



A Smart Place to Live

# **CITY OF COLLEGE PARK**

## **2016 COUNCIL ORIENTATION HANDBOOK**



**Council Orientation Manual**  
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# CITY OF COLLEGE PARK, MARYLAND

4500 Knox Road, College Park, Maryland 20740-3390 | Telephone: 240-487-3501 | Fax: 301-699-8029



Scott T. Somers  
City Manager

November 30, 2015

Dear Elected Official:

Welcome to your new position as an elected official for the City of College Park. The rewards and challenges of leadership in the public sector are unique. As a leader, you have the knowledge and abilities to serve our residents, but you may have questions about how to operate in this new environment.

This orientation manual is designed to assist you in quickly identifying the information and resources available to you in your new role. From the structure of the organization to defining your role, this manual provides an overview of the basics that you need to know and where you can get more details as needed.

All City of College Park staff members are eager to assist you with any information that you may require and to support you in the important work ahead. Please do not hesitate to let me know when and how we can be of service to you.

Best wishes,

A handwritten signature in blue ink, appearing to read "Scott Somers".

Scott Somers  
City Manager

Home of the University of Maryland

**End of Section 1**

## **SECTION 2**

### **ABOUT THE CITY OF COLLEGE PARK**

- **History**
- **Neighborhoods**
- **Demographics**
- **City Tax Rate**

# History of College Park

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For over 150 years, College Park has been a center of education, experimentation, and exploration, a place where creative minds pursued innovations first in agriculture, then in flight, and today serves as the home of the flagship campus of the University of Maryland. The Maryland Agricultural College was founded here in 1856 to support scientific research and education in agriculture to bring prosperity to Maryland farmers. Fifty years later, in 1909, the Wright Brothers found College Park the perfect place for an airfield where they could continue their experiments with flight and train the first army pilots. Other forms of transportation also were important to the development of College Park, including the Baltimore-Washington Turnpike (now Baltimore Avenue / U.S. Route 1), Baltimore & Ohio Railroad (now CSX), and the Washington streetcar system (part of which is now the Trolley Trail).

Around 1820, the Baltimore-Washington Turnpike was the first transportation artery to be constructed through the area, enabling stagecoaches to travel more easily between Baltimore and Washington. In 1835, the B&O Railroad extended its line south from Baltimore to Washington, and the station stop in the area now known as Old Town College Park was dubbed “College Station” after the Maryland Agricultural College was established. Additional railroad stations were built at Branchville and Berwyn.

The Maryland Agricultural College was one of three similar academic institutions that preceded the Morrill Land Grant Act of 1862, which supported the creation of 65 other agricultural and mechanical colleges around the nation. The driving force behind the creation of the college was Charles Benedict Calvert, owner of the vast Riversdale plantation (which extended over 2,200 acres including the southern portion of present-day College Park and part of the current University of Maryland campus). Calvert recruited other wealthy planters to support his vision for scientific experimentation to improve the productivity of Maryland farms and educate the sons of Maryland farmers. Although the college struggled in its early years and Calvert’s vision was slow to materialize, in 1888 the Maryland Agricultural Experiment Station was launched to conduct research on propagation, fertilizers, soil analysis, insecticides, and other practical topics. The Farmer’s Institute (later the Maryland Extension Service) began to disseminate the new scientific agricultural research in Maryland through seminars, displays, pamphlets, fairs, and contests. In the 1910s, the college began to evolve into a more broad-based institution of higher learning and was renamed the University of Maryland in 1920.

The electric streetcar accelerated the growth of the community as a “streetcar suburb” of Washington, D.C. by making it easy to travel to downtown Washington and other destinations on the system. The “Maryland Line” first opened service from downtown Washington to Hyattsville in 1899 and was extended to Berwyn in 1900 and then to Laurel in 1902. The streetcar system served the College Park community for nearly 60 years, ending in 1958; it was to be 35 years before the Metro “Green Line” service to College Park began a similar route in 1993. The demise of the streetcar system was due in part to the growing popularity of the automobile and bus transit, with the one-time Baltimore-Washington Turnpike evolving into Route 1, the nation’s first highway.

The College Park Airfield, established by Orville and Wilbur Wright, also attracted new attention to the growing community. Although the Wright Brothers had hoped that relocating their training ground from Fort Myer to the more remote College Park location would reduce the size of the crowds of onlookers, the spectators followed them to the new airfield to watch the daring young men in their flying machines. Many aviation firsts were accomplished at the College Park Airfield, including the first mile-high flight (1912), first flight of the U.S. Postal Airmail Service (1918), and first controlled helicopter flight (1924). Radio navigation also saw significant advancement at the College Park Airfield, and the National Bureau of Standards’ work on the development of radio navigational aids at the College Park Airport resulted in the first successful “blind flight” using only instruments to guide the plane (1933). Over the subsequent decades, the airport continued to serve small planes and earned its distinction as the oldest continuously operating airport in the world. The College Park Aviation Museum, opened in 1998, offers fascinating exhibits about the history of flight to educate today’s flying aficionados both young and old.

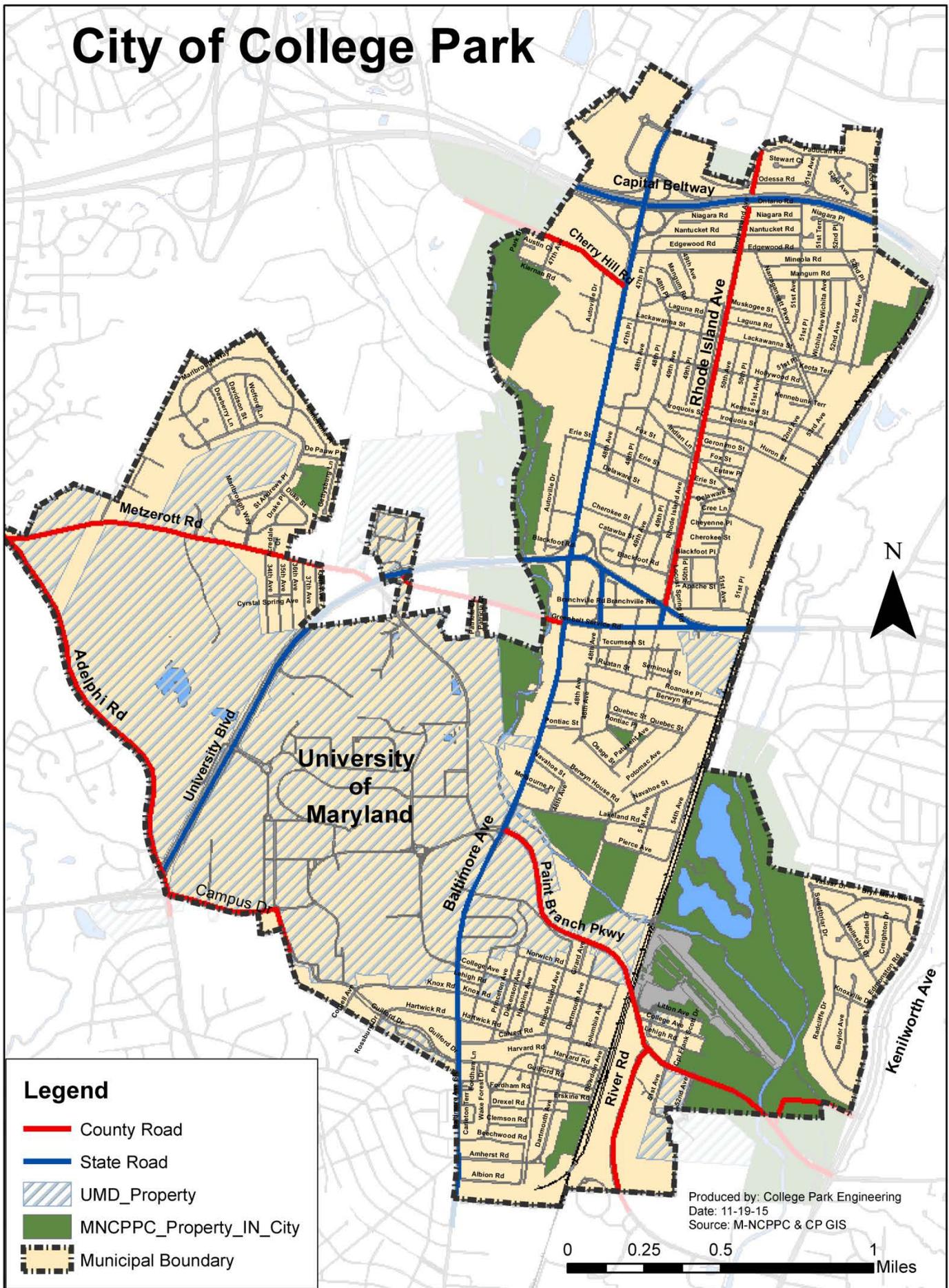
The earliest communities that comprise present-day College Park were Branchville, Berwyn, Lakeland, and the neighborhood that was once called College Park and is now known as Old Town. In 1867, a post office was established to serve the fledgling Branchville community. Neighboring Berwyn began to develop in 1891, as did Lakeland, named for the lakes that were used for swimming, boating, ice skating, and a commercial goldfish farm (approximately in the same location as today’s man-made Lake Artemesia). Lakeland, initially designed as a lakeside resort, became a close-knit and significant African-American community. To the south, John Oliver Johnson purchased land in 1890 from Ella Campbell, a Calvert heir, subdivided the property, and named his new development “College Park.” The next neighborhoods to be developed were Daniels Park (1905), Calvert Hills (1907), and Hollywood (1920s and 30s),

followed later by Hollywood on the Hill, Yarrow, College Park Estates, College Park Woods, Autoville, and Sunnyside. College Park incorporated as a town in 1945.

Situated just minutes from the nation's capital, the City of College Park is home to the University of Maryland and a wide variety of shops, restaurants, attractions and recreational opportunities. The City is comprised of more than 30,000 residents that reside in diverse settings from quaint neighborhoods to luxury student housing complexes. With abundant transit options, beautiful parks and historic homes, College Park is certainly "A Smart Place to Live".



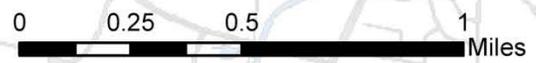
# City of College Park



## Legend

- County Road
- State Road
- UMD\_Property
- MNCPPC\_Property\_IN\_City
- Municipal Boundary

Produced by: College Park Engineering  
 Date: 11-19-15  
 Source: M-NCPPC & CP GIS



# College Park Demographics

<b>People QuickFacts</b>	<b>College Park</b>	<b>Maryland</b>
Population, 2014 estimate	32,256	5,976,407
Population, percent change - April 1, 2010 to July 1, 2014	6.1%	3.5%
Population, 2010	30,413	5,773,552
Persons under 5 years, percent, 2010	2.4%	6.3%
Persons under 18 years, percent, 2010	7.6%	23.4%
Persons 65 years and over, percent, 2010	5.1%	12.3%
White alone, percent, 2010 (a)	63.0%	58.2%
Black or African American alone, percent, 2010 (a)	14.3%	29.4%
American Indian and Alaska Native alone, percent, 2010 (a)	0.3%	0.4%
Asian alone, percent, 2010 (a)	12.7%	5.5%
Native Hawaiian and Other Pacific Islander alone, percent, 2010 (a)	0.1%	0.1%
Two or More Races, percent, 2010	3.5%	2.9%
Hispanic or Latino, percent, 2010 (b)	11.9%	8.2%
White alone, not Hispanic or Latino, percent, 2010	58.2%	54.7%
Foreign born persons, percent, 2009-2013	18.3%	14.0%
Language other than English spoken at home, pct age 5+, 2009-2013	24.3%	16.7%
High school graduate or higher, percent of persons age 25+, 2009-2013	87.8%	88.7%
Bachelor's degree or higher, percent of persons age 25+, 2009-2013	51.6%	36.8%
Veterans, 2009-2013	950	427,068
Housing units, 2010	8,212	2,378,814
Homeownership rate, 2009-2013	47.9%	67.6%
Housing units in multi-unit structures, percent, 2009-2013	38.0%	25.5%
Median value of owner-occupied housing units, 2009-2013	\$273,100	\$292,700
Households, 2009-2013	6,603	2,146,240
Persons per household, 2009-2013	2.88	2.65
<b>Business QuickFacts</b>	<b>College Park</b>	<b>Maryland</b>
Total number of firms, 2007	1,898	528,112
<b>Geography QuickFacts</b>	<b>College Park</b>	<b>Maryland</b>
Land area in square miles, 2010	5.64	9,707.24
Persons per square mile, 2010	5,396.2	594.8

(a) Includes persons reporting only one race.

(b) Hispanics may be of any race, so also are included in applicable race categories.

Source: US Census Bureau State & County QuickFacts

# City Tax Rate

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For FY 2016, the City's real property tax rate is \$0.335 per \$100 of full value assessment, the same rate as in FY 2015. All real property assessments are provided by the State Department of Assessments & Taxation (SDAT) based on a triennial assessment cycle. City real property taxes are billed to property owners on the Prince George's County's consolidated real property tax bill, along with State, County, M-NCPPC and other taxes and charges. The County does not charge the City for billing its real property taxes and tax payments are remitted to the City monthly.

The FY 2016 City personal property (business furnishings, machinery, equipment, inventory, etc.) tax rate is \$0.838 per \$100 of assessed valuation, the same rate as in FY 2015. The City bills and collects its own personal property taxes based on assessments provided by SDAT. Each 1.0 cent of the real property tax and each 2.5 cents of the personal property tax rate together yield \$234,563.

City property owners receive a tax differential on their Prince George's County tax rate. The differential is a reduction in the County tax rate for services provided by the City that the County is therefore not required to perform in the City. The tax differential is calculated annually by the County for all municipalities based on a complex formula and related to the specific services each municipality provides. The tax differential for College Park is set at \$0.030 for real property and \$0.071 for personal property for fiscal year 2016.

## **SECTION 3**

### **ABOUT THE CITY GOVERNMENT**

- **City Charter and City Code**
- **Council-Manager Form of Government**
- **Authority and Responsibilities of the Mayor and Council**
- **Authority and Responsibilities of the City Manager**
- **Role of Boards and Commissions**

# City Charter and City Code

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*The College Park City Code is published by “General Code” publishers and is available either in hard copy or online ( <http://ecode360.com/CO0032>). The City Clerk’s office is responsible for maintaining the City Code.*

The **City Charter** defines the organization, powers, functions and procedures of the city government, and it is the most important legal document of the city. In Maryland, city charters are granted by the State, and the State determines what powers to give to a city. The College Park City Charter (first adopted in 1945) establishes the City boundaries, prohibitions against discrimination, the terms of office, elections and voting criteria, provisions of Council meetings, the approval process for the budget and taxation rate, the process of adoption and enforcement of laws, and other procedures.

The Charter also establishes the powers of the Mayor, the Council, and the City Manager. Parts of the City Charter and the City Code are quoted below. The references are to the article or chapter in the Charter or Code. Please read the entire City Charter in order to better understand the structure of government in the City of College Park.

The **City Code** is the body of City ordinances that address the administration of government and the public safety, health, and welfare of people in the City. The City Code is divided into Part I, Administrative Legislation and Part II, General Legislation. Administrative Legislation concerns the establishment of City departments and regulations and powers related to employees. General Legislation includes regulatory ordinances regarding housing standards, property standards, sanitation, noise, parking, and similar issues. Ordinances under General Legislation usually impose penalties for violations.

The City Code is a lengthy document, and it is important that Council members are familiar with it. The City Attorney can assist Council members understand certain provisions in the City Code. City staff will also be familiar with the provisions that impact their department.

# Council-Manager Form of Government

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*Some of the information below comes from the International City/County Managers Association brochure, "Council-Manager Form of Government."*

The City of College Park Charter establishes a Council-Manager form of government, which combines the political leadership of an elected Council with the managerial experience of an appointed manager. The elected body has the power to set policy, and it appoints a manager with broad authority to run the organization.

This system of governance developed during the U.S. progressive reform movement in the beginning of the 20<sup>th</sup> century, and it was a response to poor management and corruption in local government. Separating policy and politics from management is designed to promote a transparent, responsive, and accountable structure. The council-manager form has become the most popular structure of local government in the United States.

The council is the community's legislative and policymaking body. The council determines the tax rate, approves the budget, and develops a long-range vision for the community's future. It focuses on strategic planning and long-term growth, capital improvement project financing, and policies that are responsive to the community's needs.

The council hires a professional manager to implement the administrative responsibilities related to these goals. The manager prepares a budget for the council's consideration; recruits, hires, terminates, and supervises staff; advises council; and carries out the council's policies. The manager provides objective information about local operations, discusses the pros and cons of alternatives, and offers an assessment of the long-term impacts of council decisions. The council supervises the manager's performance and it has the authority to terminate the manager.

The entire City Council must receive equal information from the City Manager and staff in order for the Council-Manager form of government to function properly. By providing equal information to all Councilmembers, the City Manager promotes transparency and ensures that everyone has the same information for decision-making. Therefore, in the interest of providing equal information and ensuring transparency, when a Councilmember submits a question to the City Manager or staff, generally he or she will provide the question and the answer concerning the inquiry to all Councilmembers.

# **Authority and Responsibilities of the Mayor and Council**

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Article VII of the City Charter is entitled, “Powers and Duties of Mayor and Council.” It includes the following:

- The Mayor and Council shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other authority and to operate the City government.
- The Mayor and Council of the City of College Park shall have the power to borrow money for any proper public purpose and to evidence such borrowing by the issue and sale of its general obligation bonds in the manner prescribed by Article 23A, § 31.
- The Mayor and Council . . . may pass such ordinances as it may deem necessary for the preservation of the health of residents of the City and to remove all nuisances . . .
- The Mayor and Council shall have the power, in its discretion, to enact a Building Code to be applicable to all real property improvements or structures erected within the City.
- The City may condemn property of any kind, or interest therein or franchise connected therewith, in fee or as an easement, within the corporate limits of the City of College Park for any public purpose.

Chapter 4 of the City Code creates the Administrative Organization of the City, and it states at the beginning that “The Mayor and City Council shall have final authority and responsibility over all of the affairs of the City.” Chapter 4 outlines the various City departments, and gives the Mayor and Council the right to add or abolish the departments established in the Code.

Chapter 38 establishes the Code of Ethics for all elected officials, employees, appointees to boards and commissions, candidates for City offices, and people lobbying the City. It also establishes the Ethics Commission and empowers it to investigate alleged violations, provide advisory opinions, and provide ethics training. The City Attorney will discuss this chapter with Council members and can provide guidance and opinions to Council members, employees, and appointees to protect the City.

Chapter 62, Personnel and Employee Benefits, outlines additional responsibilities of the Mayor and Council. These responsibilities include:

- Adopt personnel policies in conformity with and in furtherance of this article.
- Authorize staff levels (number of positions) with the adoption of the annual budget.

- Approve, establish or modify all salary schedules for classes of positions, provided that, in connection with the adoption of the annual budget, the Mayor and Council shall approve the salary schedules.
- Individual members of the Mayor and Council shall not direct or request the recommendation of any person to, or his or her removal from, employment by the City Manager or in any manner dictate the recommendation of any potential employee to the Mayor and Council by the City Manager.
- Except for the purpose of inquiry, Council members shall deal with the administrative service solely through the City Manager, and no Council member shall give orders to any subordinates of the City Manager either publicly or privately.

The summaries above are in no way inclusive of all the responsibilities and authority of the Mayor and Council as established by the Charter and Code. However, one can see that the powers of the Mayor and Council are generally broad in scope and related to its policy-making role. The City Manager is responsible to the Mayor and Council to run the operations of the City in accordance with the Council's direction.

# **Authority and Responsibility of the City Manager**

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Article IX of the City Charter, Officers and Employees, includes the provision that the Mayor and City Council shall appoint a City Manager based only on the person's executive and administrative qualifications. The City Manager serves at the pleasure of the Mayor and Council.

The City Manager "shall be the chief administrative officer of the City, responsible to the Mayor and Council for the administration of all City affairs placed in the Manager's charge by or under the Charter. The City Manager's authority and responsibilities include: \*

- Appoint, suspend or remove all City employees and appointive administrative officers of the City.
- Direct and supervise the administration of all departments, offices and agencies of the city.
- Attend all meetings of the Mayor and Council, unless excused therefrom by the Mayor, and attend, when necessary, all committees of the Mayor and Council.
- See that all laws and ordinances are duly enforced.
- Prepare the budget annually and submit it to the Mayor and Council for approval and be responsible for the administration of the budget.
- Submit to the City Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year.
- Make recommendations to the City Council concerning the affairs of the city.
- Provide staff support services for the Mayor and Council members.
- Execute contracts on behalf of the city.
- Make investigations into the affairs of the City or any department thereof. Investigate all complaints in relation to all matters concerning the administration of the government of the City and in regard to service maintenance by the public utilities in the City and see that franchises, permits and privileges granted by the City are faithfully observed.
- Be divorced completely from the nomination or election of any public official in the City or Prince George's County and engage in no political activity whatsoever as regards city elections.

*\* see Article IX of the Charter for the entire list.*

The City Code further spells out the City Manager's role. Chapter 4 of the Code includes the following:

- The City Manager shall be the chief agent of the Mayor and Council, shall be responsible for the general operations of the City government and shall be directly responsible to the Mayor and Council for the conduct of said operation. The City Manager shall select and appoint an Assistant City Manager to assist the City Manager in the day-to-day management of the City.
- City Clerk. The City Clerk shall be within the jurisdiction of the City Manager. During the absence or unavailability of the City Clerk, the City Manager may designate some other City employee to serve as acting City Clerk.

- The City Attorney shall be directly responsible to the Mayor and City Council and shall also act in an advisory capacity to the City Manager and the heads of the several departments.
- The heads of the several departments shall be directly responsible to the City Manager.
- The personnel employed by the several departments shall be directly responsible to the head of the department in which they are employed or to such supervisory personnel as said department head may designate.

Chapter 4 also establishes the City departments and outlines each department's general responsibilities. It states that each department director is appointed and supervised by the City Manager.

Chapter 62, Personnel and Employee Benefits, states that the City Manager is the personnel officer and is responsible for the supervision of the personnel system. It specifies the particular responsibilities of the City Manager, such as to make recommendations to Council regarding the classification of positions and measures to increase the efficiency and welfare of employees, and to devise administrative procedures to carry out the Mayor and Council's policies.

# Role of Boards and Commissions

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The Mayor and Council have the authority to create temporary or permanent advisory Authorities, Boards, Commissions and Committees (hereafter, referred to as “Boards”) to advise them on a variety of issues. Some Boards are established in the City Charter or City Code, and some are established by Resolution of the Mayor and Council (see below). The City Code includes reference to advisory boards in Chapter 4, Administrative Organization: “such Citizens Advisory Boards as the Mayor and City Council may from time to time establish shall be directly responsible to the Mayor and Council and shall also act in an advisory capacity to the City Manager.”

The City’s Boards are listed below.

