2012 by 12-R-17: Membership increased to 8.

Housing Authority of the City of College Park			
VACANT		Mayor	05/01/17
Betty Rodenhausen 04/09/13		Mayor	05/01/18
John Moore 9/10/96		Mayor	05/01/14
Thelma Lomax 7/10/90		Mayor	05/01/15
Carl Patterson 12/11/12	Attick Towers resident	Mayor	05/01/16

The College Park Housing Authority was established in City Code Chapter 11 Article I, but it operates independently under Article 44A Title I of the Annotated Code of Maryland. The Housing Authority administers low income housing at Attick Towers. The Mayor appoints five commissioners to the Authority; each serves a five year term; appointments expire May 1. Mayor administers oath of office. One member is a resident of Attick Towers. The Authority selects a chairman from among its commissioners. The Housing Authority is funded through HUD and rent collection, administers their own budget, and has their own employees. The City supplements some of their services.

Neighborhood Stabilization Committee – as amended February 11, 2014			
Name:	Represents:	Appointed By:	Term Ends:
Mayor and City Council of the City of College Park			Term in office
Chief David Mitchell	UMD DPS (UMD Police)	University	02/16
Dr. Andrea Goodwin	UMD Administration – Rep 1	University	02/16
Marsha Guenzler-Stevens (Stamp Student Union)	UMD Administration – Rep 2	University	04/16
Matthew Supple (Fraternity-Sorority Life)	UMD Administration – Rep 3	University	04/16

Gloria Aparicio-Blackwell (Office of Community Engagement)	UMD Administration – Rep 4	University	04/16
Jackie Pearce Garrett	City Resident 1	City Council	10/15
Aaron Springer	City Resident 2	City Council	10/15
Bonnie McClellan	City Resident 3	City Council	04/16
Christine Nagle	City Resident 4	City Council	04/16
Richard Morrison	City Resident 5	City Council	04/16
	City Resident 6	City Council	
Catherine McGrath	UMD Student 1	Student Liaison	10/15
Josh Ratner	UMD Student 2	SGA Representative	03/16
Chris Frye	UMD Student 3	IFC	03/16
Tricia McLaughlin	UMD Student 4	Pan Hellenic Assn.	03/16
D. J. Alston	UMD Student 5	Nat'l Pan-Hell. Council, Inc. / United Greek Council	04/16
	Graduate Student	GSG Representative	
Todd Waters	Student Co-Operative Housing	City Council	03/16
Maj. Dan Weishaar	PG County Police Dept.	PG County Police	
Bob Ryan	Director of Public Services	City Council	10/15
Jeannie Ripley	Manager of Code Enforcement	City Council	
Lisa Miller	Rental Property Owner	City Council	02/16
Richard Biffl	Rental Property Owner	City Council	02/16
Paul Carlson	Rental Property Owner	City Council	03/16

Established by Resolution 13-R-20 adopted September 24, 2013 to replace the Neighborhood Stabilization and Quality of Life Workgroup. Amended October 8, 2013 (13-R-20.Amended). Amended February 11, 2014 (14-R-03). City Liaison: City Manager's Office. Two year terms. Main Committee to meet four times per year. This is not a compensated committee.

Neighborhood Watch Steering Committee			
	Resident of:	Appointed By:	Term Expires:
Robert Boone 04/12/11	District 1	M&C	04/15
Aaron Springer 02/14/12	District 3	M&C	02/14
Nick Brennan	District 2	M&C	04/16

Created on April 12, 2011 by Resolution 11-R-06 as a three-person Steering Committee whose members shall be residents. Coordinators of individual NW programs in the City shall be ex-officio members. Terms are for two years. Annually, the members of the Steering Committee shall appoint a Chairperson to serve for a one-year term. Meetings shall be held on a quarterly basis. This Resolution dissolved the Neighborhood Watch Coordinators Committee that was established by 97-R-15. This is not a compensated committee. Liaison: Public Services.

Noise Control Board			
Appointee	Represents	Appointed by	Term Expires
Mark Shroder 11/23/10	District 1	Council, for District 1	11/14
Harry Pitt, Jr. 9/26/95	District 2	Council, for District 2	03/16
Alan Stillwell 6/10/97	District 3	Council, for District 3	09/16
Suzie Bellamy	District 4	Council, for District 4	12/16
Adele Ellis 04/24/12	Mayoral Appt	Mayor	04/16
Bobbie P. Solomon 3/14/95	Alternate	Council - At large	12/12
Larry Wenzel 3/9/99	Alternate	Council - At large	02/18

City Code Chapter 138-3: The Noise Control Board shall consist of five members, four of whom shall be appointed by the Council members, one from each of the four election districts, and one of whom shall be appointed by the Mayor. In addition, there shall be two alternate members appointed at large by the City Council. The members of the Noise Control Board shall select from among themselves a Chairperson. Four year terms. This is a compensated committee. Liaison: Public Services.