- Advisory Planning Commission (City Code Chapter 15 Article IV)
- Aging-In-Place Task Force (Established 2014 by Resolution 14-R-07)
- Animal Welfare Committee (Established in 2010 by Resolution 10-R-20)
- Board of Elections Supervisors (City Charter C4-3)
- Cable Television Commission (City Code Chapter 15 Article III)
- Citizens Corps Council (Established in 2005 by Resolution 05-R-15)
- College Park Airport Authority (City Code Chapter 11 Article II)
- Committee for a Better Environment (City Code Chapter 15 Article VIII)
- Education Advisory Committee (Established in 1997 by Resolution 97-R-17; updated in 2010 by Resolution 10-R-13)
- Ethics Commission (City Code Chapter 38 Article I)
- Neighborhood Quality of Life Committee (Established In 2013 by Resolution 13-R-20)
- Neighborhood Watch Steering Committee (Established in 2011 by Resolution 11-R-06)
- Noise Control Board (City Code Chapter 138-3)
- Recreation Board (City Code Chapter 15 Article II)
- Tree and Landscape Board (City Code Chapter 179-5)
- Veterans Memorial Committee (Established in 2001 by Motion 01-G-57)

The City Council has the authority and responsibility to give direction to each Board so that the Council receives the advice or services it needs. Each Board has a staff liaison to facilitate its work to support the Council’s direction. The Board’s activities may help staff carry out a department’s responsibilities, but the Board is advisory to the Council and does not direct staff.

New Boards can be created for a specific purpose with a limited duration (usually called an ad hoc committee or task force) or for a more permanent duration. The new Board would be created by the Council adopting an Ordinance or Resolution which would state the purpose of the Board, the criteria for appointing members and the member terms, and other information. The Council may also eliminate or merge Boards, except for those that are required by State law.

The Mayor and City Council make appointments to Boards\* when vacancies occur. Some appointments are based on council district while other appointments are at-large. Most members

who serve on the City's Boards are City residents, but in certain cases non-residents are eligible. Some of the City's Boards offer a small stipend to its members, but most are not compensated.

The City Clerk's office maintains the list of the Council advisory Boards and membership rosters, and includes this list at the end of every Worksession agenda packet with vacancies or expired appointments highlighted. Nominations and reappointments are made by the Mayor and Council at Council Worksessions, during the "Appointments to Boards and Committees" agenda item at the end of the meeting. Councilmembers should ask their nominees to complete and submit the Board application form, which should be circulated to Council prior to the nomination. Those names are then included in the following week's Regular Meeting agenda for appointment. The application form is available from the City's website, or from the City Clerk's office.

For more information about City Boards, including vacancies, please contact the City Clerk.

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\* In addition to these Boards, there are two independent non-profit organizations for which the Mayor and Council have some appointment authority. The Mayor appoints five members to the Housing Authority of the City of College Park, which administers low income housing at Attick Towers. The Mayor and Council appoint four Class B directors and two Class C directors (with the University of Maryland) to the College Park City-University Partnership. Both entities are independent non-profit organizations, but the organizations' charters include these City appointments.

**End of Section 3**

## **SECTION 4**

### **COLLEGE PARK LEGISLATIVE PROCESS**

- **The Mayor and Council as One Governing Body**
- **Types of City Council Meetings and Hearings**
- **Types of Legislative Actions during Council Meetings**
- **City Council's Adopted Rules and Procedures**
- **Roberts Rules of Order**

# College Park Legislative Process

*Highly-effective governing bodies spend time building their sense of being a team and their skills for productive teamwork.*

From “10 Habits of Highly Effective Governing Bodies”

The College Park Mayor and Councilmembers have many roles and responsibilities. Some roles are established by the City Charter, and other roles are less official but still necessary to be an informed and effective representative. Councilmembers meet with residents, businesses, and County or State elected officials; research issues and potential policies; learn about City budgets and programs; and work with City staff and other Councilmembers. Much of this important work takes place individually and informally outside of the Council Chambers.

Councilmembers also have the official and public role to conduct the City’s business. This section of the Orientation Manual provides an overview of the Mayor and Council’s role as a **governing body**, including the types of meetings and legislation, and the Council’s operating rules.

## The Mayor and Council as One Governing Body

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The powers and duties of the Mayor and Council confer to the **governing body**—not to individual members. The Mayor and Council conduct the City’s business by taking official action during Regular Meetings and Special Sessions. This may not be a Councilmember’s most time-consuming role, given all of the other work Councilmembers perform, but it is the most important official role of the Mayor and Council. The information below and in the Resource section is designed to help the Mayor and Council become an effective legislative body.

The Mayor and Council have authority when they meet officially to conduct business. Official City positions on issues are expressed via Council votes on motions during Regular Meetings and Special Sessions. Even though Councilmembers may have different individual views, a majority vote by the Mayor and Council becomes the official position of the body. Individual opinions offered via email, or spoken during Council Worksessions and Council Meetings, do not constitute official City positions on issues.

# **Types of City Council Meetings and Hearings**

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The City Council has different types of meetings for different purposes, even though several of these meetings are similar. All meetings of the Council—except for Closed and Administrative sessions—are open to the public, televised on the City’s cable channels, and streamed live on the City’s website. Archived recordings of the meetings (all types of meetings listed below except for Closed and Administrative sessions) are available on the City’s website for on-demand playback, usually by the Friday following the meeting. The City Council’s Adopted Rules and Procedures establish the general processes for discussing issues at the Council meetings, and also the specific guidelines for conducting the meeting. Council meetings must be held in accordance with the Maryland Open Meetings Act. The types of meetings held by the Council are detailed below.

## **Worksessions**

Worksessions are generally held on the first and third Tuesdays of the month. During a Worksession, the Mayor, Council and staff sit at the oval Worksession table to hear presentations, discuss the merits of a proposed ordinance or policy, discuss details of a proposed program, etc. In many cases, these items will then come before the Council at the following Regular Meeting for a vote. Council does not vote during Worksessions (see Special Session, below) and generally no public comment is taken during Worksessions.

## **Regular Meetings**

Regular Meetings are generally held on the second and fourth Tuesdays of the month. These are the voting sessions when the Mayor and Council are seated at the dais and take official action on Council motions, resolutions, ordinances, and charter amendments. These Council votes become the official City position. Minutes of Regular Meetings are prepared by the City Clerk and approved by the Mayor and Council. During a Regular Meeting, public comment is taken on agenda and non-agenda items (according to the Council’s Adopted Rules and Procedures). Speakers are limited to three minutes for each item.

## **Public Hearings**

Public Hearings are required by the City Code for Ordinances that have been introduced. While not required, it has been the City’s practice to hold Public Hearings on proposed Charter Amendments as well. The Council may also vote to hold Public Hearings on other issues for which it wishes to provide additional opportunities for specific public comment. Ordinarily, the Mayor or staff will introduce the item subject to the Public Hearing, and members of the public will comment on the issue from the podium. Council members may ask questions for clarification, but the Council does not debate or discuss the issue during the Public Hearing. Discussion among Council members may occur during Council meetings once the public hearing is completed.

## **Special Sessions**

Occasionally, because of the timing of a certain issue (particularly when the Maryland General Assembly is in session), Council may wish to take a position on an item not scheduled for a regular meeting. Rules of Regular Meetings apply when Council is in Special Session. To

comply with the Maryland Open Meetings Act, the possibility of a Special Session listing the subject matter should be publicly advertised whenever practical.

### **Closed Sessions**

The City Council has the legal authority to meet in closed session under §6-3 of the Charter to discuss certain items such as the following: Personnel matters; to protect the privacy or reputation of individuals with respect to a matter that is not related to public business; to consider the acquisition or sale of real property for a public purpose; to consider a matter that concerns the proposal for a business to locate in Prince George's County; to consider the investment of public funds; to consider the marketing of public securities; to consult with counsel on a legal matter; to consult with staff or other individuals about pending or potential litigation; to consider matters that relate to collective bargaining negotiations; to discuss public security if the council determines that public discussion would constitute a risk to the public or to public security; to conduct or discuss an investigative proceeding on actual or possible criminal conduct; to discuss a matter directly related to a negotiating strategy.

The City Council must properly advertise the possibility of a Closed Session, and must vote in public to enter into a closed session, stating the reason (from the list above) for doing so.

### **Administrative Function**

The City Council has the legal authority to meet in "administrative function" session, which may be open or closed to the public. Administrative Function discussions may include: the administration of a law of the State, a law of a political subdivision of the State, or a rule, regulation, or bylaw of a public body. Administrative Function discussions may not include: an advisory function, a judicial function, a legislative function, a quasi-judicial function, or a quasi-legislative function. Discussions that represent an administrative function are not generally subject to the requirements of the Maryland Open Meetings Act.

# **Types of Legislative Actions during Council Meetings**

The City Council uses four main types of legislative actions at City Council meetings: General Motions, Resolutions, Ordinances, and Charter Amendments. All actions are provided in writing, usually in the Council packet distributed prior to the Council meeting.

- General motions are given a number with a “G” in the title, which stands for General motion (e.g., 11-G-49).
- Resolutions are given a number with an “R” in the title, which stands for Resolution (e.g., 11-R-04).
- Ordinances are given a number with an “O” in the title, which stands for Ordinance (e.g., 11-O-07).
- Charter Amendments are given a number with “CR” in the title, which stands for Charter Resolution (e.g., 11-CR-04).

## **General Motions**

General motions are used for approval of a Council position or a letter, to give direction to staff, to approve contracts, or to set policy. They do not update the City Code or Charter. General motions are effective immediately.

## **Resolutions**

Resolutions are used to set forth legal decisions and official positions of the City Council, to set policy, to establish commissions, and to implement programs. (Examples of matters enacted by Resolution are new City advisory Boards, APC decisions, Community Legacy Applications, issuance of bonds, the Homeownership Grant program, the Student Liaison position, and the BOLC Entertainment License policy.) Resolutions do not update the City Code or Charter and do not have specific public hearing requirements. Resolutions may be introduced and voted on at the same meeting, and are usually effective immediately upon adoption.

## **Ordinances**

The City Council updates the laws of the City through enactment of an Ordinance, which amends the City Code. Typically, a proposed ordinance is discussed at several Worksessions prior to being “Introduced” and may be written by the City Attorney. A proposed ordinance may be Introduced by any member of the City Council at a Regular Meeting or Special Session. The Introduction of an Ordinance only requires a second; no vote is taken at the Introduction. When an ordinance is Introduced, the date and time of the Public Hearing will be announced. The City Clerk is responsible for properly advertising the Public Hearing, which shall be held a minimum of seven (7) days after the required notice has been posted. Public comment on the proposed Ordinance is taken during the Public Hearing, or may be submitted in writing prior to the Public Hearing. When it is time for Council to vote on the item, no further public comment is accepted unless an amendment to the Ordinance has been submitted. In that case, the Mayor generally will accept public comment on the amendment only. After the Public Hearing has been held, the Council will vote on the Ordinance. Except as otherwise provided, an Ordinance shall become effective on the 21st day after its adoption or at any later date specified therein.

### Emergency Ordinances

- To meet a public emergency affecting life, health, property, the public peace, or the sound operation of the municipal government, the Council may adopt an Emergency Ordinance, but such ordinances may not levy taxes, grant, renew, or extend a franchise or authorize the borrowing of money.
- An Emergency Ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an Emergency Ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists.
- Usually, there is no Public Hearing for an Emergency Ordinance, but comment is taken at the time of its adoption.
- The affirmative vote of at least six (6) members of the Council shall be required for adoption of an Emergency Ordinance.
- An Emergency Ordinance shall become effective immediately upon adoption or at such later time as it may specify.

### Charter Amendments

Charter Amendments are governed by the Maryland Annotated Code (Local Government Article) and the City Charter. An amendment of the City's Charter may be initiated by the City Council by Charter Resolution, or by a petition of qualified voters of the City.

#### When the City Council initiates a Charter Amendment Resolution:

The Charter Amendment Resolution is Introduced and seconded at a Regular Council meeting.

Although a Public Hearing is not required by law, it has been the City's practice to hold one. The City Council votes to adopt the Charter Amendment Resolution in the same manner as an Ordinance. The Charter Amendment Resolution shall become effective 50 days after it is adopted by the City Council, subject to publication and posting requirements, unless, on or before the 40<sup>th</sup> day after adoption, a qualified petition for referendum has been filed. If received, a petition for referendum is referred to the Supervisors of Elections, who shall determine and report to the Mayor and Council if the petition is valid. To be valid, a petition must be signed by 20% or more "of the persons who are qualified to vote in municipal general elections...."

If the petition is deemed valid, the City Council shall, by Resolution, specify the day and hours for the election, in order to put the question to the voters. This may be at either the next regular municipal general election or at a special election, at the discretion of the legislative body. If a special election is designated, it shall be held "within a period of not less than forty days nor more than sixty days after the final passage of the resolution providing for the referendum." The resolution providing for the referendum shall specify the exact wording which is to be placed on the ballots.

If no petition is filed, or a filed petition is deemed invalid, the Charter Amendment Resolution shall become effective on the 50<sup>th</sup> day after adoption.

#### When A Charter Amendment is proposed by a petition of qualified voters:

Another way that an amendment to the City Charter can come about is through a petition process. An amendment may be proposed by a petition signed by 20% or more of qualified voters in the City. The petition must state the complete and exact text of the proposed amendment(s), following certain requirements contained in Section C5-1 of the City Charter and §4-305 of the Local Government Article, Annotated Code of Maryland. Once received, a petition is referred to the Supervisors of Elections for validation. If the petition is deemed valid, the City Council shall put the question to the voters, using the procedures outlined above. However, if the City Council approves of the proposed Charter Amendment submitted by petition, “it shall have the right by resolution to adopt the amendment and to proceed thereafter in the same manner as if the amendment or amendments had been initiated by such legislative body...”

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## **City Council’s Adopted Rules and Procedures**

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The Mayor and City Council adopt its own operating procedures within the parameters of the City Charter and State law. The Rules and Procedures address Meetings, Agendas, Public Participation, and Councilmember Conduct. The Mayor and Council review and may update its Rules and Procedures at least biennially. A review of the Rules and Procedures is usually scheduled at the January Worksession following an election, and can be scheduled at other times as requested. The current Rules and Procedures, adopted January 10, 2014, are in the Reference Documents and Resources section.

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## **Roberts Rules of Order**

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The Mayor and Council have adopted “Robert’s Rules of Order, Newly Revised, as amended” to govern all questions of procedure not otherwise provided for in its Adopted Rules and Procedures, or by state or federal law. Understanding the basics of Roberts Rules will help you be more effective during Council meetings and ensure that the meetings proceed in an orderly manner. A quick guide to Robert’s Rules is in the Reference Documents and Resources section.

**End of Section 4**

# SECTION 5

## 2015-2020 CITY STRATEGIC PLAN

- **City Vision**
- **City Mission**
- **City Values**
- **City Goals**

After a nine-month community and Council process, the City Council approved the 2015–2020 Strategic Plan during its August 11, 2015 Council Meeting. The plan includes a new City Vision, Mission, Values, and Goals. City staff, in collaboration with the Council, developed an Action Plan that will enable the City to achieve its goals. The Council approved the Action Plan with the Strategic Plan.

The 2015 - 2020 Strategic Plan will guide City services and investment so that resources are focused to reach the City's goals. The Council and staff will regularly review the plan and make changes when appropriate. Residents and other stakeholders will be informed of the City's progress in implementing the Action Plan.

# **City of College Park 2015–2020 Strategic Plan**

**Adopted August 11, 2015**

## **City Vision**

**The City of College Park is a vibrant and prosperous top 20 college town, which has established collaborative relationships with the residents, the University, businesses, non-profit sector, and other governments that benefit the entire community. The City is known for distinctive and connected neighborhoods, thriving commercial districts, cultural amenities, attractive green space and streetscapes, convenient transportation systems serving all users, and a strong sense of community pride.**

## **City Mission**

**The City of College Park provides open and effective governance and excellent services that enhance the quality of life in our community.**

## City Values

### ***Open and Effective Government***

The City conducts its business in a lawful, open, and democratic manner. The City values communication and public discussion on issues affecting the City.

### ***High-Performing, Dedicated, and Valued Employees***

City staff provide the highest level of service possible. They act with honesty and integrity and are empowered to solve problems. The City values and rewards excellent performance.

### ***Sustainability and Long-term Planning***

The City is committed to a sustainable built environment and active stewardship of our natural resources. The City's long-term planning contributes to the well-being and prosperity of our community.

### ***Fiscal Responsibility***

The City maintains appropriate financial reserves, provides accurate financial information for decision-making, and spends revenue as effectively as possible.

### ***Collaboration***

The City values teamwork across departments and between Council and Staff. The City will strive to have productive, collaborative relations with the University, the County, the State, and neighboring jurisdictions in order to improve the City and the region.

## City Goals

Goals are the long-term overarching areas in the City or “things that must go well” for the City to achieve its vision. The 2020 Strategic Plan Goals are:

- 1. One College Park**
- 2. Environmental Sustainability**
- 3. High Quality Development and Reinvestment**
- 4. Quality Infrastructure**
- 5. Effective Leadership**
- 6. Excellent Services**

## **Goal 1: One College Park**

The City of College Park and its residents, the University of Maryland (UMD) and its students, faculty and staff, and all stakeholders are connected to the community and work together for the best interest of College Park.

## **Goal 2: Environmental Sustainability**

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The City is a leader in the protection and restoration of natural resources and the implementation of energy efficiency and renewable energy programs, technologies, and plans.

## **Goal 3: High Quality Development and Reinvestment**

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The City works with partners to facilitate investment along Baltimore Avenue, in the College Park metro station area, Berwyn Commercial District, and the Hollywood Commercial District to expand commercial development and housing options and increase the tax base to finance improvements in services and infrastructure.

## **Goal 4: Quality Infrastructure**

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The City's infrastructure, including roads, sidewalks, paths, technology, utilities, parks, playgrounds, City Hall, and other City facilities are constructed and maintained at a high quality standard and meet the needs of residents, employees, and visitors.

## **Goal 5: Effective Leadership**

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The City models excellent leadership and teamwork among Council, staff, and community partners to achieve the City's vision and goals.

## **Goal 6: Excellent Services**

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College Park has high quality, consistent, and cost-effective services in every department that contribute to a desirable, welcoming, and safe City.

# SECTION 6

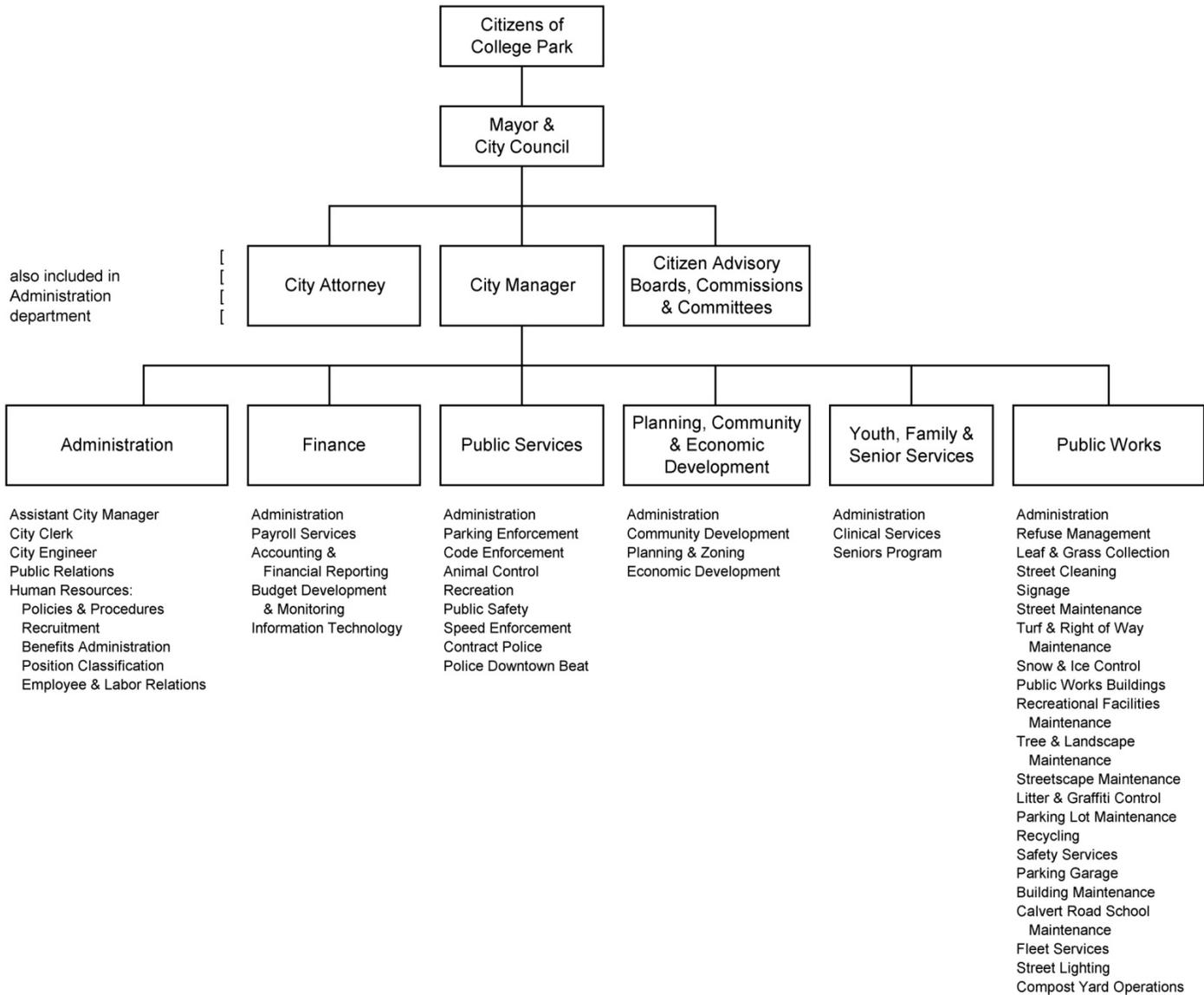
## CITY DEPARTMENTS AND SERVICES

- Organization Chart
- Department Overviews
  - City Manager
  - City Clerk
  - City Engineer
  - Finance
  - Human Resources
  - Planning, Community, and Economic Development
  - Public Services
  - Public Works
  - Youth, Family, & Senior Services

# Organization Chart

## CITY OF COLLEGE PARK, MARYLAND

### Organization Chart



# Department Overviews

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## **OFFICE OF THE CITY MANAGER**

**240-487-3501**

**City Manager -- Scott Somers**

**Cell Phone: (301) 938-0780**

### **City Manager (1018)<sup>1</sup>**

The City Manager is appointed by the Mayor and Council. The Manager is responsible to the Mayor and Council for leading the activities of City departments in conformance with the City Charter and the guidelines established by the Mayor and Council. The Manager works closely with the Mayor and Council on strategic planning, policy development, and plan implementation. The City Manager reviews with staff proposed agenda items and the materials to be provided to Council.

The City Manager is responsible for directing staff and developing high levels of staff performance. The Manager provides professional leadership to City staff to ensure that departments implement the Council's adopted strategic plan and other adopted policies to improve City operations and services. The powers, duties and responsibilities of the City Manager are explicitly stated in the City Charter (Section C9-3) and have been summarized in the "About the City Government" section.

Requests from the Mayor and Council for information regarding City issues and policies are coordinated by the City Manager's office. The Mayor and Council should use established procedures for ordinary service requests (code issues, potholes, etc.).

The Office of the City Manager includes the City Manager, the Assistant City Manager, and an Administrative Assistant who shares responsibilities for this office and the City Clerk. The Assistant City Manager reports directly to the City Manager, and assists the City Manager in the day-to-day management of the City. The role of the Assistant City Manager is stated in Section 62-4.1 of the City Code. The Assistant City Manager acts as the City Manager during the absence of the Manager.

## **PROGRAMS AND ACTIVITIES**

### **Staff Direction**

The City Manager is responsible for the performance of all City employees, and may hire, suspend, and terminate employees as provided for by the Charter and personnel rules. The City Manager holds a weekly staff meeting with all department directors to follow up on Council actions, prepare for upcoming Council meetings, and discuss Citywide and department issues. The weekly staff meeting allows staff to discuss Council policy proposals and decisions, prepare information for decision-making by the Council, and review workload issues. Operational matters such as personnel, Citywide training, and major events are also discussed so all directors are informed.

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<sup>1</sup> The four digit number in parentheses following a department program refer to the program number in the budget.

The City Manager meets on a monthly basis with each department director individually to discuss departmental goals and issues. The City Manager and the Assistant City Manager also have a monthly meeting with each department director to review the Action Plan and City Operations Sustainability Plan.

### **Personnel Management**

The City Manager is the Personnel Officer (City Code §62-3) and works closely with the Director of Human Resources on personnel issues. The Manager provides performance evaluations and sets performance goals for each department director. Programs and activities such as recruitment, position classification, benefits administration and employee relations are the responsibility of the Director of Human Resources. The City Manager hears the final appeals for all grievances and has final approval of any bargaining agreements. The Director of Human Resources participates in, but does not have the responsibility for grievance resolution and labor relations. The City Manager also approves all changes to the Personnel Regulations.

### **Budget Preparation**

At the direction of the City Manager, the Finance Director prepares the annual budget. The City Manager establishes the basic guidelines and reviews each department's budget with its Director. The full budget is then submitted to Council for review and approval. After adoption, the City Manager reviews the monthly reports and if necessary directs staff to recommend modifications and adjustments.

### **Intergovernmental and Public Relations**

The City Manager meets monthly with the University of Maryland's Vice President for Administration and Finance, and the Assistant City Manager meets with the Assistant Vice President for Administration and Finance. The City Manager also attends meetings of the Metropolitan Washington Council of Government (MWCOC) Chief Administrative Officers, the Maryland Association of City and County Managers, and the College Park City-University Partnership. The Assistant City Manager regularly meets with County officials on issues and projects in College Park, and coordinates legislative issues and some communications responsibilities. The City Manager or the Assistant City Manager attends the Four Cities meetings.

### **Boards and Committees Supported by the City Manager's Office:**

- Cable Television Commission
- Neighborhood Quality of Life Committee

## **STAFF**

Scott Somers, City Manager  
[ssomers@collegeparkmd.gov](mailto:ssomers@collegeparkmd.gov)  
Office: 240-487-3502 (Direct)  
Cell: (301) 938-0780

Bill Gardiner, Assistant City Manager  
[bgardiner@collegeparkmd.gov](mailto:bgardiner@collegeparkmd.gov)  
Office: 240-487-3507 (Direct)  
Cell: 301-852-3375

Janet McCaslin, Office Specialist III  
(part-time for City Manager, part-time for City Clerk)  
Office: 240-487-3501  
Fax 301-699-8029

#### **PHONE AND FAX**

240- 487-3501 Phone  
301- 699-8029 Fax

#### **OFFICE HOURS**

8:00 a.m. – 5:00 p.m. Monday – Friday

## **OFFICE OF THE CITY CLERK**

**240-487-3501**

**City Clerk – Janeen S. Miller**

### **City Clerk (1019)**

The City Clerk's office maintains the official records of the City, provides administrative support to the Mayor and Council, and serves as the general point of contact for the public. The City Clerk is the Open Meetings designee for the City. The City Clerk's office is responsible for the following:

- Serves as liaison to the Mayor and Council:
  - Prepares the Council's agenda and assembles the background material for Council meetings and Worksessions
  - Attends meetings of the Mayor and Council and prepares meeting minutes
  - Posts meeting material on-line and runs web streaming software
  - Maintains the schedule of future agendas
  - Advertises all meetings of the City Council as required by the Maryland Open Meetings Act
- Provides Administrative support to the Mayor and members of the Council:
  - Schedules meetings and public relations events
  - Coordinates travel arrangements
  - Prepares correspondence and provides secretarial support
  - Distributes mail and coordinates invitations
- Provides certified copies of official City documents
- Maintains the Code Of The City Of College Park and prepares updates
- Coordinates the City's response to all Maryland Public Information Act requests
- Assists the Board of Election Supervisors with City elections
- Schedules meeting rooms and usage of City-owned facilities by outside groups
- Maintains the City calendar
- Prepares the Municipal Scene newsletter
- Updates and maintains information on the City's public access channels (Comcast Channel 71 and Verizon Channel 25)
- Coordinates membership appointments to all City Boards and Committees; schedules secretarial support for Board and Committee meetings; advertises Board and Committee meetings and maintains meeting minutes as required by the Open Meetings Act
- Prepares budget material for the following programs: City Clerk's Office (1019), Mayor and Council (1010), Board of Election Supervisors (1012), Advisory Committees (1013), Ethics Commission (1014), and Public Relations (1017)
- Receives and coordinates petition requests for traffic calming and permit parking

**Boards and Committees supported by the City Clerk's office:**

- Airport Authority – Investigates, reviews, and reports on the current and proposed future uses of the College Park Airport and its facilities
- Board of Election Supervisors – Supervises the City's elections
- Ethics Commission – Encourages high ethical standards of conduct by City officials and employees
- Neighborhood Quality of Life Committee
- Tree and Landscape Board

**STAFF**

Janeen S. Miller, City Clerk  
[jmiller@collegeparkmd.gov](mailto:jmiller@collegeparkmd.gov)

Yvette Allen, Assistant City Clerk  
[yallen@collegeparkmd.gov](mailto:yallen@collegeparkmd.gov)

Janet McCaslin, Office Specialist III  
(part-time for City Manager, part-time for City Clerk)  
[jmccaslin@collegeparkmd.gov](mailto:jmccaslin@collegeparkmd.gov)

**PHONE AND FAX**

240- 487-3501 Phone  
301- 699-8029 Fax

**OFFICE HOURS**

8:00 a.m. – 5:00 p.m. Monday - Friday

## **OFFICE OF THE CITY ENGINEER**

**240-487-3597**

**City Engineer – Steven Halpern, P.E.**

**Cell Phone: 240-508-7958**

### **Engineering Services (5021)**

This program plans, reviews and oversees improvements to the City's infrastructure. It provides the following administrative and managerial functions for various public improvement projects: planning, budgeting, design assistance, staffing, scheduling, permitting, construction, and operations.

In addition, this program is responsible for 1) traffic management and engineering; 2) streetlight review and installations; 3) reviewing and solving residential complaints regarding public infrastructure; 4) utilities review, permitting, and coordination; 5) local storm drainage; 6) interacting with County DOE in area wide storm drain issues; 7) interacting with SHA in area maintenance issues; 8) administering consultant engineering contracts; 9) administering construction contracts; 10) compiling and maintaining the City's infrastructure database; 11) assisting other City Departments in related issues; 12) preparing the annual Pavement Maintenance Plan; and, 13) reviewing and addressing various concerns of the City Council.

The Engineering Division website pages

([http://www.collegeparkmd.gov/government/engineering\\_division/index.php#.Vk4GBXarRpg](http://www.collegeparkmd.gov/government/engineering_division/index.php#.Vk4GBXarRpg))

provide information on projects in the City, how to contact utility companies, County incentive programs for stormwater improvements, and other related issues.

## **PROGRAMS AND ACTIVITIES**

### **Pavement Management Plan**

The Pavement Management Plan (PMP) is prepared annually and is used to make cost effective decisions for the planned maintenance and rehabilitation of City streets. Annually, staff surveys and rates 51 miles of City streets and prepares the PMP which is sorted by ranking and subdivision. The PMP is provided to the City Manager to assist in the preparation of the City's annual budget and is available on the City website.

### **Construction and Engineering**

City public infrastructure (primarily streets, curbs, sidewalks) maintenance activities are mainly based on the PMP, regular inspections, and resident complaints. New construction activities are typically the result of the City receiving Community Development Block Grants (CDBG), Transportation Enhancement Project Grants (TEP), Maryland Recreational Trails Grants, Economical Development Initiatives (EDI) Grants, and Maryland Bikeways Grants. We assist the Planning Department with grant applications. Our primary goal during construction is to execute these activities with minimum inconvenience to the affected residents.

The Engineer's Office occasionally hires consultants to complete detailed studies for certain projects, such as designing the installation of crosswalks or conducting traffic studies. The staff prepare bid documents, review bid submissions, prepare Contract Awards, administer contracts, provide inspections, and review invoices for payment.

## **Streetlights**

The City pays Pepco for the maintenance and operating costs of the overhead streetlights throughout the City. Staff conduct monthly nighttime streetlight inspections from September through April and all malfunctions are submitted immediately to Pepco for repair. Residents can also report streetlight problems directly to Pepco at <http://www.pepco.com/pages/connectwithus/outages/streetlightoutage.aspx>. Please provide the location, street address, and pole number of the streetlight.

The City owns and maintains approximately 135 pedestrian lights, primarily in commercial areas. Please report pedestrian light problems to the City by calling Public Works at 240-487-3590 or using the “Report a Problem” button on the City website (top right on the homepage, [www.collegeparkmd.gov](http://www.collegeparkmd.gov)).

## **Rights-Of-Ways and Right-of-Way Permits**

Rights-of-Ways (ROW) are typically the area between private property in which streets and sidewalks are located. We respond to requests for determinations of ROW boundaries and maintenance responsibilities. We keep an active inventory of all known Rights-of-Ways within the City limits.

Any work within the City ROW requires a City Right-of-Way permit, which are reviewed and issued by the Engineering Office. Residents, Contractors, and Developers are required to obtain this permit prior to performing construction activities in the City ROW. These activities include driveway aprons, sump pump drain holes, water and sewer laterals, and development work. Street lane closures for construction also must be approved by the Engineering Office. The Right-of-Way Permit is available online from the Engineering Division homepage.

## **Utility Coordination**

The City does not maintain any public or private utilities. The City Engineer is the point of contact for utility companies working in the City ROW. These companies are: Washington Suburban Sanitary Commission (WSSC), Washington Gas, Potomac Electric Power Company (PEPCO), Prince George’s County DPW&T Storm Drain Division, Verizon, and Comcast. This office reviews, processes and tracks all utility street cut requests. Larger projects such as water main replacements projects are reviewed, commented on, and followed from design through construction. Please visit the Engineering Services homepage or the utility company websites to learn more about reporting problems with utility services.

## **Government Agency Coordination**

Since the City is overlapped with other governmental jurisdiction it is important that we have and maintain contacts with each Agency. The Engineer’s office coordinates with County, State, Federal agencies: Maryland State Highway Administration (SHA), Prince George’s County Department of Public Works & Transportation and Department of the Environment, Maryland National Capital Park & Planning Commission (M-NCPPC), Washington Metropolitan Area Transit Authority (WMATA), Beltsville Agriculture Research Center (BARC), Maryland Transit Authority (MTA), and the University of Maryland.

## **Map Making**

Maps provide information as an image, and can be less ambiguous than written descriptions. We assist all City departments with their mapping needs, such as: Refuse and Recycling Routes, Council Districts, Code Enforcement Zones, Neighborhoods, Work Orders, Tracking Utility Work, and specialty mapping.

### **STAFF**

Steven Halpern, P.E. – City Engineer  
[shalpern@collegeparkmd.gov](mailto:shalpern@collegeparkmd.gov)

Office: 240-487-3597  
Cell: 240-508-7958

Rizmy Mahmooth – Engineering Technician  
[rmahmooth@collegeparkmd.gov](mailto:rmahmooth@collegeparkmd.gov)

Office: 240-487-3598

### **PHONE AND FAX**

240- 487-3597 Phone  
301- 474-0825 Fax

### **OFFICE HOURS**

7:30 a.m. – 4:00 p.m. Monday – Friday

## **DEPARTMENT OF FINANCE**

**240-487-3510**

**Director – Steve Groh**

**Cell Phone: 301-343-9317**

The Finance Department performs various functions for the City and its departments. Many of these responsibilities are mandated in the City Code, by State law or assigned by the City Manager.

### **Finance Administration (1020)**

This program provides financial and other services not included specifically in other programs, including ad hoc requests of the City Manager, Mayor and City Council. Special projects, regulatory compliance, general supervision of procurement and the maintenance of adequate audit and internal controls are the prime functions of this program.

### **Payroll Services (1021)**

This program includes the preparation of payroll checks and direct deposit advices for City employees, payroll tax returns, processing of benefit payments, preparation of year-end W-2 forms and completion of all required governmental filings. The City also provides payroll services, on a reimbursement basis, for the College Park Housing Authority and the College Park City-University Partnership.

### **Accounting and Financial Reporting (1022)**

This program performs general ledger and financial reporting functions for the City. Financial reporting includes all monthly program reports and the annual audit report. General ledger activity includes billing for personal property taxes and services, collecting cash, disbursing cash, encumbering funds, investing cash, recording fixed asset acquisitions and dispositions, maintaining supporting detail schedules and account reconciliations. Preparation for and coordination of the annual certified audit is also included. Following the issuance of the audit report, the Uniform Financial Report (UFR), filed with the State, and the Comprehensive Annual Financial Report (CAFR) are prepared. The CAFR is submitted annually to the Government Finance Officers Association (GFOA) for their award program, and the City has received the GFOA's Certificate of Achievement for Excellence in Financial Reporting annually since 1978. Parking ticket collections account for most of the transactions processed by this program. Tickets may be paid at the Finance window, by phone, or on the Internet. To assist in collection of delinquent parking tickets, the City issues dunning notices for unpaid tickets, flags Maryland vehicle registrations and refers unpaid tickets to an outside collection agency. Collection of outstanding parking tickets averages 79% annually. Other billing and collection activities include personal property, CDMA fees (remitted to DCPMA less a 2% billing charge), and any other monies due the City. Real property taxes are billed and collected by Prince George's County (at no cost to the City other than the loss of investment earnings on the collections) with payment remitted monthly to the City. Personal property taxes are billed and collected directly by the City.

### **Budget Development and Monitoring (1023)**

This program prepares budget worksheets, coordinates meetings with department heads to review budget requests, analyzes requested budget with City Manager and assists in presenting proposed budget to Mayor & Council, schedules budget worksessions to comply with City Code requirements, and monitors actual account activity against budget during the fiscal year. The budget cycle begins in January of each year for the upcoming budget year that begins July 1. Departments are provided with budget worksheets in January, which are returned to Finance in late February. Finance prepares the payroll budget for each department and program based on the allocation of full-time equivalents (FTEs) to specific programs. The requested budget is provided to Mayor & Council by March 31 and is available to the public and posted to the City's website at that time. 1 or more Saturday worksessions are scheduled in April (plus additional worksessions, if needed) for the Mayor & Council to review each department's budget requests. During the budget worksessions, the Capital Improvement Program (C.I.P.) is reviewed. Following the worksessions, an Ordinance is introduced at the second regular meeting in April, a public hearing is held at the first regular meeting in May, and the budget is required to be adopted by May 31. Once adopted, the budget becomes effective on July 1. The budget document is submitted annually to the GFOA for their Distinguished Budget Presentation Award, and the City has been the recipient of this award for annual budgets prepared since fiscal year 1990.

### **Information Technology (1024)**

This program provides computer, copier, postage and telephone services to all City programs; provides service and maintenance agreements, one-on-one training, service, and preventive maintenance for associated equipment and software; provides supplies for computer equipment; coordinates installation of new equipment, moving and changing of existing equipment and telephone services; and coordinates service calls on equipment. The program performs network administration for the IBM AS/400 computer and is responsible for the hosting of the City's website as well as internal and external e-mail, based at City Hall. Remote facilities (Public Services, Public Works, Youth & Family Services, Attick Towers and Spellman House) access the AS/400 and e-mail over I-Net fiber optic lines provided by Comcast under the provisions of their cable franchise agreement. Internet access for all users is provided by Prince George's County as part of the PGINCCC intergovernmental network (I-Net). This program is also responsible for the audio/visual equipment in the Council Chambers and the cable channel broadcasts. Expenditures in this program are charged out to other programs through various overhead accounts (Computer, Postage, Telephone, Printing), resulting in a zero budget total.

### **Non-Departmental (1025)**

This program provides a cost pool for non-departmental expenditures such as insurance, City Hall utilities, Maryland State Retirement Plan (MSRP) costs not allocated to payroll budget, and payroll benefits. Funding for the City Hall caretaker is included in this program. The caretaker closes the building on nights when a public meeting extends beyond 10:00 p.m. Most liability insurance coverage is purchased through Local Government Insurance Trust (LGIT), of which the City is a charter member. Expenditures in this program are charged out to other programs through various overhead accounts (Insurance, Utilities), resulting in a zero budget total.

## **STAFF**

Stephen Groh, Director of Finance

[sgroh@collegeparkmd.gov](mailto:sgroh@collegeparkmd.gov)

240-487-3510 (Direct)

Leo Thomas, Deputy Director of Finance

[lthomas@collegeparkmd.gov](mailto:lthomas@collegeparkmd.gov)

240-487-3511 (Direct)

Sarah Price, Information Systems Manager

[sprice@collegeparkmd.gov](mailto:sprice@collegeparkmd.gov)

240-487-3529 (Direct)

### Finance:

Tracey Clayton, Billing & Collections Supervisor

Margaret Crissinger, Payroll Supervisor

Kim Hall, Accounts Payable Supervisor

Latisha Moore, Fiscal Support Specialist

Donna Smith-Peebles, Fiscal Support Specialist (shared between Finance and Parking Enf.)

### Information Technology:

Youssef Oulahyane, Information Systems Technician / Website Administrator

Wayne Kolb, Information Systems Technician

Gonzalo Scalzo, Programmer Analyst

## **PHONE AND FAX**

Telephone: 240-487-3509, Option 1

Fax: 301-864-8941

## **OFFICE HOURS**

8:00 a.m. – 5:00 p.m., Monday – Friday

## **OFFICE OF HUMAN RESOURCES**

**240-487-3533**

**Director – Jill Clements**

### **Human Resources (1005)**

The Office of Human Resources has responsibility for planning, managing and administering all human resources programs and activities for the City. These programs include hiring, benefits, wage and salary, employee relations, labor relations, personnel policy creation and interpretation, wellness, and other miscellaneous activities. The Director of Human Resources provides guidance to managers and employees on legal and regulatory changes, performance issues and corrective action. All personnel actions affecting an employee's pay are reviewed and discussed for appropriateness of the action before forwarding to the City Manager for final approval.

### **PROGRAMS AND ACTIVITIES**

#### **Recruitment**

All recruitment activities, including posting and advertising of vacancies, applicant selection and interviews, reference checking, and new employee orientations are initiated and coordinated by Human Resources.

The City of College Park provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to age, ancestry or national origin, color, physical or mental disability, ethnicity, gender, gender identity or expression, genetic information, marital status, political affiliation, pregnancy, race, religion, sexual orientation, or veteran status. In addition to federal law requirements, the City complies with applicable state and local laws governing non-discrimination in employment. This policy applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

The City of College Park expressly prohibits any form of workplace harassment based on the protected categories listed above. Retaliation against any employee who files a charge of discrimination or attempts to exercise his/her protected rights is prohibited.

#### **Benefits**

Human Resources has the responsibility for requesting, evaluating, comparing, and making recommendations to purchase or renew all employee benefit insurances and products such as health, dental, vision, life, long term disability, flexible spending accounts, and employee assistance programs. We also administer the two defined contribution plans offered by the City (the 401(a) Defined Contribution Plan and the 457 Deferred Compensation Plan) and coordinate the Maryland State Reformed Contributory Pension Plan.

## **Employee Relations**

The Human Resources Department provides counseling, guidance and interpretation of personnel laws, regulations, policies, and procedures for all managers and employees. We also function as advocates for employee concerns when appropriate.

The Human Resources Director chairs the Personnel Committee that is representative of all employees in all departments. In addition to providing a forum for employee opinion, the committee functions as the selection committee for the administration of the Awards and Suggestions Programs.

The HR staff also coordinate the employee committees that plan and implement annual employee events, such as the summer picnic and the winter holiday party.

## **Personnel Regulations and Administrative Policies and Procedures**

Personnel Regulations and administrative policies and procedures are drafted by the Human Resources Director as issues arise that need written clarification or guidelines. The Director is also responsible to maintain current knowledge of regulatory changes that may affect our personnel policies. The Human Resources department maintains all written regulations, policies and procedures that relate to employees or other Human Resources issues.

## **Wage and Salary**

The Human Resources staff maintain up-to-date wage and salary comparisons for City positions. We participate in local and national compensation surveys as needed to ensure we know how our wages and benefits compare to other municipalities. The HR Director provides information and recommendations to the City Manager regarding wage and salary increases and budgetary data.

Recommendations for the classification of all new positions, changes to current positions, and drafting of job descriptions all are written or reviewed and approved by Human Resources.

## **Labor Relations**

The Human Resources Director is a member of the management team that negotiates the City's Agreement with its labor union. The Human Resources Director also serves on the Labor-Management Team that meets regularly during the term of the AFSCME bargaining agreement and is involved with grievances as needed.

## **Safety**

Human Resources staff works closely with the Safety Officer on employee safety issues, workers' compensation, drug testing, and related training.

## **Wellness**

The Human Resources staff supports an active wellness program for all interested employees. We arrange several wellness lunch 'n learn seminars throughout the year and also plan a Health and Wellness Fair annually in the fall. Nearly 70% of our employees participate in our free flu vaccine program. We sponsor a variety of exercise programs and wellness challenges throughout the year, along with weekly emails on seasonal wellness topics.

Human Resources is a two-person department. On the few occasions when both the Human Resources Director and the Human Resources Generalist have out-of-the-office commitments simultaneously, current job postings and a computer to submit application forms are available in the lobby outside the Human Resources office and on the City's website. There is also a mail slot in the office door of Human Resources for delivery of interoffice mail, or other documents. In emergency situations, we can both be reached by cell phone via the City Manager or any Director.

### **STAFF**

Jill Clements, Director of Human Resources

[jclements@collegeparkmd.gov](mailto:jclements@collegeparkmd.gov)

Office: 240-487-3534 (Direct)

Teresa Way-Pezzuti, Human Resources Generalist

[tway@collegeparkmd.gov](mailto:tway@collegeparkmd.gov)

Office: 240-487-3536 (Direct)

### **PHONE AND FAX**

240- 487-3533 Phone

301-277-4188 Fax

### **OFFICE HOURS**

8:00 a.m. – 4:30 p.m. Monday - Friday

## **DEPARTMENT OF PLANNING, COMMUNITY & ECONOMIC DEVELOPMENT**

**240-487-3538**

**Director – Terry Schum**

**Cell Phone: 202-271-7927**

### **HISTORY**

In fiscal year 1985, the Department of Economic and Community Development was established to consolidate the City's economic and community development efforts in anticipation of the close-out of the Urban Renewal Program in the Lakeland area. In fiscal year 1988, the Department was reorganized to include development and zoning-related issues previously handled by the Department of Public Services and was renamed the Department of Planning, Community and Economic Development.

### **BUDGET**

The Department's operating budget for FY16 is \$662,463. It includes funding for the College Park Advisory Planning Commission (APC), a seven-member board appointed by the Mayor and Council to hear zoning appeals and address land use issues. In addition, the department has responsibility for the administration and implementation of various capital projects in the five-year capital improvement program (CIP). For FY16, the CIP includes over \$3.7 million dollars in funding for 16 projects managed by the Planning Department.

### **AREAS OF RESPONSIBILITY**

The Department is organized into three functional areas (community development, planning and zoning and economic development) with staff assigned to each area. Cross-training is encouraged. The specific programs and projects that currently fall within these functional areas are described below.

#### **Community Development (3011):**

Primary activities in this area include applying for and administering funding from a number of local, state and federal sources in order to improve the quality of life in the City. The Department also initiates special projects to enhance the City as a place to live, work and visit.