Recreation Board			
Appointee	Represents	Appointed by	Term Expires
Wade Price 12/14/05	District 1	M&C	02/15
Sarah Araghi 7/14/09	District 1	M&C	07/15
Alan C. Bradford 1/23/96	District 2*	M&C	02/17
VACANT	District 2	M&C	
Adele Ellis 9/13/88	District 3	M&C	02/17
VACANT	District 3	M&C	
Barbara Pianowski 3/23/10	District 4	M&C	03/13
Judith Oarr 05/14/13	District 4	M&C	05/16
Bettina McCloud 1/11/11	Mayoral	Mayor	02/17
Solonnie Privett	Mayoral	Mayor	04/16

City Code Chapter 15 Article II: 10 members: two from each Council district appointed by the Mayor and Council and two members nominated by the Mayor and confirmed by the Mayor and Council. The Chairperson will be chosen from among and by the district appointees. 3 year terms. Not a compensated committee. Liaison: Public Services.

*Although Mr. Bradford lives in what is now considered District 1, his residence was part of District 2 when he was appointed. The designation of his residence was changed to District 1 during the last redistricting. He is still considered an appointment from District 2.

** Effective April 2012: Jay Gilchrist, Director of UMD Campus Recreation Services, changed his status from Rec Board member (Mayoral Appointment) to UM liaison to the Rec Board, similar to the M-NCPPC representative.

Rent Stabilization Board			
Appointee	Represents	Appointed by	Term Expires
VACANT	Tenant	M&C	
VACANT	Tenant	M&C	
Richard Biffl 6/6/06	Landlord	M&C	09/13

Bradley Farrar 6/14/11	Landlord	M&C	06/14
Chris Kujawa 10/11/11	Resident	M&C	10/14
<p>City Code Chapter 15 Article IX: Board shall have between 5 - 7 members appointed by M&C with priority given to the appointment of residents and to owners of real property located in the City. Three year terms. Vacancies shall be filled for unexpired portions of a term. At least two members should be tenants and two members should be landlords. Chairperson chosen by the Board from among the members. This is a compensated committee. Liaison: Public Services.</p> <p>→06/18/2013: Ordinance was extended until September 1, 2014, and the administration and enforcement of the law was suspended until September 1, 2014. The RSB is on hiatus. There is no need to maintain a quorum at this time.</p>			

Sustainable Maryland Certified Green Team		
Appointee	Represents	Term Expires
Denise Mitchell 04/10/12	City Elected Official	04/14
Patrick Wojahn 04/10/12	City Elected Official	04/14
VACANT	City Staff	
Loree Talley 05/08/12	City Staff	05/14
VACANT	CBE Representative	
VACANT	A City School	
VACANT	UMD Student	
VACANT	UMD Faculty or Staff	
VACANT	City Business Community	
Ben Bassett - Proteus Bicycles 09/25/12	City Business Community	09/14
VACANT	Resident	
Christine Nagle 04/10/12	Resident	04/14
VACANT	Resident	
VACANT	Resident	
<p>Established March 13, 2012 by Resolution 12-R-06. Up to 14 people with the following representation: 2 elected officials from the City of College Park, 2 City staff, 1 representative from the CBE, 1 representative of a City school, 1 student representative from the University of Maryland, 1 faculty or staff representative from the University of Maryland, 2 representatives of the City business community, up to 4 City residents. Two year terms. Not a compensated committee. A quorum shall be 6 people. The SMCMT shall select a Chair and a Co-Chair from among the membership on an annual basis. The SMCMT should meet at least bi-monthly. The liaison shall be the Planning Department.</p>		

Tree and Landscape Board			
Member	Represents	Appointed by	Term Expires
Dennis Herschbach 3/26/02	Citizen	M&C	07/13
John Krouse	Citizen	M&C	11/14
VACANT	Citizen	M&C	
Mark Wimer 7/12/05	Citizen	M&C	02/14
	Citizen	M&C	
Janis Oppelt	CBE Chair Liaison		
John Lea-Cox 1/13/98	City Forester	M&C	12/14
Steve Beavers	Planning Director		
Brenda Alexander	Public Works Director		

City Code Chapter 179-5: The Board shall have 9 voting members: 5 citizens appointed by M&C, plus the CBE Chair, the City Forester, the Planning Director and the Public Works Director. Two year terms. Members choose their own officers. Not a compensated committee. Liaison: City Clerk's office.

Veterans Memorial Improvement Committee			
Appointee	Represents	Appointed by	Term Expires
Deloris Cass 11/7/01		M&C	12/15
Joseph Ruth 11/7/01	VFW	M&C	12/15
Leonard Smith 11/25/08		M&C	03/15
Blaine Davis 10/28/03	American Legion	M&C	12/15
Rita Zito 11/7/01		M&C	02/15
Doris Davis 10/28/03		M&C	12/15
Mary Cook 3/23/10		M&C	03/13
Arthur Eaton		M&C	11/16
VACANT			

Resolution 01-G-57: Board comprised of 9 to 13 members including at least one member from American Legion College Park Post 217 and one member from Veterans of Foreign Wars Phillips-Kleiner Post 5627. Appointed by Mayor and Council. Three year terms. Chair shall be elected each year by the members of the Committee. Not a compensated committee. Liaison: Public Works.