- A. **Community Development Block Grant (CDBG) Program:** The City, every three years, has the option of pursuing federal funding from the Department of Housing and Urban Development (HUD) by participating in the State of Maryland's Small Cities Program or in Prince George's County's Entitlement Program. The City currently participates in the County's program and applies for (and often receives) approximately \$100,000 annually for projects that directly benefit low or moderate-income neighborhoods or individuals. The most recent application submitted (Program Year 42) requested \$120,000 for street resurfacing and sidewalk improvements along Norwich Avenue in the Old Town neighborhood. The only other outstanding CDBG project (\$100,000) is the construction of Randolph Macon Street, a new road being constructed in Old Town to facilitate the construction of 7-8 new owner-occupied homes. This is being implemented under a Memorandum of Understanding with the City.
- B. **Program Open Space:** The City receives an annual allocation of funds from the State of Maryland (passed through M-NCPPC) for parks and recreation projects. Funding comes from the state transfer tax and varies from year-to-year. Funding is usually split between acquisition and development projects and development projects require a 25% match. Current projects

include the renovation of Duvall Field and acquisition and construction of the Hollywood Gateway Park.

- C. Community Parks and Playgrounds: This is a state program targeted to the renovation of existing playground facilities or the construction of new ones in municipalities. Funds are available through a competitive application process. Current funding is available for the renovation of the Old Town Playground.
- D. Community Legacy/Sustainable Communities: In 2002, at the request of the City, the Route 1 corridor was named a Community Legacy Area by the State of Maryland, which makes funds available for revitalization activities through a competitive application process. In 2012, the state repurposed the program as the Sustainable Communities Program and required localities to submit a new Sustainable Communities Plan for approval to be eligible for future funding. The entire city was approved for designation as a Sustainable Community. A current application is pending approval for \$75,000 for hazardous material removal and other improvements to prepare the Calvert Road school building for reuse. Recently completed projects include the strategic demolition of substandard buildings on Route 1 and the Commercial Tenant Improvement Program.
- E. Maryland Heritage Areas Authority (MHAA) and Anacostia Trails Heritage Area (ATHA): College Park is part of the ATHA Management Plan for tourism-based economic development and has three Targeted Investment Zones (Berwyn, Hollywood and the Route 1 corridor). Funding through competitive applications is available through both organizations. Recently completed projects include the preparation of walking tour brochures for Lakeland and Berwyn and historic signage for Old Town. Funds are on hand to help market the kick-off of the bike share program.
- F. New Neighbors Homeownership Grant Program: Since 2006, the City Council has appropriated over \$200,000 for homeownership assistance grants. Grants of up to \$5,000 are available at settlement for down payment or closing costs. The goal is to encourage the conversion of single-family rental properties to owner-occupied housing and to encourage police officers, firefighters and city employees to live in College Park. There is approximately \$40,000 currently available in this fund.
- G. Safe Routes to School: This is a program administered by the State Highway Administration that provides funding for construction of sidewalks in the vicinity of local schools. The City has received three grants totaling \$353,180 for the construction of sidewalks in the vicinity of the Hollywood Elementary School.
- H. Federal Earmark: A federal EDI grant of \$500,000 administered by the Department of Housing and Urban Development was received for Route 1 streetscaping in Downtown College Park in connection with the former East Campus project. All funds have been obligated and various sidewalk, street light, street furniture and landscaping improvements are currently underway.

- I. Bike share: The Maryland Department of Transportation (MDOT awarded the City and the University of Maryland a total of \$375,000 to initiate a bike sharing program in College Park which is scheduled to launch in spring, 2016. Developer contributions are being used as matching funds.
- J. Bicycle Infrastructure: The City has been awarded over \$100,000 from the Maryland Department of Transportation (MDOT) for sharrow installation and bicycle signage. A technical assistance grant from the Washington COG Transportation Planning Board for a complete streets policy and implementation plan was recently completed.
- K. Green Initiatives: The City formed a Green Team and was named a Sustainable Maryland Green Community based on a successful application and completion of a 3-year action plan. Green streets funding from the Chesapeake Bay Trust has been used for design plans for selected city streets and construction funding is now available for implementation.

**Planning and Zoning (3012):**

The City is within the Maryland-Washington Regional District covered by the Maryland-National Capital Park and Planning Commission (M-NCPPC). The City does not have full planning and zoning authority but was granted limited authority in 1997 for zoning appeals and departures. In 2005, the state legislature passed enabling legislation for additional municipal authority including approval of detailed site plans, however, this authority cannot be exercised until it is approved by Prince George’s County. In 2011, the city was given the authority for certification, revocation and revision of nonconforming uses; minor changes to approved special exceptions and alternative compliance for landscaping requirements.

The City’s zoning application review process involves reviewing and commenting on zoning, special exception, detailed site plan and subdivision applications referred to the City by the M-NCPPC for action by the Planning Board, Zoning Hearing Examiner and/or District Council. It also includes variance and departure applications and fence appeals filed directly with the Planning Department and heard by the City’s Advisory Planning Commission with final action by the City Council. For all of these applications, staff reports and recommendations are prepared and presented. More information about the review and approval process for these applications is attached.

The City’s planning program involves the preparation of local plans authorized by the Mayor and Council (The 1995 College Park Comprehensive Plan, The 2003 City of College Park Housing Plan and the 2005 Economic Development Plan) and the collaboration of planning efforts with Prince George’s County, M-NCPPC, the University of Maryland, the Metropolitan Washington Council of Governments, MDOT and WMATA. Local planning efforts currently underway or to be initiated soon include a Citywide Bicycle Master Plan and a Parks and Open Space Plan. The College Park-Riverdale Park Transit District Development Plan is currently being updated as is the Prince George’s County General Plan. The following is a list of plans of record that currently guide development efforts within the City:

- Langley Park, College Park, Greenbelt and Vicinity Master Plan, 1990
- Prince George’s County General Plan, 2002 (update underway)
- US Route 1 Sector Plan and Sectional Map Amendment, 2010
- Transit District Development Plan for the College Park-Riverdale Transit District Overlay Zone, 1997 (update underway)
- Greenbelt Sector Plan and Sectional Map Amendment, 20012

- University of Maryland Facilities Master Plan, 20012

### **Economic Development (3014)**

This program was established in FY1997 to focus efforts on revitalizing the City's commercial districts, marketing the strengths and assets of College Park, and providing assistance for business retention, expansion and recruitment. The City of College Park Economic Development Plan was adopted in 2005. Current efforts include pursuing a tax increment financing strategy for Route 1 and marketing College Park as a "Smart Place to Live." Ongoing activities include:

- Conducting real estate roundtables with city brokers, developers and property owners to share information on leasing and development opportunities, real estate transactions, market trends, etc.
- Writing and distributing a bi-monthly Real Estate Development Update and Local Business Update (Business Beat).
- Providing information and referral services to the real estate development community.
- Pursuing revitalization activities on Route 1, in the TDOZ, and in the Berwyn and Hollywood commercial districts.
- Supporting revitalization partnerships with the Downtown College Park Management Authority, Prince George's County Economic Development Corporation, Prince George's County Redevelopment Authority, the College Park City-University Partnership, the Anacostia Trails Heritage Area and the College Park Neighborhood Business Alliance.
- Maintaining the City's destination website: [www.ShopCollegePark.org](http://www.ShopCollegePark.org)

### **Board and Committees Supported by the Planning Department:**

- Committee For a Better Environment (1009)
- Advisory Planning Commission (3013)

## **STAFF**

There are four professional planners, one administrative assistant and one part-time economic development intern. The current staff members are:

Terry Schum, AICP, Director

[tschum@collegeparkmd.gov](mailto:tschum@collegeparkmd.gov)

240-487-3539 (Direct)

Cell: 202-271-7927

Miriam Bader, AICP, Senior Planner

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240-487-3542 (Direct)

Steve Beavers, Community Development Coordinator

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240-487-3541 (Direct)

Randall Toussaint, Economic Development Coordinator

[toussaint@collegeparkmd.gov](mailto:toussaint@collegeparkmd.gov)

240-487-3543 (Direct)

Theresheia Williams, Administrative Assistant

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240-487-3540 (Direct)

Vacant, Economic Development Intern

[internplanning@collegeparkmd.gov](mailto:internplanning@collegeparkmd.gov)

## **PHONE AND FAX**

Telephone: 240-487-3538

Fax: 301-887-0558

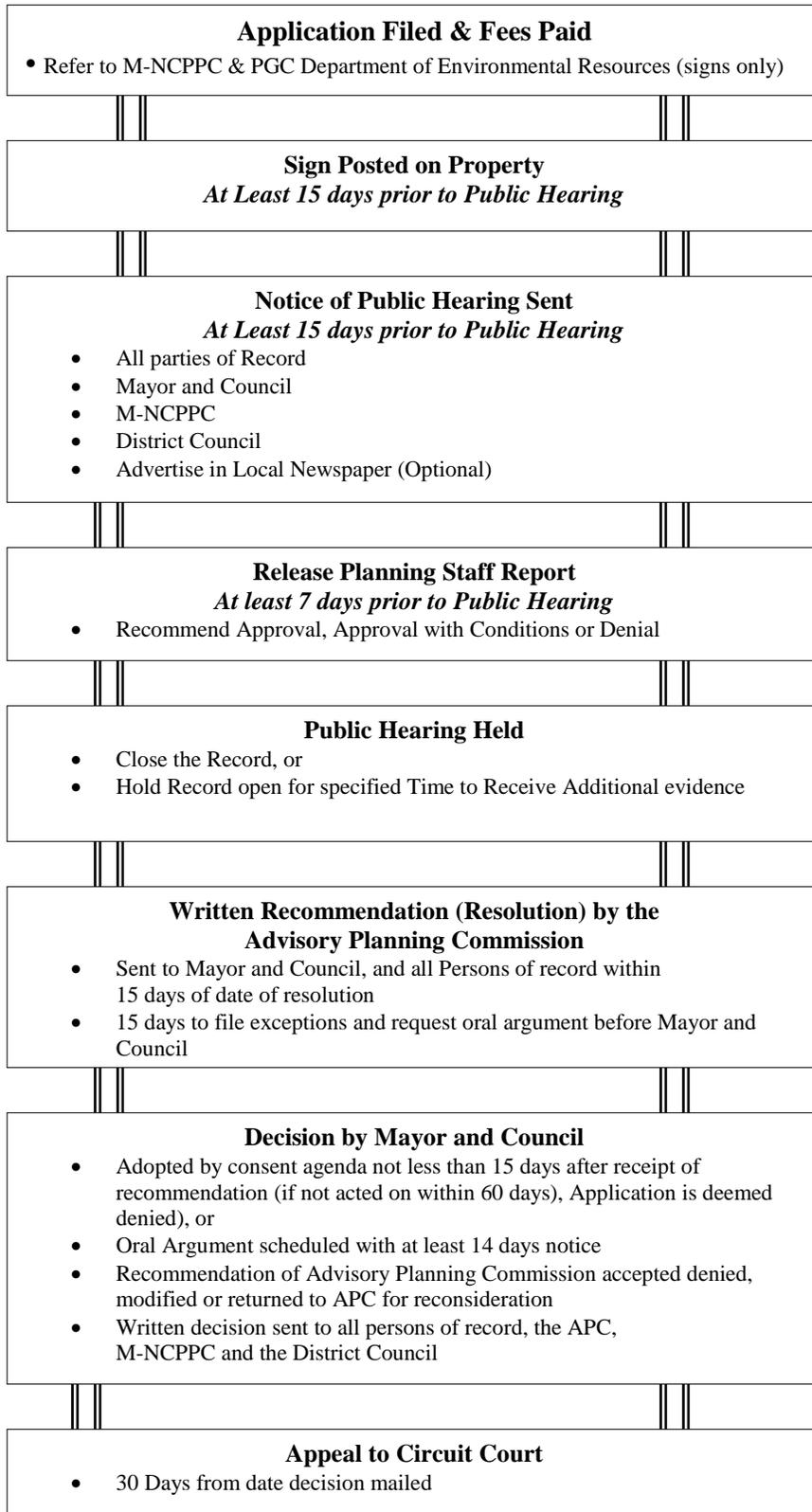
## **OFFICE HOURS**

8:00 a.m. – 5:00 p.m., Monday – Friday

## **ATTACHMENTS**

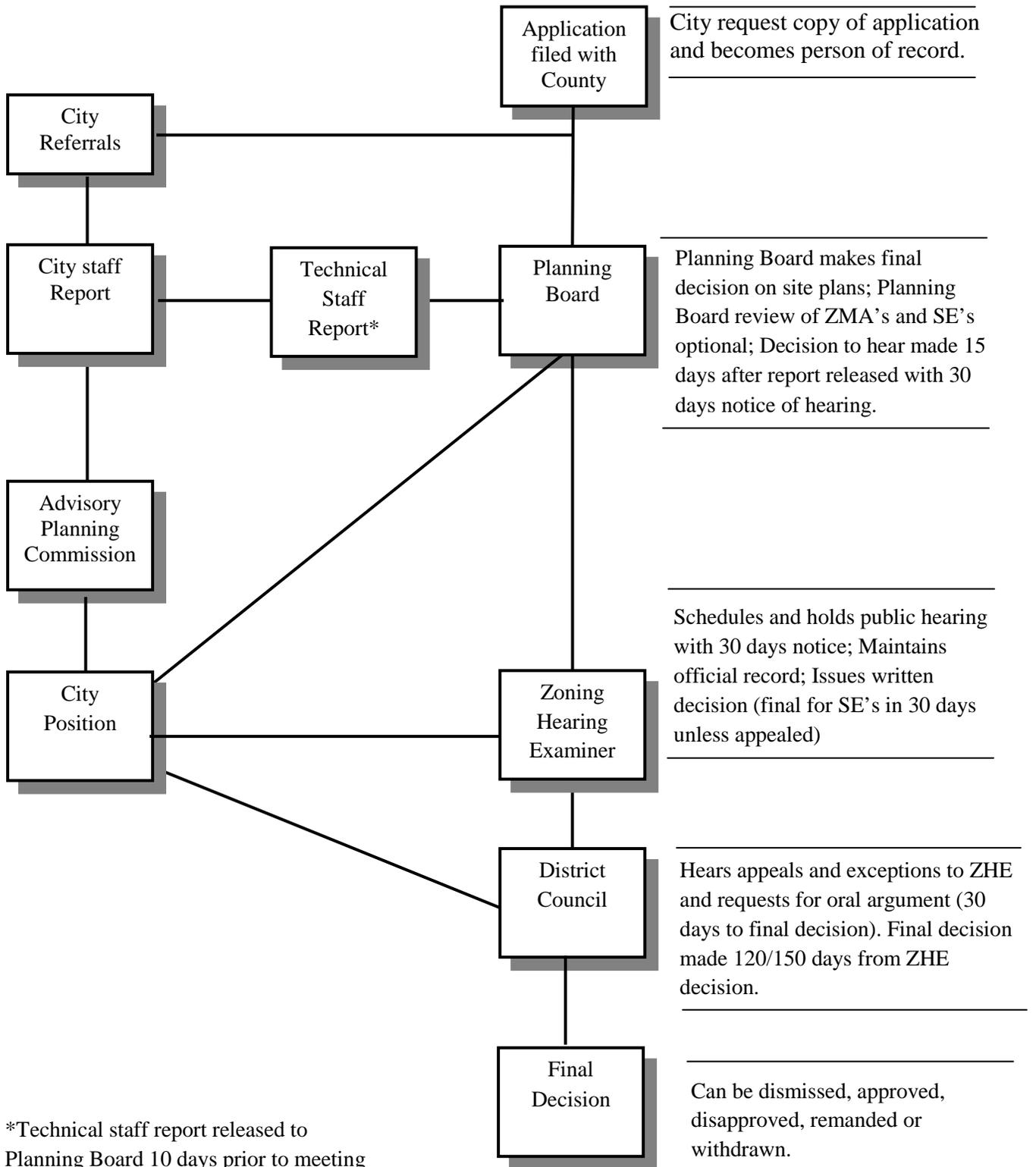
1. Variance Process
2. Departure Process
3. Zoning Applications
4. College Park Business Beat
5. College Park Real Estate Development Update

# PROCESS FOR DEPARTURE REQUEST



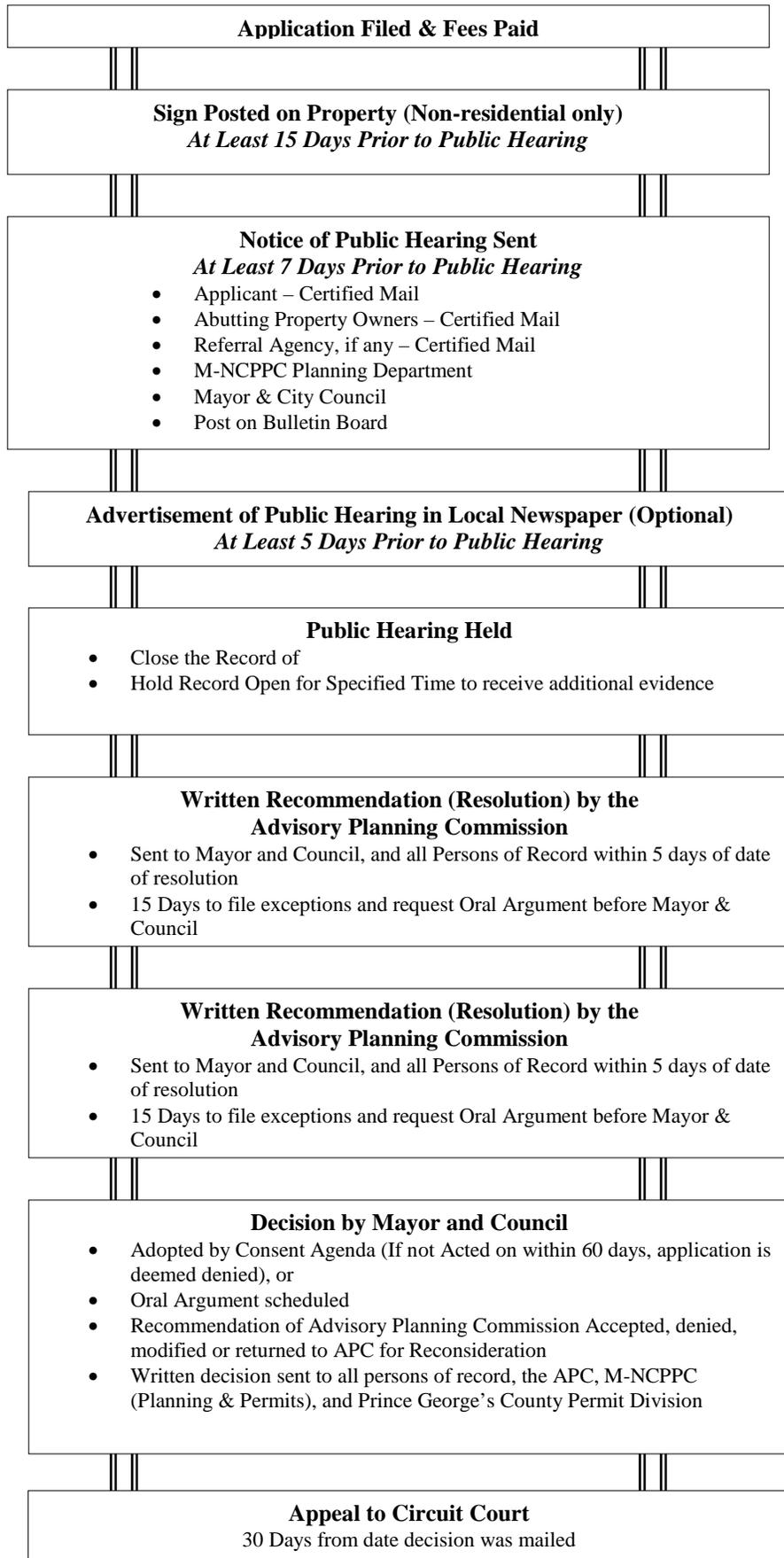
# ZONING APPLICATION PROCESS

## ZONING Map Amendments, Special Exceptions and Site Plans



\*Technical staff report released to Planning Board 10 days prior to meeting for site plans and 30 days prior to ZHE hearing for ZMA's and SE's.

# PROCESS FOR VARIANCE REQUEST



**DEPARTMENT OF PUBLIC SERVICES**

**(4601-A Calvert Road)**

**240-487-3570**

**Director – Robert W. Ryan**

**Cell Phone: 240-375-1380**

The Public Services Department consists of four staffed programs: animal control, code enforcement, parking enforcement, and public safety. In addition, the Department provides leadership or coordination of adjunct assignments such as emergency management and public safety agency liaison. Most Departmental leadership staff are subject-matter experts in their assigned duties. All Departmental staff share cross-functional responsibility to refer problems noted to the most appropriate group or person, e.g., Code Enforcement Officers and Parking Enforcement Officers refer observed violations to each other, etc.

**Animal Control (2013), Animal Control Officer - Vivian Cooper, 240-375-3165 (mobile)**

Animal Control is staffed by one Animal Control Officer (ACO). The ACO works a flexible 40-hour-per-week shift to provide appropriate seasonal response and patrol, on-call response for injured animals, and animal abuse complaint investigations. The ACO enforces Chapter 102 of the City Code, and the Prince George's County Animal Control Ordinance which the City adopts by reference. The ACO serves as staff liaison to the Animal Welfare Committee (AWC). Emergency back-up is provided by the Prince George's County Animal Management Division (301-780-7200). Requests for animal control services can be made by calling the ACO at 240-375-3165, or by calling Public Services at 240-487-3570. Non-urgent requests can also be made online by clicking "Report a Problem" on the City's homepage ([www.collegeparkmd.gov](http://www.collegeparkmd.gov)), and by emailing the request to [publicservices@collegeparkmd.gov](mailto:publicservices@collegeparkmd.gov).

The City has a small animal holding facility at the Public Works Yard. Any healthy, adoptable, domesticated animal discovered running free and caught by the Animal Control Officer is held for at least three weekdays. The City's Animal Welfare Committee (AWC) as well as appropriate animal welfare agencies are used to place adoptable animals. If deemed unadoptable, they are transported to the Prince George's County Animal Management Shelter in Upper Marlboro. Owners of licensed animals retrieved by the Animal Control Officer are notified and may recover their pets after paying any outstanding fees or fines.

Public information and animal care education is provided by the ACO and AWC, using various media and presentations. The ACO provides wildlife management advice and information to City residents and may capture dangerous, injured, or diseased wildlife. Pest or nuisance wildlife infestation on private property is the responsibility of the property owner, using licensed pest control contractors or DNR approved wildlife management contractors.

**Code Enforcement (2012), Code Enforcement Manager - Jeannie Ripley, 240-375-3164 (mobile)**

Code Enforcement is staffed by one full-time Manager, six full-time and two part-time Code Enforcement Officers, 3.5 FTE administrative support staff, and contract staff as needed. The Officers work a variety of shifts seven days a week. Each officer is cross-trained in commercial and residential inspections, fire code enforcement, noise monitoring, and zoning enforcement.

Code Enforcement Officers are responsible for the inspection of all rental and nonresidential properties in the City, including motels, apartments, rooming houses, single-family dwellings, fraternities, sororities, and nonresidential establishments as required by the City Code. Chapters 87, 125, 132, 138, 141, 144, 157 and 190 of the City Code are enforced by Code Enforcement. Interior and exterior inspections of all rental units and commercial properties are performed annually. Additional inspections may be performed if exterior conditions indicate that additional code violations may exist inside the property or if a tenant reports a possible violation of the code and requests an interior inspection. These inspections are part of the licensing process. Licenses are issued by the Department after all fees are paid, all violations are corrected, and any other compliance issues, e.g. lead abatement certifications, are resolved.

In addition to the annual inspections of properties requiring a license, daily exterior property maintenance inspections are performed on properties. CEOs are assigned specific areas to monitor, and exterior inspections are performed while CEOs travel from one scheduled inspection to another or during a routine patrol. The CEOs observe properties for conditions such as poor yard maintenance, unregistered vehicles, trash and/or recycling bins at the curb on non-collection days, accumulated trash and debris, construction projects without required permits, parking on the grass or the need for overall exterior maintenance such as painting, gutter repairs, etc. These inspections include both rental and owner occupied properties. Nonresidential properties are also monitored for the same types of violations, with emphasis on illegal signs.

The schedules of Code Enforcement Officers (CEOs) include Saturday and Sunday day shifts to monitor litter, exterior property maintenance, and construction permit violations. CEOs are also assigned to a night shift on Thursday-Friday-Saturday from 6:00 p.m. to 4:00 a.m., except during UMD winter break, primarily for response to afterhours complaints, such as for noise.

Residents can report possible code violations a number of ways, including anonymously. Residents can use the “Report a Problem” feature on the City homepage ([www.collegeparkmd.gov](http://www.collegeparkmd.gov)), and follow the instructions to report and track the complaint. Additionally, residents can email the department at [publicservices@collegeparkmd.gov](mailto:publicservices@collegeparkmd.gov). Residents can also call the department to report code violations and noise ordinance violations at 240-487-3588. This number is answered or monitored 24/7/365 by office staff and, after regular business hours, by on-duty or on-call Code Officers.

### **Violation Notices and Municipal Infractions**

If a code violation has been noted by a CEO, a notice of violation/correction order is sent to the property owner via regular U.S. mail, posted on the property and through our email notification process (if information is available). The notice indicates the specific violation and provides a specified time prescribed by the City Code for correction of the violation. Many violations allow 30 days for correction; in the case of tall grass, accumulated trash, inoperative vehicles, parking on the grass, trash or recycling bins being left out, and litter violations, the time frame for correction ranges from 24-hours to ten (10) days. Processing of violation notices are automated using mobile tablet computers which have been provided in Code vehicles to allow on-site citation production with data stored on the City’s servers.

The CEO re-inspects the property after the correction period, and if the violation remains uncorrected, a Municipal Infraction Citation is issued to the owner of the property. The Municipal

Infraction Citation imposes a fine for noncompliance with the City Code. Municipal Infractions Citations may be appealed to the District Court of Maryland for Prince George's County. Often, due process from the time of the notice of violation to the issuance of a court judgment and abatement order may take a year.

The party to whom the Municipal Infraction Citation is issued has 30 days to pay the fine or request adjudication. If there is no response from this party or representative, the Citation is then transmitted to the District Court of Maryland for Prince George's County to request a court date. The issuing CEO represents the City during a court hearing. The City Attorney may be used at times, but normally an Assistant State's Attorney presents the Municipal Infraction at trial.

Members of the Council are invited to visit Code Enforcement and observe it in operation. If your schedule permits, you may accompany a CEO on their inspections.

**Parking Enforcement (2011), Parking Enforcement Manager - Jim Miller, 240-375-3185 (mobile)**

Parking Enforcement is staffed by one full-time Manager, one Officer/Field Operations Supervisor, five full-time Parking Enforcement Officers, one part-time Parking Enforcement Officer, and 1.5 FTE administrative/information technology staff. The Parking Enforcement Division is located at City Hall (4500 Knox Road) and is responsible for the enforcement of all parking regulations within the City of College Park, assigned traffic control duties and resident petition verification. Parking Enforcement office hours at City Hall are 8:00 a.m. to 7:00 p.m. Monday through Friday, and 1:00 p.m. to 5:00 p.m. on Saturdays. The Parking Enforcement main number is 240-487-3520.

All of the downtown parking meters and pay stations are owned by the City. There is Pay-By-Space or metered parking in the City Hall Lot, the City's parking garage, and Lot 1 (the College Park Shopping Center/CVS Pharmacy). Parking meters along Knox Road, Yale Avenue, College Avenue, the 4500 block of Lehigh Road, and Hartwick Road are on City-owned property. The pay stations on Lot 1, Lot 2 (next to Applebee's Restaurant); and Lot 3 (behind the Shopping Center with access from Knox Road) are all on property owned by JBG/Rosenfeld.

The meters on the Sterling Lot, Sterling Place and the 4300/4400 blocks of Knox Road (the 7-11 Lot) are on property owned by the University of Maryland Foundation. There are a total of 769 metered spaces as of November 2015 in operation from 8:00 a.m. to 10:00 p.m., Monday through Saturday, excluding Federal holidays.

Permit parking at the three College Park Shopping Center Lots and the Sterling Lot are available for employees of businesses in the downtown area which rely on parking at metered lots. City staff enforces all applicable restrictions at these lots. Monthly Parking Permits are available for the City's parking garage and the St. Andrew's Church Lot for employees of those businesses ineligible to participate in other parking programs in the downtown area, and for other individuals seeking parking.

In addition, there are 14 residential permit restricted parking zones (with a total of 22 different sets of restrictions within these zones) as follows: 4700 block of Fox Street, 5000 and 5100 blocks of Roanoke Place, Calvert Hills, Cherry Hill, Duvall Field, Graduate Gardens, Hollywood, Indian Lane, Lakeland, Lord Calvert Manor, Mineola, Old Town, Pontiac Street, Quebec Street. The

Parking Enforcement Division is also responsible for traffic control in the municipal garage and City parking lots for special events.

One full-time officer and one part-time officer patrol the downtown area on foot, primarily enforcing the parking meters and pay stations. The remaining officers are assigned staggered shifts patrolling the residential communities, including the permit parking areas. In addition to the metered lots and the permit areas, the City also enforces parking restrictions on the College Park Metro Station parking lots and the Metro “Kiss and Ride” lot. Community patrols are conducted six days a week, Monday through Friday from 6:00 a.m. to 10:00 p.m.; and from 8:00 a.m. to 10:00 p.m. on Saturdays.

Parking officers use hand-held ticket writers to access automated records, monitor pay stations, and issue parking citations. Officers are notified of any outstanding tickets when a vehicle tag number is entered into the hand-held ticket writers. Office staff can access registered owner information on Maryland tagged vehicles, through a link to the Maryland Motor Vehicles Administration’s “MILES” System in Glen Burnie, Maryland. This information is confidential.

The Parking office staff issue all permit parking passes, accept payments for parking permits and fines, and sell Prince George’s County animal licenses, MVA renewal stickers, nonresident stickers for MVA, and daily visitor permits for Residential Permit Parking Zone 6 in Old Town and Zone 11 and 11-A in the Lord Calvert Manor area of the City. The City receives \$1.50 for each MVA renewal sticker sold, \$4.00 for each nonresident permit sticker sold, and \$1.00 for each County animal license sold.

Members of Council are invited to visit the Parking Enforcement Division or to ride along with parking enforcement officers.

### **Public Safety (2020)**

The Director serves as liaison to public safety agencies. The Public Safety program utilizes available public safety resources in efforts to enhance the personal safety of City residents and businesses. Communications are maintained with County, State, Park, Transit and University public safety agencies (e.g., Police, Fire, EMS & Emergency Management) operating within the City’s boundaries. The Public Safety program supports the Neighborhood Watch and other Citizen Corps programs such as the Community Emergency Response Team (CERT). This program supports public crime prevention training and public information at community safety events, including National Night Out and College Park Day.

### **Contract Police (2030)**

The City Contract Police Program is designed to enhance and supplement the five police agencies which have primary and concurrent jurisdiction in certain areas of the City. These include the Prince George’s County Police Department which has primary jurisdiction city-wide; the Maryland State Police, which patrols the interstate and state highways; the University of Maryland Department of Public Safety, with primary jurisdiction on University property and concurrent jurisdiction and patrols in Old Town, Calvert Hills, Lord Calvert Manor, Lakeland, Berwyn and Crystal Springs, the WMATA/Metro Transit Police, which patrols the two Metro stations, parking lots, and bus stops; and, the M-NCPPC Park Police which patrols M-NCPPC property in the City.

The Contract Police Program is currently staffed by two (2) full-time Prince George's County police officers assigned through an MOU and contract with Prince George's County Police, and a pool of 34 off-duty Prince George's County Police Officers and one Lieutenant Supervisor who work part-time directly for the City. Under the terms of the contract agreement, the City pays for vehicle mileage, court time, meeting time, and community events as they relate to College Park contract work. The City reimburses the County for all earned leave, training, and overhead costs of the full time officers.

This program is supported by 0.30 FTE of the Administrative Assistant and Office Specialist's duty assignment, and is administered by the Director. In FY16 this program adds 350-400 hours each week of supplemental police patrol to the routine patrols of other agencies. The County continues to provide and staff two beat patrols, two COPS officers assigned to City neighborhoods and special squads, such as special event task force, detectives, robbery suppression teams, etc., serving throughout the City.

The goals of the contract program are to supplement PGPD by increasing police visibility in the neighborhoods, target reported chronic crime problems, reduce police response times to emergency and non-emergency calls for service, and increase communication with residents and business owners. Contract Officers display the magnetic "College Park" signs on their cruisers while on duty for the City. We also schedule foot and bicycle patrols by qualified officers, and request that officers stop and speak with residents and merchants when appropriate. The program is designed to increase police presence citywide. Responses to calls for service are intended to be seamless with all agencies responses.

**Residents should call the Prince George's County Public Safety Communications 9-1-1 number for all emergencies and requests for urgent police services, including whenever a suspicious person is still in the area.**

Residents should call the **non-emergency 301-352-1200** number for other police services such as vandalism with no suspect on the scene.

A police services study was completed in May 2007 and is available on the city's website at <http://www.collegeparkmd.gov/Documents/Final%20Matrix%20Report.pdf>.

### **Recreation (2014)**

This program is staffed by adjunct duty assignments of the administrative staff as needed. The Director acts as staff liaison to the College Park Recreation Board. The Board plans and coordinates various activities such as the annual Fourth of July Concert & Fireworks, City Exhibit at Maryland Day and College Park Day, the Fall Blues Festival, and several other activities, with volunteer, event partner, and Public Services staff support.

**Boards and Committees Supported by Public Services:**

- **Advisory Planning Commission (3013)** (for fire code, zoning, housing code, and permit appeals)
- **Animal Welfare Committee**
- **Citizen Corps Council**
- **Neighborhood Watch( A CPCCC program)**
- **Community Emergency Response Team: ( A CPCCC program)**
- **Noise Control Board**
- **Recreation Board**

**STAFF**

Vivian Cooper, Animal Control Officer  
Sharon Fletcher, Office Manager  
Jim Miller, Parking Enforcement Manager  
Jeannie Ripley, Code Enforcement Manager  
Bob Ryan, Director

vcooper@collegetparkmd.gov  
sfletcher@collegetparkmd.gov  
jmiller@collegetparkmd.gov  
jripley@collegetparkmd.gov  
bryan@collegetparkmd.gov

**PHONE AND FAX**

**240-487-3588 is staffed or monitored 24-7 for code and noise ordinance calls**

Calvert Road Staff:           240-487-3570 (phone)  
  301-864-7965 (fax)  
  publicservices@collegetparkmd.gov

Parking Enforcement Staff: 240-487-3520 (phone)  
(City Hall)                   301-699-8029 (fax)

**OFFICE HOURS**

Calvert Road:                   Monday through Friday       8:00 a.m. to 5:00 p.m.

Parking:                        Monday through Friday       8:00 a.m. to 7:00 p.m.  
(City Hall)                    Saturday                        1:00 p.m. to 5:00 p.m.

## **DEPARTMENT OF PUBLIC WORKS**

**(9217 51<sup>st</sup> Avenue)**

**240-487-3590**

**Director -- Robert T. (Bob) Stumpff**

**Cell Phone: 240-375-4778**

The Department of Public Works (DPW) is the largest City department, with a staff of 50. Its employees are among the most visible as they collect refuse, recyclables, litter and yard waste, remove snow and ice, maintain the urban right-of-way landscape, deliver refuse and recycling bins, compost and wood mulch. Essentially the department is divided into two primary sections. Management develops departmental programs and policies, which ensure compliance with City mandates and public expectations and manage capital projects and occupational safety. Operations supervises the day-to-day functions of: horticultural services; solid waste, recycling and yard waste collections, street and signage maintenance, snow removal, fleet maintenance and compost production and sales.

Public Works provides detailed information about its operations, schedules, reporting of problems, and related programs in its section of the City's website ([http://www.collegeparkmd.gov/government/public\\_works/index.php#.Vk47Z3arS00](http://www.collegeparkmd.gov/government/public_works/index.php#.Vk47Z3arS00)) as well as in the Resident Information Guide, which is delivered to each residence and is on the website.

Residents can request services or report concerns in several ways: email DPW at [publicworks@collegeparkmd.gov](mailto:publicworks@collegeparkmd.gov); select "Report a Problem" from the City's homepage ([www.collegeparkmd.gov](http://www.collegeparkmd.gov)) and follow the steps; or call 240-487-3590 and speak with DPW staff.

### **Public Works Administration (5010)**

This program is responsible for planning, managing and administering all activities in the department, which includes maintaining financial records, correspondence, managerial record keeping, and training.

### **Refuse Management (5011)**

This program is responsible for collection and disposal of the City's solid waste. Curbside collections are complemented with back-door collection for the elderly and/or disabled residents. Large bulky items are collected by appointment. Refuse and recycling carts are supplied free to residents by the City.

### **Leaf and Grass Collection (5012)**

Curbside leaf collection operates from the first week in November until December 31. Leaf vacuum machines are pulled behind City trucks to collect leaves raked to the curb by residents. Temporary laborers are utilized to assist with leaf collection. The City is divided into seven service areas, and signs are posted in each area prior to leaf collection. Each area receives approximately four leaf collection cycles per season. A leaf collection plan is distributed to the City Council prior to November 1, which outlines the tentative collection schedule. Leaf collection is affected by the weather and the tentative schedule is updated every Friday. The updated calendar is put on the website and distributed to Council by email. The grass/yard waste collection program operates from January 1 through the last week of October. Bagged grass and

vegetative yard waste is collected on the regular refuse/recycling collection day, once per week, in paper bags or approved reusable containers with City-issued decals. Plastic bags cannot be used for yard waste. All collected material is brought back to the Public Works Yard for processing into compost (see program 5050).

### **Street Cleaning (5013)**

The City has partnered with three neighboring municipalities (Berwyn Heights, Greenbelt, and New Carrollton) to jointly purchase, operate, and maintain the Four Cities Sweeper. The sweeper is garaged in Greenbelt, and operated by a Greenbelt employee. 110 lane miles of City streets are swept 5 to 6 times annually, utilizing the Four Cities Sweeper. Street sweeping signs are posted prior to sweeping to encourage off street parking if possible. The City has its own small sweeper to clean metered parking areas, the downtown parking garage and other areas as assigned on a daily basis.

### **Signage (5014)**

This program is responsible for maintaining traffic and parking control signs, street name signs, decorative banners, and other City signage. A sign inventory is maintained to facilitate timely replacement of missing and damaged street name, parking, and traffic control signs. A neighborhood sign inspection program is used to monitor and replace signage regularly. Effective June 2014, new retroreflectivity requirements were established by the federal government for regulatory and warning signs, which require sign maintenance to meet the new standards.

### **Street Maintenance (5015)**

This program is responsible for maintaining pavement markings on City streets. Pothole repairs are also covered under this program.

### **Turf and Right-of-Way Maintenance (5016)**

This program supervises contracted mowing services on City-maintained right-of-ways April through October. Approximately 30 acres of grass is maintained, including weekly athletic field mowing.

### **Snow and Ice Control (5017)**

Public Works employees plow and salt City streets and parking lots to clear snow and ice. A snow removal plan is published annually, with designated priority routes. Contractors may provide supplemental plowing operations in the event of a heavy snow. Public Works has a salt dome to store a large amount of salt; and the City sells salt to nearby municipalities during snow events.

### **Public Works Buildings (5018)**

The department is responsible for maintaining buildings at the Public Works facility, along with other facilities, including the Calvert Road Metro station underpass, the Veterans Memorial, and financial support for the maintenance of the Berwyn Road pedestrian overpass. Maintenance activities include electrical, plumbing, and roofing repairs along with general facility maintenance.

### **Recreation Facilities Maintenance (5019)**

This program provides for maintenance of athletic fields and recreation facilities, maintenance of eight City playgrounds, and turf maintenance at City buildings. Maintenance of Duvall Field

blockhouse and field lights, as well as underground sprinkler systems at Calvert Road School and Duvall athletic fields, are included in this program.

### **Tree Maintenance (5020)**

This program provides for maintaining the city's urban forest, as well as landscaped areas in the right-of-ways throughout the City. College Park has received Tree City USA designation since 1990, and has been designated as a Plant City by the Maryland Community Forestry Council. Participation in Arbor Day and Earth Day are annual events. Cooperation with the Committee for a Better Environment and the Tree and Landscape Board assure maximum use of allocated resources in the City's beautification efforts.

### **Streetscape Maintenance (5022)**

This program maintains pavers and pedestrian lighting along US Route 1 and streetscape on Calvert Road and Knox Road Plaza to maintain the aesthetics of these locations.

### **Litter and Graffiti Control (5023)**

This program collects and disposes of public litter and removes graffiti. Litter crews remove litter on a daily basis from the downtown area, including the parking garage. Refuse and recycling containers located throughout the City are checked and emptied on a regular basis. City employees clean downtown parking lots and the parking garage and empty litter containers on weekends. City employees carry graffiti remover with them, and are encouraged to stop and remove graffiti whenever they see it. City employees also remove gum from downtown sidewalks.

### **Parking Lot Maintenance (5024)**

This program maintains City-owned and leased parking lots. Lots are re-stripped annually. Parking meter posts and bumper blocks are repaired on a regular basis. The department cooperates with Parking Enforcement to complete maintenance requests at City parking facilities.

### **Recycling (5025)**

This program coordinates recycling awareness and collection efforts for the City, including paper, cardboard, glass, metal cans, plastic bottles, electronics, brush, and white goods. The City opted out of the County recycling program in FY'96 due to an imposition of user fees on City residents by the County. Single stream recycling collections are performed the same day as refuse collections. Electronics, white goods (appliances, air conditioners, hot water heaters, etc.), and woody brush are collected by appointment on Thursdays and Fridays. The brush is brought back to the Public Works yard for processing into wood mulch. This program also includes the sale and delivery of wood mulch. A container for recycling used motor oil is available 24/7 at the Public Works facility.

### **Safety Services (5026)**

This program is responsible for monitoring and assessing safety in the workplace and developing measures to ensure personnel safety. The goal is to reduce workplace risk exposure by identifying potential safety hazards and taking preventative measures. Staff works in conjunction with Local Government Insurance Trust and Chesapeake Employers Insurance on claims management. This program is responsible for overseeing the City's compliance with the OSHA, MOSH, and DOT policies, procedures, and standards, as well as general industry health and safety principles.

Employee safety training and drug and alcohol testing are provided through this program. The Safety Officer also serves as Chair of the City Safety Committee and the Accident Review Board.

### **Parking Garage (5027)**

This program is responsible for the maintenance, cleaning, striping, elevator maintenance, and utility use at the downtown parking garage at Yale Avenue and Knox Road.

### **Facilities Maintenance (5028)**

This program is responsible for heating, ventilation, and air conditioning systems (HVAC), elevator maintenance, painting and minor repairs, alarm monitoring service, and pest control at City Hall and Old Parish House. Custodial and maintenance operating and personnel expenditures for City buildings associated with this program are charged back to utilizing programs as overhead-building maintenance, resulting in a zero budget total.

### **Calvert Road School Maintenance (5029)**

This program maintains the Calvert Road School property.

### **Fleet Services (5030)**

The City's central garage provides fleet maintenance for approximately 106 units, including trash/recycling trucks, pickup trucks, vehicles, snow plows, and other motorized equipment. Regular preventative maintenance of vehicles is performed according to mileage and/or time since last service. Some preventative maintenance and breakdown maintenance is contracted out.

### **Street Lighting (5040)**

This program funds street and park lighting throughout the City. The City contracts with PEPCO for operation and maintenance of streetlights.

### **Compost Yard Operations (5050)**

This program converts raw materials in the form of leaves and grass clippings into a leaf compost material with the registered trademark SMARTLEAF®. Potential tipping fees associated with disposal of these raw materials at the County compost facility are avoided by processing the material at Public Works. Tipping fees are charged to participating municipalities who dispose of their leaves here. This program also includes the sale and delivery of SMARTLEAF® compost.

### **Boards and Committees supported by the Department of Public Works:**

- Tree and Landscape Board
- Veterans Memorial Committee

## **STAFF**

Robert T. (Bob) Stumpff, Director  
[rstumpff@collegeparkmd.gov](mailto:rstumpff@collegeparkmd.gov)  
Office: 240-487-3594 (Direct)  
Cell: 240-375-4778

Brenda Alexander, Deputy Director  
[balexander@collegeparkmd.gov](mailto:balexander@collegeparkmd.gov)  
Office: 240-487-3595 (Direct)  
Cell: 240-508-2683

## **PHONE AND FAX**

Phone: 240-487-3590  
Fax: 301-474-0825

## **OFFICE HOURS**

7:30 a.m. to 4:00 p.m.

## **E-MAIL ADDRESS**

[publicworks@collegeparkmd.gov](mailto:publicworks@collegeparkmd.gov)

## **YOUTH, FAMILY AND SENIORS SERVICES DEPARTMENT**

**(4912 Nantucket Road)**

**240-487-3550**

**Director – Peggy Higgins**

**Cell Phone: 240-375-0388**

The Youth, Family and Seniors Services Department provides community outreach and family counseling (Youth and Family Services program) as well as case management and advocacy services to City seniors (Seniors Program).

### **PROGRAMS AND ACTIVITIES**

#### **Youth and Family Services Administration (4010)**

Youth and Family Services Administration Program Provides

- Management And Oversight Of Department Activities
- Administer Community Outreach As Well As Enhanced Family and Senior Functioning
- Advises Mayor And Council On Family And Senior-Related Issues
- Advocacy For Children And Their Families At The County And State Level  
(Maryland Association of Youth Services Bureaus/State/County)
- Staff Support For The City's Education Advisory Committee  
Administer Education Advisory Committee programs  
City Scholarships to UMD Summer Camp  
School Grants to Local Public Schools
- Staff Support For The City's Aging In Place Task Force

#### **Community Outreach Highlights**

- Hispanic Parent Support Group (Twice a Month at College Park/Twice a Month at Parkdale High)
- Recruit Youth for Annual Expressions Camp held for a week in July and operated by Park & Planning
- Operate Lakeland STARS Tutoring/Mentoring Program With University Of Maryland For College Park Students Attending Paint Branch Elementary (School Year)
- Bi-Annual School Principals Meeting (December and June)
- Coordinate City Contribution to local School Assembly Events
  - Annual Halloween Thing/Spring Egg Hunt Program (October and Spring)
- Annual If I Were Mayor/Municipal Government Month (April/May)
- Distribute Thanksgiving baskets donated each year by Friends Community School
- Coordinate UMD Holiday Gifts from Community Groups (November/December)

#### **Youth And Family Services – Clinical Services (4011)**

- Recognized By Community, Families And Professionals for Expertise in Working with Families and Children
- Premier Site For Graduate Training – U Of MD, Catholic, Argosy, Bowie, Loyola, Chicago School of Psychology
- Child-Focused Counseling Services
- Implementation of Research-based Models
  - Child-Centered Play Therapy

- Filial Play Therapy
- Sand Tray Therapy
- Theraplay
- Family Relationship Enhancement Therapy
- Brief Strategic Play Therapy
- Groups
  - School Groups
  - Neighborhood Groups
- State-Of The Art Facility

### **Seniors Program (4012)**

The Seniors Program provides supportive assistance to City seniors.

- Consistent Individualized Resource For Seniors
- Thorough Knowledge About Resources And How To Negotiate Systems
- Advocates For Seniors With Government Entitlement Programs, Insurance Companies, Physicians, And/Or Collection Agencies
- Serves As Liaison With Other Community Services
- Assists Seniors In Understanding And Responding To Business Correspondence
- Resource In Resolving Family And Interpersonal Issues, Information And Referral
- Coordinates and Provides Bus Transportation To Medical Appointments And Shopping Centers
- Plans and Coordinates 8 Senior Day Trips Subsidized by City of College Park.

### **2015 Seniors Excursion Trips**

Seniors Pay \$20 - \$38 per trip

- Harrington Raceway and Casino with Lunch
- New Freedom PA with Lunch and Train Ride
- Murder Mystery Luncheon Cruise in Baltimore
- “Tennison” Cruise in Solomons
- Annapolis Tour and Lunch
- “Joseph” at Sight and Sound Dinner Theatre, Lancaster, PA
- Newseum Tour
- “Ragtime” at Toby’s Dinner Theatre
- Outings for handicapped residents four times a year

### **Boards and Committees Supported By the Youth, Family and Seniors Services Department:**

- Education Advisory Committee
- Aging in Place Task Force

## STAFF

Peggy Higgins LCSW-C, MGA, Director  
[phiggins@collegeparkmd.gov](mailto:phiggins@collegeparkmd.gov)  
Office: 240-487-3551 (Direct)  
Cell: 240-375-0388

Pat Henderson, Administrative Assistant  
[phenderson@collegeparkmd.gov](mailto:phenderson@collegeparkmd.gov)  
240-387-3550

### **Youth and Family Services**

Jessica Prentice, LCSW-C, RPT, Clinical Supervisor (January 2016)  
Anne Knabel, LCPC, Family Therapist  
Michelle Collins, LGMFT, Family Therapist  
vacant, 30 hour Family Therapist  
vacant, 20 hour Family Therapist  
Abigail Delgado, Assistant Outreach Coordinator  
4 Graduate Interns – Catholic U, UMD-Baltimore, Chicago School of Psychology

### **Seniors Program**

Angela Burns, BSW, Seniors Program Manager  
Fatima Knight, Seniors Caseworker  
Debi Bryant, Bus Driver  
Marina Guzman, part-time Bus Driver  
Jim Kohmas, on-call Bus Driver

## PHONE, FAX, HOURS

### **Youth and Family Services**

4912 Nantucket Road  
Friday and Monday – open until 6 pm  
Tuesday, Wednesday, and Thursday – open until 9 pm  
240-487-3550 Phone  
301-474-0717 Fax

### **Seniors Program**

Attick Towers – Burns AM  
9014 Rhode Island Avenue  
College Park, Maryland 20740  
*301-345-8100 Publicized Seniors Number*

Spellman House – Knight AM and Burns PM  
4711 Berwyn House Road  
College Park, Maryland 20740  
301-474-0025 Phone

## **SECTION 7**

### **THE CITY ATTORNEY AND LEGAL ISSUES**

- **Summary of the Maryland Open Meetings Act**
- **Summary of the Maryland Public Information Act**
- **Other Issues**
  - **Confidentiality**
  - **Communication with Staff**
  - **Ethics, ExParte**
  - **Records Retention**
  - **Litigation Records**
  - **Communicating with Reporters**
  - **The City Attorney information**

# Summary of the Maryland Open Meetings Act

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*(Taken from “Open Meetings FAQs – A Quick Guide to Maryland’s Open Meetings Act,” which is provided in the Resources section)*

The Open Meetings Act is a Maryland statute with the goal that “public business be conducted openly and publicly.” It sets the policy of the State that, except in certain “special and appropriate circumstances,” the public “be provided with adequate notice of the time and location of meetings of public bodies, which shall be held in places reasonably accessible to individuals who would like to attend these meetings.”

The Act does not set the rules for when public bodies must meet – it just carries out the policy that when public bodies do meet, they must do so openly unless the discussion falls within one of the “special and appropriate circumstances” listed in the Act.

Sometimes, a public body is subject to other laws, for example a county or city charter, that require it to meet in order to address public business, or that impose meetings requirements that are stricter (in favor of more openness) than those in the Act.

The Act applies when a “quorum” of the members of a “public body” is “meeting.” The Act gives each of these terms a special definition. If you are meeting with other Councilmembers, but do not have a quorum, the meeting is not subject to the Open Meetings Act and need not be public.

You can communicate by email or phone without the need to do so in public, so long as there is not simultaneous communication. However, you may not use successive email or phone communications to circumvent the Open Meetings Act and you may not vote outside of a public meeting, or a duly called closed meeting.

Public meetings must be open to the public, and publicized in the usual course that the City has adopted. Agendas are required. Agendas can be changed and the fact that an item is not on the agenda does not prevent its discussion. However, if you know beforehand that an item will be included, then put it on the agenda.

Council can meet in closed session for specific reasons. The reasons must be stated when the vote is taken to go into closed session. You may only discuss the identified issues in closed session. A record of the session must be kept, as well as closed session minutes. You should coordinate with the Clerk’s Office with respect to minute keeping.

For more information on this, see the Open Meetings Act Manual, which is available on the State Attorney General’s website.

# Summary of the Maryland Public Information Act

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*(Taken from the Maryland Public Information Act Manual, 14th ed., October 2015. The MD PIA FAQs are provided in the Resource section)*

Maryland's Public Information Act ("PIA") gives the public the right to access government records without unnecessary cost and delay. The PIA applies to all three branches of Maryland state government as well as local government entities. The PIA is found in the General Provisions Article ("GP"), §§ 4-101 through 4-601, Annotated Code of Maryland.

The PIA grants individuals the right to review the available records that are disclosable and to obtain copies of those records. It does not require an agency to answer informational questions or to create a record to satisfy a request.

A public record is defined as the original or copy of any documentary material in any form created or received by an agency in connection with the transaction of public business. Included in this definition are written materials, books, photographs, photocopies, films, microfilms, records, tapes, computerized records, maps, drawings and other materials. Records related to City business that are generated by Councilmembers can be requested by any person. These records include those on your personal computer, or any other documents, if they are received as part of your activities for the City. These records may also be requested as part of a litigation in which the City is involved. If the communication or record involves elected official activities, please use the email provided to you by the City. If you are careful to do this, then there is no need to provide access to your personal computer.

The City has a formal procedure to follow with respect to MPIA requests, coordinated through Clerk's Office. Strict time limits apply, including an initial response date of ten business days from date of request. If you receive an MPIA request, please forward it promptly to the City Clerk, and provide copies of any records that are responsive to that request. The City has adopted an MPIA request response policy (see the Reference Documents and Resources section), which includes the procedure.

Be careful in drafting. Realize that any document that you generate with respect to City business can be requested and made public.

Not all government records are available. For example, some public records are confidential under federal or state statutes, under court rules, or under various common law privileges such as attorney-client privilege and executive privilege. GP § 4-301. The PIA itself also protects certain records from disclosure (for example, adoption records, personnel records, certain personal information in Motor Vehicle Administration records). It is not necessary that you determine what records are or are not disclosable. This determination is made by the City Clerk and the City Attorney.

# Other Issues

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## **Confidentiality**

- As a Councilmember, you have a fiduciary responsibility to the City
- Matters discussed in closed session are confidential
- Matters disclosed to you as a confidential communication by other means, such as an attorney-client communication, are confidential. The format of the communication does not matter.
- You may not discuss closed session or confidential matters with anyone other than authorized persons
- Some items automatically lose their confidential status after the happening of an event, but most confidential information may be disclosed only with the approval of a majority of the Council
- A violation of the confidentiality rule is a breach of fiduciary duty

## **Communication with Staff**

Communications with staff routinely involve Councilmember questions about the progress of a code enforcement issue or other City activity in which a constituent has an interest.

Do not automatically forward staff responses. You are receiving information which may be sensitive, confidential, or part of an investigative process. If you wish to pass on information received from staff, please let them know what you want to do and confirm that this is not an issue.

## **Ethics, Ex Parte**

Ethics questions are generally considered by the Ethics Committee under City law.

The Ethics Committee has its own attorney. An elected official must recuse him or herself from consideration of an issue that involves a conflict of interest for them personally, or for someone in their immediate family. If in doubt about a future course of conduct, such as whether an employment position is or will be in conflict with municipal duties, the Ethics Commission will provide an Advisory Opinion on which an elected official may rely.

If a case is to be heard by any City Board, Commission or Committee whose decision can be appealed, or whose decision is recommended, to the Council, you should not be involved in or appear at any discussion of the case, including at the Civic Association level. These cases usually involve appeals or recommendations from the Advisory Planning Commission, but can involve other City entities. Further, in these cases you as a Councilmember will be acting as a quasi-judge at a hearing or consideration, even if it will eventually be approved by consent. When you are acting only as a legislator, anyone can speak with you about their opinion on the issue at hand. When you are acting as a quasi-judge, speaking with anyone about the case outside of the official hearing or proceeding is called an “ex parte” communication, and is not allowed.

## **Records Retention**

State law requires that the City adopt a records retention policy. That policy is now being revised.

Please contact the City Attorney or the City Clerk regarding which records generated by Councilmembers would be subject to the retention policy.

## **Litigation Records**

Once the City receives notice of a claim or potential claim, any records that relate to that claim must be retained. Failure to do this can result in severe negative legal consequences.

In litigation, the opposing side can request all documents in your possession that relate to the case, and can subpoena your personal computer. As a result, use of the City's server when sending City related email is crucial. It allows the City to keep a record of the communication, and allows you, hopefully, to avoid having to produce your personal computer for inspection.

## **Communicating with Reporters**

Reporters seek information on many controversial subjects, including breaking news and litigation. It is not appropriate for you to discuss litigation with reporters. As Councilmembers you may be aware of the City's strategy, and may inadvertently say more than you mean to.

Reporters want you to answer immediately, as they are working on deadlines, and are also more likely to receive an unstudied response. You do not have to answer immediately, and can set ground rules for speaking with a reporter.

As an elected representative, you are entitled to state your political views, if you make it clear that you are providing your own, as opposed to the Council's, view.

You cannot speak for the City unless you have been authorized to do so.

**CITY ATTORNEY**

**301-261-2247**

Cell- 301-641-2440

The City Attorney serves at the pleasure of the Mayor and City Council and is appointed pursuant to the provisions of Section 4-2(6) of the City Code. The incumbent also serves in an advisory capacity to the City Manager and the heads of the several departments and certain City Boards and Commissions.

**PROGRAMS AND ACTIVITIES**

**The City Attorney (1011)**

Serves as the legal advisor to the Mayor and City Council. In so doing, the incumbent advises the Mayor and Council, as required, on rules of procedure relating to the conduct of meetings; prepares ordinances, charter and other legislative resolutions and legal opinions; assists the Council in the analysis of State, County and Federal laws and regulations in so far as they affect City activities; assists staff in the formulation of requests for proposals and contract formulation for a variety of City activities; provides opinions relating to the legality of City Code enforcement, the implementation of personnel regulations and collective bargaining obligations; is responsible for representing the City in all litigation matters in which the City is involved; represents the City before a variety of State and County administrative agencies as required; serves as counsel to City boards and commissions including the Advisory Planning Commission, the Noise Control Board, the Supervisors of Elections and the College Park Cable Television Commission; and is responsible for prosecuting municipal infractions resulting from City code violations either directly or in cooperation with the Prince George’s County State’s Attorney’s Office before the District Court of Maryland and for assisting in the prosecution of Prince George’s Zoning Code violations.

The City Attorney is an independent contractor of the City.

**Availability**

All members of the incumbent’s law firm are available for consultation as needed.

**Council, Baradel, Kosmerl & Nolan, P.A.**

125 West Street, 4th Floor

P.O. Box 2289

Annapolis, Maryland 21404-2289

Web

Annapolis 410.268.6600

Baltimore 410.269.6190

Washington 301.261.2247

[www.councilbaradel.com](http://www.councilbaradel.com)

**Primary Counsel**

Suellen M. Ferguson

Susan T. Ford

Fred Sussman

Ferguson@CouncilBaradel.com, Cell 301-641-2440

Ford@CouncilBaradel.com

fsussman@CouncilBaradel.com

## SECTION 8

### REFERENCE DOCUMENTS AND RESOURCES

- **City Charter** (as of December 1, 2015;  
online version available at <http://ecode360.com/CO0032>)
- **Summary of City Boards and Commissions**
- **FY2016 Budget Summary**
- **10 Habits of Highly Effective Governing Bodies**
- **Maryland Open Meetings Act**  
(<http://www.oag.state.md.us/opengov/Openmeetings/index.htm>)
- **Maryland Public Information Act  
information and Links**  
(<http://www.oag.state.md.us/opengov/pia.htm>)
- **College Park Procedures for Compliance  
with the Maryland Public Information Act**
- **Parliamentary Procedures and Roberts  
Rules of Order** (<http://www.robertsrules.com/> and similar  
websites)
- **Council Rules and Procedures**  
(adopted January 10, 2014)

# City Charter

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[Click here for Online Charter](#)

# Summary of City Boards and Commissions

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## Boards and Commissions

The City of College Park utilizes Boards and Commissions to advise the Mayor and Council on a variety of topics in the City. Members of the City's Boards and Commissions give generously of their time and talents to make valuable contributions to the City.

Some Boards and Commissions are established in the City Charter or City Code, and some are established by Resolution of the Mayor and Council. The City Clerk's office is responsible for maintaining records for Boards and Commissions, although most are also assigned a Department Staff Liaison.

The Mayor and City Council make appointments to Boards and Commissions when vacancies occur. Some appointments are made based on council district while other appointments are at-large. Most members who serve on the City's Boards and Commissions are City residents, but in certain cases non-residents are eligible. Some of the City's Boards and Commissions offer small stipends to its members, but most are strictly voluntary.

The City's Boards and Commissions are listed below. For detail about vacancies, please contact the City Clerk's office.

### **Advisory Planning Commission**

Number of Members: 7

Term Length: 3 Years

Staff Liaison: Planning Director

The primary function of this board is to conduct hearings with respect to applications for variances from the strict application of the Prince George's County Zoning Ordinance and departures from design and landscaping standards, parking and loading standards and sign design standards of the Prince George's County Zoning Ordinance as well as appeals with respect to violations of the College Park Code for Housing Regulations, Building Construction and Property Maintenance. The Commission may also make recommendations to the Mayor & Council on development applications; land-use issues and plans; grant requests and capital improvements; and may develop a long-range comprehensive plan for the City as directed by the Mayor and Council.

Individuals interested in serving on the Advisory Planning Commission should have a City-wide perspective and interest in planning and housing issues; a track record of civic-mindedness from work on other City projects or committees and some knowledge of the planning and development process and related laws and procedures.

**Aging-In-Place Task Force**

Number of Members: 8 City Residents & 4 City Council Representatives

Term Length: 2 Years

Staff Liaison: Youth, Family and Senior Services

This Task Force was created by Resolution 14-R-07, adopted April 8, 2014, to fulfill an action item in the FY 2014 Action Plan to “Create a seniors aging-in-place ad hoc committee of the Council to explore options for the creation of an aging-in-place program in College Park to help seniors remain in their homes.”

**Animal Welfare Committee**

Number of Members: Up to 15

Term Length: 3 Years

Staff Liaison: Animal Control Officer

This committee addresses issues related to domestic and wild animals in the City of College Park; works with the City Animal Control Officer (ACO) to plan activities and initiatives to promote animal welfare; educates the community about responsible pet ownership, wildlife management and pest control; advises the Mayor and Council on animal welfare related issues; coordinates with animal welfare and rescue organizations; and assists the City’s ACO in caring for sheltered animals and facilitating adoptions.

Individuals interested in serving on the Animal Welfare Committee should have interest and expertise in animal care, animal training, animal rescue, or wildlife management.

**Board of Election Supervisors**

Number of Members: 5 qualified voters of the City

Term Length: 2 Years

Staff Liaison: City Clerk

Individuals interested in serving on the Board of Election Supervisors should have interest and expertise in the overall process of local elections in a City like College Park.

**Cable Television Commission**

Number of Members: 4 plus voting Chair

Term Length: 3 Years

Meetings: Quarterly

Staff Liaison: City Manager

The Commission reviews and makes recommendations to Mayor & Council on telecommunications services in general, reviews applications and agreements for the use of the City’s rights-of-way by providers of telecommunications services within the City, and develops procedures for approving or denying applications to provide services.

Individuals interested in serving on the Cable Television Commission should have particular interest in the City’s cable franchises, an informed understanding of public cable service, and a willingness to represent the best interests of the community’s cable subscribers to the providers.

The College Park Cable Television Commission would like to hear about your experience when calling Comcast or Verizon about your cable service. If you would like to share your experience, please send an email to [cabletv@collegeparkmd.gov](mailto:cabletv@collegeparkmd.gov).

### **Citizen Corps Council**

Number of Members: 5 to 7 residents to serve as community coordinators

Term Length: 3 Years

Meetings: Quarterly, and as needed

Staff Liaison: Public Services Director

The College Park Citizen Corps Council (CPCCC) works closely with local public safety programs such as College Park Neighborhood Watch and the Community Emergency Response Team (C.E.R.T.), to provide training and education to make College Park safer, stronger, and better prepared to respond to threats of terrorism, crime, public health issues and disasters of all kinds. The CPCCC promotes volunteerism, and strengthens the Citizen Corps programs at the neighborhood level, such as CERT teams and Neighborhood Watch groups; identifies training opportunities for special skills and interests, develops targeted outreach for special needs groups; organizes special projects and community events; encourages cooperation and collaboration among community leaders; and captures smart practices and report accomplishments.

Individuals interested in serving on the Citizens Corps Council should have interest in emergency management, first responder training, crime prevention, emergency medical services, or emergency communications.

### **College Park Airport Authority**

Number of Members: 7 (residents and qualified voters of the City)

Term Length: Decided by the appointing body (City Council & Mayor)

Meetings: Quarterly

Staff Liaison: City Clerk

The Authority investigates, reviews and reports on the current and proposed future uses of the College Park Airport and its facilities.

Individuals interested in serving on the Airport Authority should have interest and expertise in aviation, historic preservation, and general aeronautical practices.

### **Committee for a Better Environment**

Number of Members: No more than 25 members

Term Length: 3 Years

Meetings: Monthly

Staff Liaison: Planning Director

The Committee for a Better Environment (“CBE”) serves the City of College Park by addressing environmental concerns that affect the quality of life of its residents. The Committee and its activities are chartered by the Mayor & Council with the goal of providing guidance and leadership to the municipal government, as well as service and outreach to the community.

### **Education Advisory Commission**

Number of Members: At least 9 members, residency not required

Term Length: 2 Years

Meetings: Monthly

Staff Liaison: Director of Youth, Family & Senior Services

The purpose of the Education Advisory Committee is to support, strengthen and promote the schools that College Park students attend. Annual activities include:

- Evaluating public school grant applications submitted by the local public schools that College Park students attend. The EAC then submits recommendations for grant awards to the Mayor and Council each fall.
- Monitoring the administration of City of College Park scholarships for College Park youth (ages 2–18) to attend University of Maryland Summer Camps (March).

Individuals interested in serving on the Education Advisory Commission should have interest and/or expertise in the education through high school of College Park's youth.

### **Ethics Commission**

Number of Members: 7

Term Length: 2 Years

Meetings: As needed

Staff Liaison: City Clerk

The Commission encourages high ethical standards of conduct by City officials and employees. This is accomplished by disclosure requirements as set forth in the City Code for elected officials, certain employees, and candidates for elective City office. The City Code establishes the role and authority of the Ethics Commission.

Individuals interested in serving on the Ethics Commission should have interest and expertise in ethical standards and local government.

### **Neighborhood Quality Of Life Committee**

Number of Members: 24 + Mayor and City Council

Term Length: 2 years

Meetings: Quarterly plus one public forum

Staff Liaison: City Manager's Office

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) and February 11, 2014 (14-R-03). Amended July 2014 to change the name of the Committee to the Neighborhood Quality of Life Committee. This committee will support implementation of approved strategies, continue to develop new strategies, and evaluate progress that is made.

### **Neighborhood Watch Steering Committee**

Number of Members: 3

Term Length: Two Years

Meetings: Quarterly

Staff Liaison: Public Services Director

The committee provides a network to exchange information about crime occurring in our neighborhoods. It disseminates pertinent, police reviewed, crime-related information (i.e., actual incidents, police lookouts, crime trends) City-wide. It works closely with Prince George's County Police Department Community Oriented Policing (COPS) officers and College Park Public Services Director to identify and resolve neighborhood problems.

The committee promotes and supports the Neighborhood Watch concept, strengthens existing Neighborhood Watch groups, and helps begin new groups in areas where they do not exist. Individuals interested in serving on the Neighborhood Watch Steering Committee should have interest and expertise in crime prevention, public safety communications, and organizational or training skills.

### **Noise Control Board**

Number of Members: 5 plus 2 alternates

Term Length: 4 Years

Meetings: As needed at City Hall

Staff Liaison: Public Services Director

The Board advises the City in noise control efforts and holds noise board hearings as required by the City Code, Chapter 138. Individuals interested in serving on the Noise Control Board should have interest or expertise in mediation, noise measurement and control, code interpretation, administrative law, and fair adjudication.

### **Recreation Board**

Number of Members: 10

Term Length: 3 Years

Meetings: Monthly

Staff Liaison: Public Services Director

The Board oversees and coordinates recreational activities and special events, such as the Fourth of July celebration and fireworks, concerts in the park, and other planned events provided by the City for the residents of College Park. The Board also coordinates recreational facilities and events with the Maryland-National Capital Park and Planning Commission and the University of Maryland. Individuals interested in serving on the Recreation Board should have interest and expertise in entertainment, recreation, sports, social activities, organizational skills, media relations, and consensus building.

### **Tree and Landscape Board**

Number of Members: 9 Voting Members consisting of 5 Citizens, plus the Chairperson of the Committee for a Better Environment, the City Forester, the Planning Director, and the Public Works Director

Term Length: 2 Years

Meetings: Monthly

Staff Liaison: City Horticulturist

The Board educates and encourages citizens to use safe and desirable installation, removal and maintenance practices in order to promote healthy trees, shrubs and ground cover on private and public lands within City limits.

Individuals interested in serving on the Tree and Landscape Board should have interest and expertise in gardening, landscaping, surrounding environment, trees, and wildlife habitat.

### **Veterans Memorial Committee**

Number of Members: 9-13 members

Term Length: 3 Years

Meetings: As needed

Staff Liaison: Public Works Director

The Committee advises and assists the City to ensure that the Veterans Memorial is used and maintained in a manner befitting the service and memory of those who served.

The annual Memorial Day and Veterans Day ceremonies are planned and executed by this Committee.

Individuals interested in serving on the Veterans Memorial Improvement Committee should have interest in honoring current and former veterans at the annual Memorial Day and Veterans Day ceremonies.

# FY 2016 Budget Summary

## CITY OF COLLEGE PARK, MARYLAND Consolidated Operating Budget Summary - General Fund and Parking Debt Service Fund (see Note 1 below) For Fiscal Years 2014, 2015 and 2016

	FY 2014 Adjusted Budget			FY 2015 Adjusted Budget			FY 2016 Adopted Budget		
	General Fund	Parking Debt Service Fund	Eliminations	General Fund	Parking Debt Service Fund	Eliminations	General Fund	Parking Debt Service Fund	Eliminations
<b>REVENUES:</b>									
Property Taxes	\$ 7,416,516	\$	\$ 7,416,516	\$ 7,462,185	\$	\$ 7,462,185	\$ 7,781,376	\$	\$ 7,781,376
Income Tax	1,425,000		1,425,000	1,550,000		1,550,000	1,600,000		1,600,000
Admission & Amusement Tax	500,000		500,000	650,000		650,000	650,000		650,000
State Shared Taxes	252,774		252,774	113,583		113,583	419,266		419,266
County Shared Taxes	450,000		450,000	450,000		450,000	450,000		450,000
<b>Total Taxes</b>	<b>10,044,290</b>	<b>0</b>	<b>10,044,290</b>	<b>10,225,768</b>	<b>0</b>	<b>10,225,768</b>	<b>10,900,642</b>	<b>0</b>	<b>10,900,642</b>
Licenses & Permits	1,128,436		1,128,436	1,167,934		1,167,934	1,193,935		1,193,935
Intergovernmental	208,322		208,322	238,322		238,322	261,772		261,772
Charges for Services	937,278	205,000	1,142,278	957,324	205,000	1,162,324	999,078	205,000	1,204,078
Fines & Fees	1,765,900	45,000	1,810,900	1,921,900	45,000	1,966,900	2,510,600	45,000	2,555,600
Investment Revenue	94,341		94,341	94,459		94,459	93,019		93,019
Property and Equipment Rental	180,250		180,250	98,500		98,500	99,850		99,850
Miscellaneous Revenues	2,980		2,980	2,880		2,880	1,700		1,700
Interfund Transfers	228,906		(228,906)	314,815		(314,815)	257,392		(257,392)
Use of Undesignated Reserve	35,005		35,005	373,002		373,002	0		0
<b>TOTAL REVENUES</b>	<b>14,625,708</b>	<b>250,000</b>	<b>14,646,802</b>	<b>15,394,904</b>	<b>250,000</b>	<b>15,330,089</b>	<b>16,317,988</b>	<b>250,000</b>	<b>(257,392)</b>
<b>EXPENDITURES:</b>									
Administration	1,898,085		1,898,085	1,963,027		1,963,027	2,063,929		2,063,929
Finance	907,836		907,836	1,197,238		1,197,238	1,241,278		1,241,278
Public Services	3,705,742		3,705,742	3,725,973		3,725,973	4,019,776		4,019,776
Planning, Comm. & Econ. Devel.	608,385		608,385	638,146		638,146	664,463		664,463
Youth, Family & Senior Services	1,075,746		1,075,746	1,124,202		1,124,202	1,114,881		1,114,881
Public Works	4,940,667		4,940,667	5,096,819		5,096,819	5,215,750		5,215,750
Debt Service	557,247		557,247	558,274		558,274	557,411		557,411
Interfund Transfers	922,000	228,906	(228,906)	1,081,225	314,815	(314,815)	1,430,500	257,392	(257,392)
Contingency	10,000		10,000	10,000		10,000	10,000		10,000
<b>TOTAL EXPENDITURES</b>	<b>14,625,708</b>	<b>228,906</b>	<b>(228,906)</b>	<b>15,394,904</b>	<b>314,815</b>	<b>(314,815)</b>	<b>16,317,988</b>	<b>257,392</b>	<b>(257,392)</b>

Note 1:  
The City's governmental funds consist of the General Fund, Parking Debt Service Fund and the Capital Projects Fund. Only the General Fund and Parking Debt Service Fund are budgeted on an annual basis by Mayor & Council. Budgetary control over the Capital Projects Fund is established by annual appropriations (interfund transfers) from the General Fund to C.I.P. project equity accounts through the adoption of a five-year capital improvement program. Specific revenue and expenditure items in the C.I.P. project accounts are estimated by City staff and are not adopted as part of the budget adoption process. Consequently, the Capital Projects Fund is not included in the Consolidated Operating Budget Summary above.

**CITY OF COLLEGE PARK, MARYLAND**  
**Comparative Operating Budget Summary - General Fund**  
**For Fiscal Years 2013, 2014, 2015 and 2016**

	FY 2013 Actual	FY 2014 Actual	FY 2015		FY 2016 Budget	
			Adjusted Budget	Y-T-D Actual	City Manager Requested	Adopted
<b>REVENUES:</b>						
Real Property Tax	\$ 6,584,456	\$ 6,548,181	\$ 6,661,185	\$ 6,664,433	\$ 6,929,876	\$ 6,929,876
Personal Property Tax	887,691	887,440	801,000	978,181	851,500	851,500
<i>Total Property Taxes</i>	<u>7,472,147</u>	<u>7,435,621</u>	<u>7,462,185</u>	<u>7,642,614</u>	<u>7,781,376</u>	<u>7,781,376</u>
Income Tax	1,582,308	1,617,918	1,550,000	1,492,766	1,600,000	1,600,000
Admission & Amusement Tax	510,606	665,076	650,000	673,023	650,000	650,000
Highway User Tax	105,579	345,278	113,583	361,857	419,266	419,266
Hotel/Motel Tax	460,159	469,993	450,000	529,324	450,000	450,000
<i>Total Taxes</i>	<u>10,130,799</u>	<u>10,533,886</u>	<u>10,225,768</u>	<u>10,699,584</u>	<u>10,900,642</u>	<u>10,900,642</u>
Licenses & Permits	1,053,901	1,160,580	1,167,934	1,232,599	1,193,935	1,193,935
Intergovernmental	205,283	234,656	238,322	256,736	261,772	261,772
Charges for Services	947,868	960,580	957,324	988,596	999,078	999,078
Fines & Fees	1,963,264	1,992,281	1,921,900	3,323,352	2,510,600	2,510,600
Investment Revenue	(111,862)	198,972	94,459	101,123	93,019	93,019
Property & Equipment Rental	21,820	105,492	98,500	100,550	99,850	99,850
Miscellaneous Revenues	1,933	1,602	2,880	1,670	1,700	1,700
Interfund Transfers	251,950	0	314,815	0	257,392	257,392
Use of Unassigned Reserve	0	0	373,002	0	(50,625)	0
<b>TOTAL REVENUES</b>	<b><u>14,464,956</u></b>	<b><u>15,188,049</u></b>	<b><u>15,394,904</u></b>	<b><u>16,704,210</u></b>	<b><u>16,267,363</u></b>	<b><u>16,317,988</u></b>
<b>EXPENDITURES:</b>						
Administration	1,660,866	1,661,450	1,963,027	1,898,854	2,050,429	2,063,929
Finance	790,554	896,854	1,197,238	1,191,336	1,241,278	1,241,278
Public Services	3,731,749	3,588,543	3,725,973	3,524,608	4,019,651	4,019,776
Planning, Comm. & Econ. Devel.	596,430	595,804	638,146	599,597	662,463	664,463
Youth, Family & Senior Services	1,025,001	1,064,723	1,124,202	1,026,697	1,114,381	1,114,881
Public Works	4,316,407	4,725,728	5,096,819	4,634,769	5,215,750	5,215,750
Debt Service	557,441	557,218	558,274	583,471	557,411	557,411
Interfund Transfers	2,827,900	922,000	1,081,225	1,081,225	1,396,000	1,430,500
Contingency	0	0	10,000	0	10,000	10,000
<b>TOTAL EXPENDITURES</b>	<b><u>15,506,348</u></b>	<b><u>14,012,320</u></b>	<b><u>15,394,904</u></b>	<b><u>14,540,557</u></b>	<b><u>16,267,363</u></b>	<b><u>16,317,988</u></b>
<b>SURPLUS OR (DEFICIT)</b>	<b>\$ (1,041,392)</b>	<b>\$ 1,175,729</b>	<b>\$ 0</b>	<b>\$ 2,163,653</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>Fund Balance, Beginning of Year</b>	<b><u>6,546,813</u></b>	<b><u>5,505,421</u></b>		<b><u>6,681,150</u></b>		<b><u>8,844,803</u></b>
<b>Fund Balance, End of Year</b>	<b><u>\$ 5,505,421</u></b>	<b><u>\$ 6,681,150</u></b>		<b><u>\$ 8,844,803</u></b>		<b><u>\$ 8,844,803</u></b>

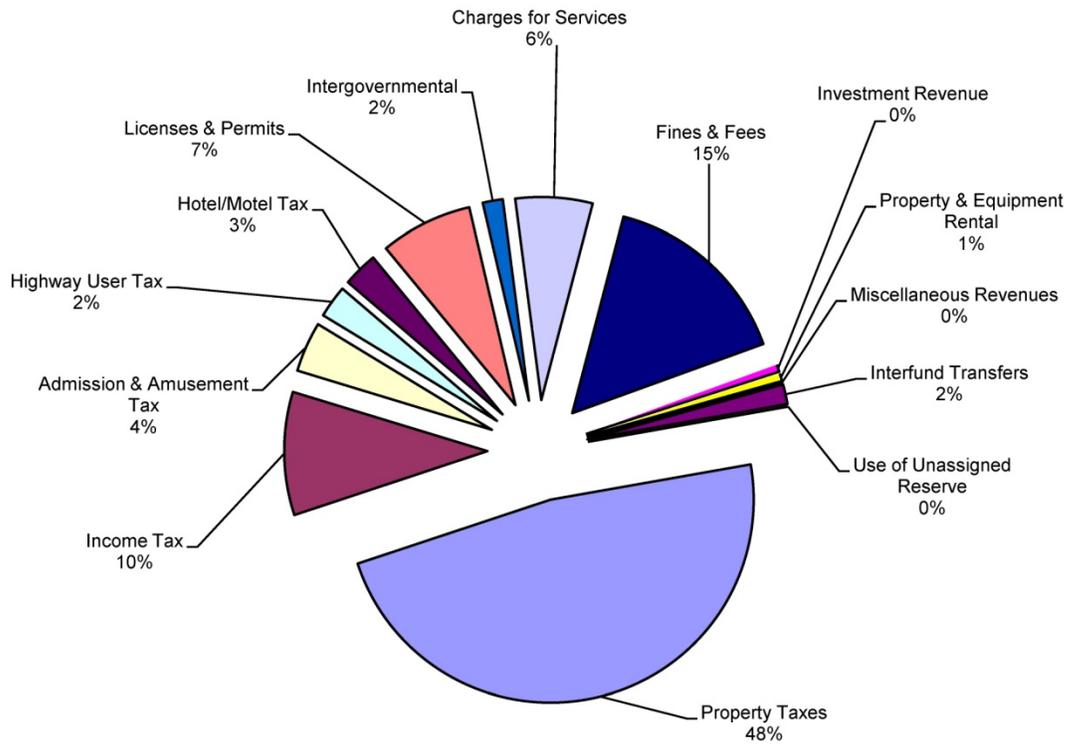
**CITY OF COLLEGE PARK, MARYLAND**  
**Comparative Operating Budget Summary - Parking Debt Service Fund (see Note 1 below)**  
**For Fiscal Years 2013, 2014, 2015 and 2016**

	FY 2013 Actual	FY 2014 Actual	FY 2015		FY 2016 Budget	
			Adjusted Budget	Actual	City Manager Requested	Adopted
<b>REVENUES:</b>						
Property Taxes	\$	\$	\$	\$	\$	\$
Income Tax						
Admission & Amusement Tax						
Highway User Tax						
Hotel/Motel Tax						
<i>Total Taxes</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Licenses & Permits						
Intergovernmental						
Charges for Services	209,252	204,355	205,000	212,593	205,000	205,000
Fines & Fees	48,743	52,053	45,000	51,473	45,000	45,000
Investment Revenue						
Property & Equipment Rental						
Miscellaneous Revenues						
Proceeds-Other Financial Sources						
Use of Undesignated Reserve						
<b>TOTAL REVENUES</b>	<u><b>257,995</b></u>	<u><b>256,408</b></u>	<u><b>250,000</b></u>	<u><b>264,066</b></u>	<u><b>250,000</b></u>	<u><b>250,000</b></u>
<b>EXPENDITURES:</b>						
Administration						
Finance						
Public Services						
Planning, Comm. & Econ. Devel.						
Youth, Family & Senior Services						
Public Works						
Debt Service						
Interfund Transfers	251,950	0	314,815	0	257,392	257,392
Contingency						
<b>TOTAL EXPENDITURES</b>	<u><b>251,950</b></u>	<u><b>0</b></u>	<u><b>314,815</b></u>	<u><b>0</b></u>	<u><b>257,392</b></u>	<u><b>257,392</b></u>
<b>SURPLUS OR (DEFICIT)</b>	<b>\$ 6,045</b>	<b>\$ 256,408</b>	<b>\$ (64,815)</b>	<b>\$ 264,066</b>	<b>\$ (7,392)</b>	<b>\$ (7,392)</b>
<b>Fund Balance, Beginning of Year</b>	<u><b>798,720</b></u>	<u><b>804,765</b></u>		<u><b>1,061,173</b></u>		<u><b>1,325,239</b></u>
<b>Fund Balance, End of Year</b>	<u><b>\$ 804,765</b></u>	<u><b>\$ 1,061,173</b></u>		<u><b>\$ 1,325,239</b></u>		<u><b>\$ <sup>[projected]</sup> 1,317,847</b></u>

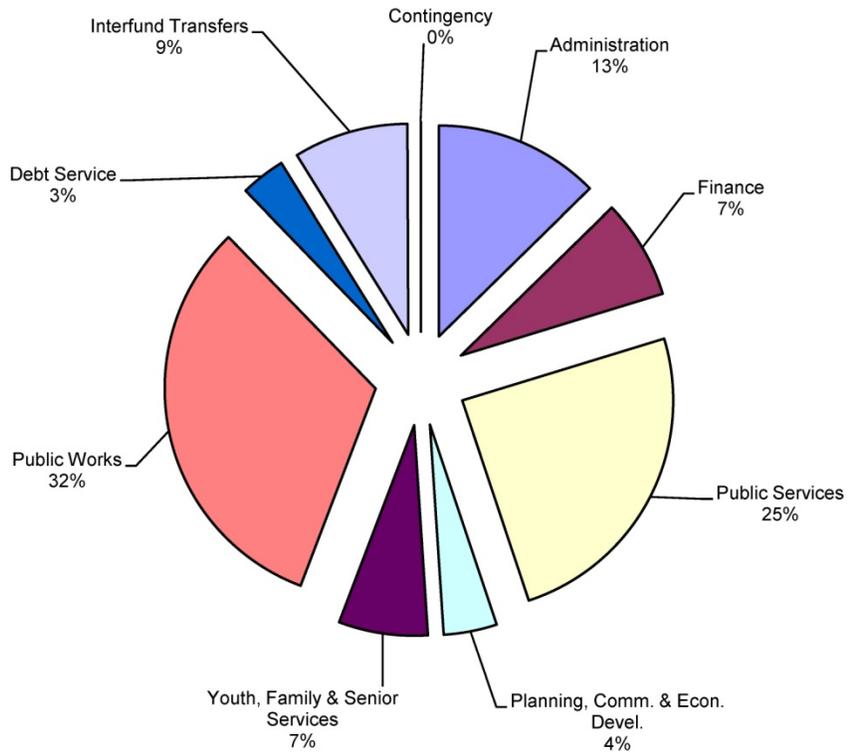
**Note 1:**

The Parking Debt Service Fund was established in fiscal year 2008 to receive the 50% increase in parking meter revenue resulting from the meter rate increase in July 2007. Beginning in FY 2011, this fund also receives the \$2.50 increase in parking tickets for expired meter and overtime parking. The accumulated funds will be used to partially cover debt service on the tax-exempt parking garage bond.

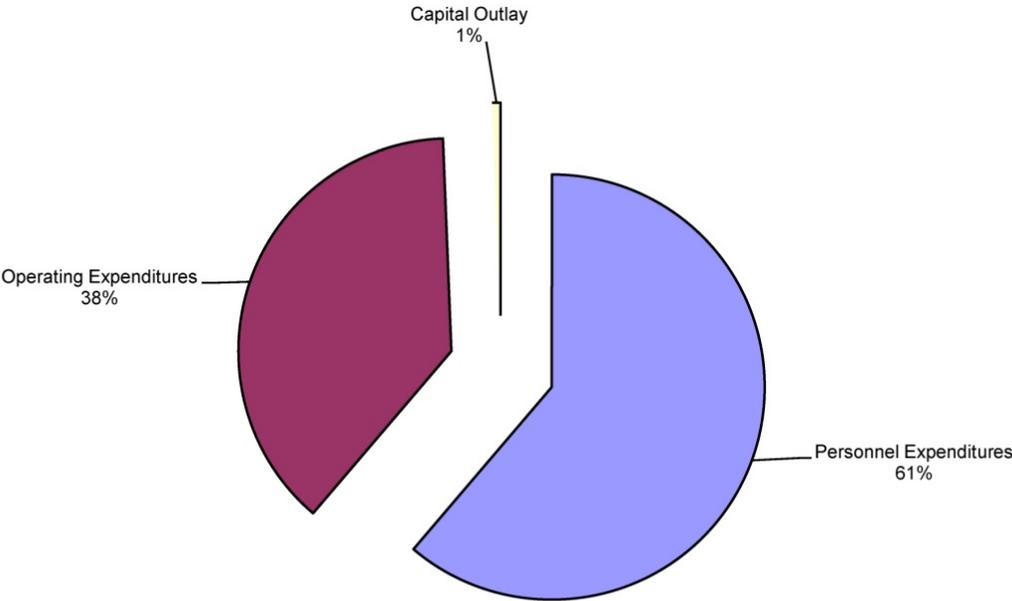
**CITY OF COLLEGE PARK  
 FY 2016 Budgeted General Fund Revenues by Category  
 as Percentage of Total Budgeted Revenues \$16,317,988**



**CITY OF COLLEGE PARK**  
**FY 2016 Budgeted General Fund Expenditures by Department**  
**as Percentage of Total Budgeted Expenditures \$16,317,988**



**CITY OF COLLEGE PARK  
FY2016 Budgeted General Fund Expenditures by Category  
as Percentage of Total Budgeted Expenditures \$16,317,988**



# 10 Habits of Highly Effective Governing Bodies

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## 10 HABITS OF HIGHLY-EFFECTIVE GOVERNING BODIES

Carl H. Neu, Jr.  
Lakewood, Colorado

Local government operations directly affect our daily existence and experiences and the quality of life we perceive we have within our communities. No local government deserves, nor should its citizens tolerate, governing bodies and elected and appointed public officials who don't exhibit extraordinary effectiveness, integrity and competence in leading their community's public institutions.

Thomas Cronin, a recognized authority on public policy, defines leadership as, "making things happen that might not otherwise happen, and preventing things from happening that ordinarily might happen. It is a process of getting people together to achieve common goals and aspirations. Leadership is a process that helps people transform intentions into positive action, visions into reality." The quality of leadership effectiveness demonstrated by a governing body and its ability to be highly-effective are not attributes bestowed upon it by a swearing-in ceremony. They are the result of disciplined adherence to a set of fundamental principles and skills that characterize highly-effective governing bodies. Listed below are 10 "habits" of highly effective governing bodies based upon the author's observations of hundreds of city, county, special service district and school district governing bodies over the last twenty years.

### 1. Think and Act Strategically

A governing body's primary responsibility is not just to make policy or do its "Roman Emperor" routine (thumbs up or thumbs down) on agenda items at public meetings. It is to determine and achieve citizens' desires for the community's future. Governing bodies and their administrative teams must accept responsibility for shaping the future of the community by expanding their mental horizons to identify and meet the challenges that must be addressed through decisive leadership and goals for the attainment of that future.

A strategic leader always comes at you from the future and takes you "back to the future" from the present. This leadership adventure starts with *vision*, and evolves to defining the strategic issues that must be mastered to achieve the vision. The next step is the development of long-range goals that address these strategic issues and which provide decision-making and budgetary focus for the successful implementation of these goals. Living from one annual budget to another, and from one meeting to the next, condemns your community and its future to happenstance and the type of thinking that befuddles national governance and policy. For this reason, polls show an overwhelming majority of citizens want important issues affecting their lives to be decided at the local, "home town" level. Here, they expect leadership, sound thinking, decisive action, and accountability for results.

## 2. Respect "shared constituency": what do the *people* need?

No city, town, county, local government jurisdiction or non-governmental community entity is an island. The actions and decisions of any one affects all others. But, there is an even more profound reality: most governmental jurisdictions and non-governmental entities overlap in representing and providing service to the same people, i.e., shared constituencies. For example, any given citizen is represented and served simultaneously by the federal, state, county, and city governments plus the school district, special purpose districts, neighborhood associations, chambers of commerce, newspaper publishers, non-profits, etc.

These governments and community entities usually see themselves as separate institutions, often with conflicting and competing agendas rather than as components contributing in a coordinated and integrated manner to seamless service delivery meeting the citizens' needs. Frequently, local governments and community entities operate as special interests advocating their particular institutional needs and prerogatives. They fail to define how a public service category meeting the needs of a community of shared constituents (public safety, transportation, community development, human services, health care, education, etc.) is defined and functions in a seamless manner with each jurisdiction and entity ensuring its appropriate contribution to the effective and efficient performance of the whole service system.

An example of a service category system is roads. A citizen expects to be able to get from point a to point b on good quality roads that make this possible. That citizen does not want to think, nor cares about, "whose road am I on now; a federal, state, community or city road?" To that citizen "roads are roads" and it is up to all the government entities to make the system work! The same for public safety, and all services. When a sheriff's deputy can not communicate with a city police officer due to different radio systems and frequencies, it is a service system breakdown which doesn't meet the citizen's need for seamless effective service.

Effective governing bodies recognize they must *horizontally* (local government with local government with community entities) and *vertically* (local government to federal and state government) coordinate and integrate to ensure citizens' needs are met. They also recognize that collaboration and integration work best if it originates at the local government, city and county, level. It is at this level where needs are best defined and responded to by service providers. In reality, all government, as it touches peoples daily lives and existence, is local.

### 3. Understand and Demonstrate the Elements of Teams and Teamwork

Governing bodies by law, exist and have authority only when their members convene as a “body” to do business. Each member is a component of a corporate being which must speak, act, and fulfill its commitments with one voice, in a mature, effective and reliable manner. Governing bodies are collections of diverse individuals who come together to constitute and act as an entity, and only when operating as that entity do they exercise authority and perform in fulfillment of their purpose. This is a classic definition of team. Carl Larson and Frank LaFasto, two preeminent authorities on teams and teamwork, define team as an entity comprised of two or more people working together to accomplish a specific purpose that can be attained only through coordinated activity among the team members. In short, a team is an entity that exists to fulfill a specific function, or purpose, made up of disparate, interdependent parts (individuals) who collectively achieve a capacity that none of its members could demonstrate individually.

Teams always have two components that one might call their “S” components: *systemicness* and *synergy*. All teams are systemic, by definition, being made up of interdependent parts (people) who affect each other’s performance and that of the team. Synergy is the ability to achieve an effect, when working together as a team, that is more than the sum of the team members’ individual efforts. While all teams are systemic, relatively few are synergistic unless their members understand, master and demonstrate the fundamentals of teamwork which are:

- a clear sense of purpose and goals;
- clearly define roles and relationships that unite individual talents and capacities into team performance;
- integration of members who have basic technical, interpersonal, and rational decision making competence;
- a commitment to team success and quality performance;
- a climate of trust, openness, and mutual respect;
- clear standards of success and performance excellence;
- the support, resources and recognition to achieve success; and
- principled and disciplined leadership.

Highly-effective governing bodies spend time building their sense of being a team and their skills for productive teamwork.

#### 4. Master Small Group Decision Making

Most local government governing bodies are classic small groups, with fewer than a dozen people. Small groups demonstrate certain skills and behaviors that “link” their members together. They also have clearly defined processes for making decisions in fulfillment of that group’s purpose. Figure 1 summarizes the “skill sets” essential to small group effectiveness.

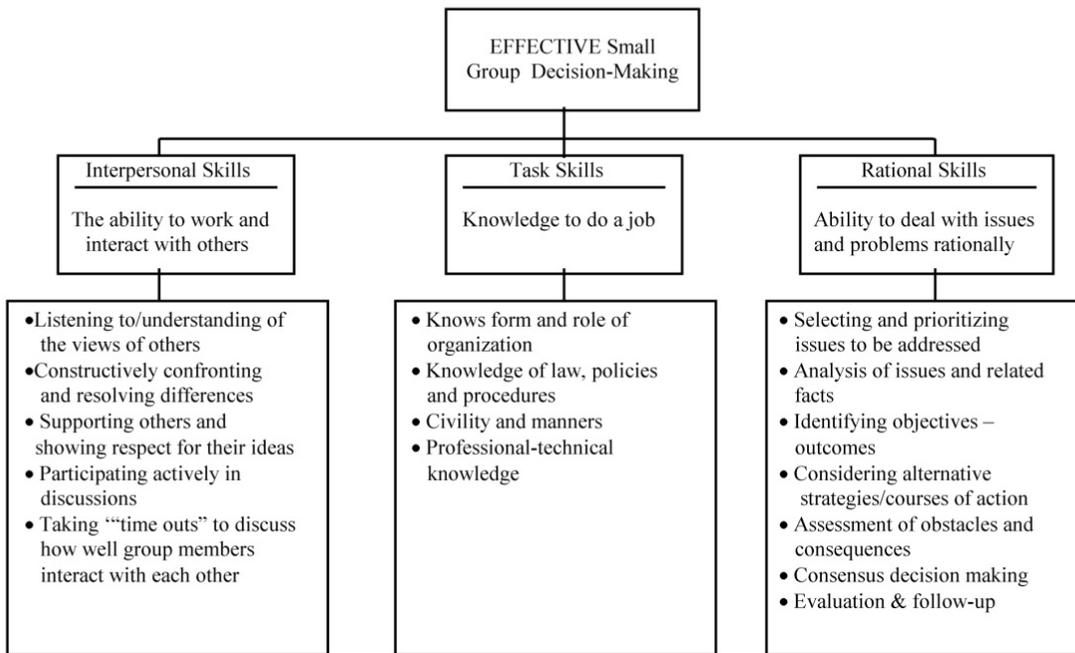


Figure 1: Effective Small Group Decision-Making

#### 5. Have Clearly Defined Roles and Relationships

Each team member’s contribution to the team’s efforts and success must be defined in terms of roles to be assumed (functions) and how that role is to be carried out through one’s behavior (performance).

Role has two elements: *function*, the specific responsibilities of that role irrespective of incumbency, and *performance*, how one occupying the role is expected to behave and fulfill his/her responsibilities. Most governing bodies, whether through charter, statute or ordinance, have clear definitions of their function. The performance component must be defined within the team through discussion and mutual definition of those behaviors and practices expected of the governing body’s members in the conduct of their duties and interactions.

Vince Lombardi when asked, what makes a winning team, replied, “start with the fundamentals. A player’s got to know the basics of the game and how to play his (her) position. The players have to play as a team; not a bunch of individuals. The difference between mediocrity and greatness is the feeling the players have for each other,” (relationships). Teams talk about and define expected roles and relationships and give constructive feedback to their members on the degree to which they are fulfilling these expectations.

## 6. Honor the Board-Staff Partnership

We have all heard the popular phrase, “the governing body makes policy, staff implements policy”. This is a total misconception of reality. Policy making and policy implementation are not distinct and separate functions. Policy making-implementation is a continuum of thought and relationships that transforms ideas and abstractions (visions, policies, goals, and plans) into defined, observable ends or outcomes (results, programs, projects, deliverable services). Board members and staff share this continuum as partners ensuring each other’s success. Each person plays an important role in creating sound policies and ensuring their effective implementation through reliable administrative practices and performance. Figure 2 depicts this partnership and continuum.

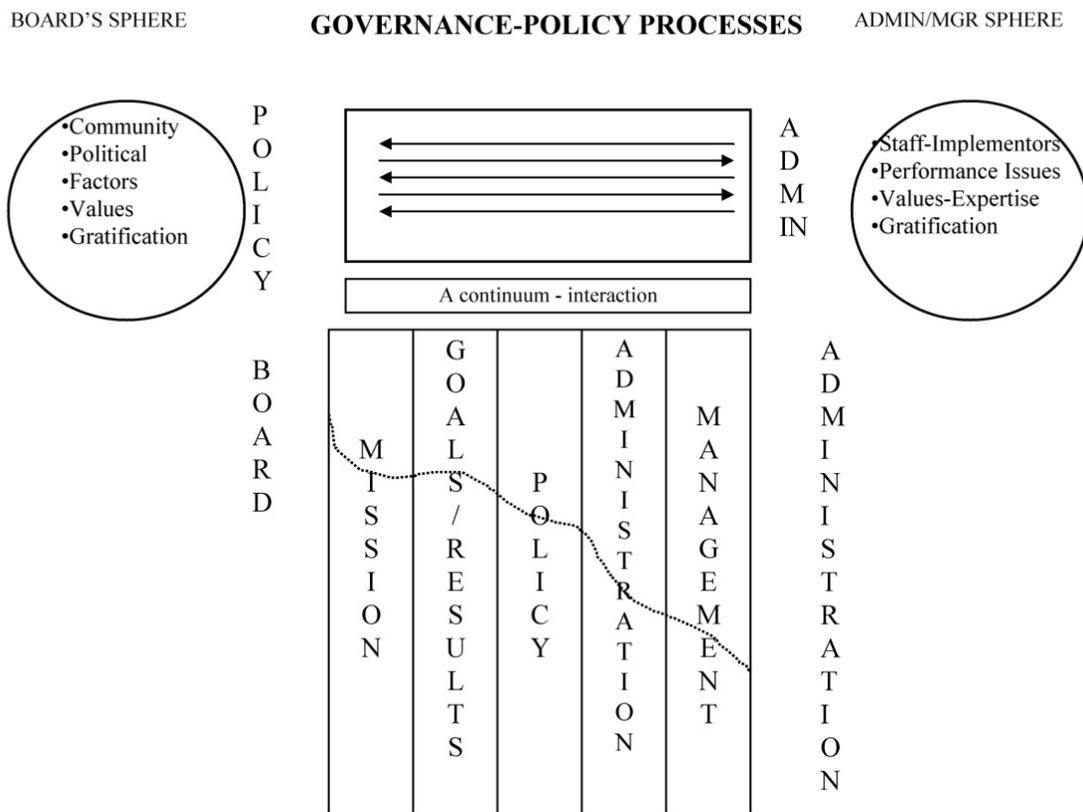


Figure 2: Board-Staff Partnership  
To what degree is this partnership understood, discussed, and respected by board members?

John Carver, a widely acclaimed author who writes about boards that make a difference, describes this partnership as one in which boards define what needs are to be met and ends (outcomes) achieved. He believes that boards should allow staff, within board-established limits, to define the means for achieving these ends. He sees a board-staff linkage that empowers staff to do its tasks and be evaluated on the results produced.

The board-staff partnership functions best when it is vision-driven and goals based. Boards that accept and abide by this partnership focus their energy on establishing vision and goals, on good policy, and on empowering effective staff performance. Those that do not do this, frequently fall prey to micromanaging; that is, they will perceive a need to become involved in, or retain approval over, staff activity and plans.

A critical element and important board task in this partnership is the evaluation of the manager or administrator, based upon clearly defined goals, policies, and established guidelines on executive performance.

## **7. Allocating Governing Body Time and Energy Appropriately**

Time, especially to elected officials, is a critically precious and limited, commodity. The typical board or council operates as a *governing body*, providing governance, for relatively few hours; usually less than 200 hours annually, as compared to the typical 2400+ hours per work year for senior administrators. How boards allocate and use their time is vital to their leadership effectiveness and performance.

Boards, like teams, “play” in a number of settings or “arenas” to achieve overall, peak performance. There are four board-staff arenas, and each must be appreciated for its purpose and contribution to a board’s effectiveness.

- Goal-setting (retreats or “advances”)
- Exploration and analysis (study sessions)
- Disposition/legislation (regular public meetings)
- Community relations (interactions with constituencies and other jurisdictions and agencies)

Figure 3 identifies the purpose, typical setting, focus, and key characteristics of each arena. All four arenas are essential to highly-effective governing body’s fulfillment of its leadership, policy making, goal setting, and empowering responsibilities.

ARENA	GOAL-SETTING	EXPLORATION & ANALYSIS	DISPOSITION-LEGISLATION	COMMUNITY RELATIONS
Purpose	<ul style="list-style-type: none"> <li>• Establish vision</li> <li>• Explore potentials</li> <li>• Set goals</li> <li>• Direction/Priorities               <ul style="list-style-type: none"> <li>-Community</li> <li>-Services</li> <li>-Staff action</li> <li>-Budgets</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Understanding the issue(s)</li> <li>• Problem identification</li> <li>• Selecting “best options”</li> <li>• Building commitment</li> </ul>	<ul style="list-style-type: none"> <li>• Official action</li> <li>• Vote on items               <ul style="list-style-type: none"> <li>-Resolutions</li> <li>-Ordinances</li> </ul> </li> <li>• Public input</li> <li>• Mobilization of support</li> </ul>	<ul style="list-style-type: none"> <li>• Interaction with constituency-citizens</li> <li>• Building alliances</li> <li>• Outreach-liaison</li> <li>• Coordination with other entities</li> </ul>
Typical Setting	Retreat/Advance - informal off-site workshop	Study Session - conference room	Public - formal board meeting in chambers	Numerous - diverse formats
Focus	<ul style="list-style-type: none"> <li>• Future of county, city/community</li> <li>• Evaluation of               <ul style="list-style-type: none"> <li>-Needs</li> <li>-Trends</li> <li>-Strategic issues</li> </ul> </li> <li>• Community desires &amp; values</li> <li>• Leadership</li> </ul>	<ul style="list-style-type: none"> <li>• Developing knowledge for decision making</li> <li>• Sorting of options</li> <li>• Examine consequences</li> <li>• Set strategies</li> <li>• Ability to make competent &amp; informed decisions</li> </ul>	<ul style="list-style-type: none"> <li>• Agenda - formality</li> <li>• “Show” of authority</li> <li>• Ratification/Adoption</li> <li>• Political pressures</li> <li>• Psychological needs</li> </ul>	<ul style="list-style-type: none"> <li>• Communication</li> <li>• Problem solving</li> <li>• Collaboration - coordination</li> <li>• Partnership</li> <li>• Acting as a community</li> </ul>
Key Characteristics	<ul style="list-style-type: none"> <li>• Informality</li> <li>• Sharing of options</li> <li>• Open dialogue</li> <li>• Creative thinking</li> <li>• Humor - adventure</li> <li>• Face-to-face/Group interaction</li> </ul>	<ul style="list-style-type: none"> <li>• Board-staff dialogue</li> <li>• Questioning - testing of ideas</li> <li>• Information exchange</li> <li>• Negotiating - consensus building</li> <li>• No voting</li> <li>• Face-to-face/group interaction</li> </ul>	<ul style="list-style-type: none"> <li>• Formal meetings</li> <li>• Rules and procedures</li> <li>• Public input/involvement</li> <li>• High visibility</li> <li>• Pressure/advocacy from groups</li> <li>• Voting</li> <li>• Group interaction</li> </ul>	<ul style="list-style-type: none"> <li>• Being “outside” city hall/court house</li> <li>• Responding to requests</li> <li>• Joint ventures</li> <li>• Interagency activity</li> <li>• Multiple interaction modes and communication techniques</li> </ul>

Figure 3: Arenas for Governing Body-Staff Performance

Highly-effective governing bodies will hold at least one goal-setting retreat or “advance” annually. They also will hold two study sessions monthly, usually between regularly scheduled public hearings. Here they confer with staff and other experts on significant items under consideration requiring eventual official actions. While these study sessions are open to the public, as observers, the public should not participate in the board-staff dialogue. Many boards short-change this arena, pushing the opportunity for learning into the formal public hearing, which is not designed to promote much in-depth analysis of complex issues. The arena of *disposition/legislation* is designed to get to a vote, not promote careful analysis of complex issues.

The fourth arena, *community and interjurisdictional relations*, is becoming more important. It is rapidly transforming the role of the governing body and how it and its members spend their time. Communities today are more dependent upon sophisticated alliances and partnerships among groups, public and private entities. All jurisdictions are subject to multiple, profound changes in how public officials operate as they deal with complex multijurisdictional and regional issues and the growing popularity of citizen democracy and community building/renewal. Today, the community arena requires more time spent in interactions outside of city hall/courthouse and puts greater time pressure on elected officials.

#### **8. Have Clear Rules and Procedures for Board Meetings**

Board meetings exist for the purpose of doing the board's business. Literature on how to conduct effective and productive meetings specifies the need for, and adherence to, clearly defined rules and procedures. Many boards, however, drift from these rules and procedures in pursuit of informality, collegiality, and "just being nice." They let their meetings drone on with lack of focus, redundant comments and endless discussions. Rules and procedures do not preclude citizen input, courtesy or sensitivity to public concerns and viewpoints. They respect all these elements and the necessity to conduct business in an orderly, disciplined and productive manner.

#### **9. Conduct Systematic and Valid Assessments of Policy Implementation and the Public's Concerns and Evaluation of the Boards/Council's Performance.**

Governing bodies, like most legislative bodies, frequently fall into the Jean Luc Picard syndrome (Star Trek II) and simply tell their staffs: "Make it so." They assume that board action equates to policy and program implementation. The next time board hears about the policy is when a problem or crisis arises. Highly effective governing bodies expect periodic feedback on policy results and on possible policy amendments that may be required. This feedback can be provided through progress reports, status memos or newsletters, and "policy reviews."

Elections are contests among individuals vying to become a member of an elected governing body. They are not valid, objective assessments of the public's feeling about the quality of board's performance as a governing body and about whether or not it is addressing issues effectively. Highly effective boards seek feedback through a number of proven market research tools such as focus groups, surveys and questionnaires. Typically, the phone calls a board member receives, or the comments made in public hearings, are not valid or accurate reflections of the entire community's sentiments about issues and the board's performance. "Market research feedback" should be ongoing and included in the annual goal setting retreat or advance.

#### **10. Practice Continuous Personal Learning and Development as a Leader**

Leaders read, attend workshops, and constantly seek information, understanding and

insight. Elizabeth Kautz, Mayor of Burnsville, Minnesota, giving advice to newly-elected municipal officials said: “Decide what your role is, identify the skills you need to be effective in that role, and GET THEM! Highly-effective governing bodies are comprised of members who honestly know they don’t know it all. They take advantage of the myriad of opportunities to learn and perfect their skills by reading, going to workshops, and forums that can expand their skills to lead and govern well.

Highly-effective governing bodies also learn as a group. They assess objectively their performance relative to each of the ten habits. They also decide where gains can be made and set up the opportunity through board workshops to learn the skills to make these gains.

The last, and probably most important, point: Keep your sense of humor. Governance is a serious and sometimes messy business dealing with vital issues affecting our communities and the quality of life we experience daily within them. Humor reduces friction and stress, lets others know we and they are human, and is a pause that refreshes our insight and commitment. It is essential to creating and maintaining relationships. It also can open one’s mind to new ideas.

Every community deserves nothing less than highly effective governing bodies that accept accountability for the community’s performance in creating its future and in effectively addressing, in the present, those challenges vital to attaining that future. That is what is at stake: our communities’ future. With few exceptions, every board can be highly effective and can provide strong leadership. But to become effective requires a good governance model and disciplined adherence to the principles (habits) of effectiveness.

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*Carl Neu, Jr., is executive vice president of Neu & Company, Lakewood, Colorado. All rights reserved to Neu & Company and the Center for the Future of Local Governance, 1997.*

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# Maryland Open Meetings Act

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## ARTICLE – STATE GOVERNMENT

### TITLE 10. GOVERNMENTAL PROCEDURES

#### *SUBTITLE 5. MEETINGS*

##### **10-501. Public policy.**

(a) It is essential to the maintenance of a democratic society that, except in special and appropriate circumstances:

- (1) public business be performed in an open and public manner; and
- (2) citizens be allowed to observe:
  - (i) the performance of public officials; and
  - (ii) the deliberations and decisions that the making of public policy involves.

(b) (1) The ability of the public, its representatives, and the media to attend, report on, and broadcast meetings of public bodies and to witness the phases of the deliberation, policy formation, and decision making of public bodies ensures the accountability of government to the citizens of the State.

(2) The conduct of public business in open meetings increases the faith of the public in government and enhances the effectiveness of the public in fulfilling its role in a democratic society.

(c) Except in special and appropriate circumstances when meetings of public bodies may be closed under this subtitle, it is the public policy of the State that the public be provided with adequate notice of the time and location of meetings of public bodies, which shall be held in places reasonably accessible to individuals who would like to attend these meetings.

##### **10-502. Definitions.**

(a) In this subtitle the following words have the meanings indicated.

(b) (1) “Administrative function” means the administration of:

- (i) a law of the State;
- (ii) a law of a political subdivision of the State; or
- (iii) a rule, regulation, or bylaw of a public body.

(2) “Administrative function” does not include:

- (i) an advisory function;
- (ii) a judicial function;
- (iii) a legislative function;
- (iv) a quasi-judicial function; or
- (v) a quasi-legislative function

(c) “Advisory function” means the study of a matter of public concern or the making of recommendations on the matter, under a delegation of responsibility by:

- (1) law;
- (2) the Governor or an official who is subject to the policy direction of the Governor;

(3) the chief executive officer of a political subdivision of the State or an official who is subject to the policy direction of the chief executive officer; or

(4) formal action by or for a public body that exercises an administrative, judicial, legislative, quasi-judicial, or quasi-legislative function.

(d) “Board” means the State Open Meetings Law Compliance Board.

(e) (1) “Judicial function” means the exercise of any power of the Judicial Branch of the State government.

(2) “Judicial function” includes the exercise of:  
provides;

- (i) a power for which Article IV, § 1 of the Maryland Constitution provides;
- (ii) a function of a grand jury;
- (iii) a function of a petit jury;
- (iv) a function of the Commission on Judicial Disabilities; and
- (v) a function of a judicial nominating commission.

(3) “Judicial function” does not include the exercise of rulemaking power by a court.

(f) “Legislative function” means the process or act of:

(1) approving, disapproving, enacting, amending, or repealing a law or other measure to set public policy;

- (2) approving or disapproving an appointment;
- (3) proposing or ratifying a constitution or constitutional amendment; or
- (4) proposing or ratifying a charter or charter amendment.

(g) “Meet” means to convene a quorum of a public body for the consideration or transaction of public business.

(h) (1) “Public body” means an entity that:

- (i) consists of at least 2 individuals; and
- (ii) is created by:
  - 1. the Maryland Constitution;
  - 2. a State statute;
  - 3. a county or municipal charter;
  - 4. a memorandum of understanding or a master agreement to

which a majority of the county boards of education and the State Department of Education are signatories;

- 5. an ordinance;
- 6. a rule, resolution, or bylaw;
- 7. an executive order of the Governor; or
- 8. an executive order of the chief executive authority of a political

subdivision of the State.

(2) “Public body” includes:

(i) any multimember board, commission, or committee appointed by the Governor or the chief executive authority of a political subdivision of the State, or appointed by an official who is subject to the policy direction of the Governor or chief executive authority of the political subdivision, if the entity includes in its membership at least 2 individuals not employed by the State or the political subdivision;

- (ii) any multimember board, commission, or committee that:

1. is appointed by:

A. an entity in the Executive branch of State government, the members of which are appointed by the Governor, and that otherwise meets the definition of a public body under this subsection; or

B. an official who is subject to the policy direction of an entity described in item A of this item; and

2. includes in its membership at least 2 individuals who are not members of the appointing entity or employed by the State; and

(iii) The Maryland School for the Blind.

(3) “Public body” does not include:

(i) any single member entity;

(ii) any judicial nominating commission;

(iii) any grand jury;

(iv) any petit jury;

(v) the Appalachian States Low Level Radioactive Waste Commission established in § 7–302 of the Environment Article;

(vi) except when a court is exercising rulemaking power, any court established in accordance with Article IV of the Maryland Constitution;

(vii) the Governor’s cabinet, the Governor’s Executive Council as provided in Title 8, Subtitle 1 of this article, or any committee of the Executive Council;

(viii) a local government’s counterpart to the Governor’s cabinet, Executive Council, or any committee of the Executive Council;

(ix) except as provided in paragraph (1) of this subsection, a subcommittee of a public body as defined under paragraph (2)(i) of this subsection;

(x) the governing body of a hospital as defined in § 19–301 of the Health –General Article; and

(xi) a self–insurance pool that is established in accordance with Title 19, Subtitle 6 of the Insurance Article or § 9–404 of the Labor and Employment Article by:

1. a public entity, as defined in § 19–602 of the Insurance Article; or

2. a county or municipal corporation, as defined in § 9–404 of the Labor and Employment Article.

(i) “Quasi–judicial function” means a determination of:

(1) a contested case to which Subtitle 2 of this title applies;

(2) a proceeding before an administrative agency for which Title 7, Chapter 200 of the Maryland Rules would govern judicial review; or

(3) a complaint by the Board in accordance with this subtitle.

(j) “Quasi–legislative function” means the process or act of:

(1) adopting, disapproving, amending, or repealing a rule, regulation, or bylaw that has the force of law, including a rule of a court;

(2) approving, disapproving, or amending a budget; or

(3) approving, disapproving, or amending a contract.

(k) “Quorum” means:

(1) a majority of the members of a public body; or

(2) any different number that law requires.

**10-502.1. Open Meeting, Compliance Board.**

There is a State Open Meetings Law Compliance Board.

**10-502.2. Same – Membership.**

(a) (1) The Board consists of 3 members, at least one of whom shall be an attorney admitted to the Maryland Bar, appointed by the Governor with the advice and consent of the Senate.

(2) From among the members of the Board, the Governor shall appoint a chairman.

(b) (1) The term of a member is 3 years.

(2) The terms of members are staggered as required by the terms provided for members of the Board on July 1, 1991.

(3) At the end of a term, a member continues to serve until a successor is appointed.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.

(5) A member may not serve for more than 2 consecutive 3-year terms.

**10-502.3. Same – Quorum; meetings; compensation.**

(a) A majority of the full authorized membership of the Board is a quorum.

(b) The Board shall meet at a time and place to be determined by the Board.

(c) Each member of the Board:

(1) may not receive compensation; and

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(d) The Office of the Attorney General shall provide staff for the Board.

**10-502.4. Same – Duties.**

(a) The Board shall receive, review, and resolve complaints from any person alleging a violation of the provisions of this subtitle and issue a written opinion as to whether a violation has occurred.

(b) The Board shall receive and review any complaint alleging a prospective violation of the provisions of this subtitle as provided under § 10-502.6 of this subtitle.

(c) The Board shall study ongoing compliance with the provisions of this subtitle by public bodies and make recommendations to the General Assembly for improvements in this subtitle.

(d) The Board, in conjunction with the Office of the Attorney General and other interested organizations or persons, shall develop and conduct educational programs on the requirements of the open meetings law for the staffs and attorneys of:

(1) public bodies;

- (2) the Maryland Municipal League; and
  - (3) the Maryland Association of Counties.
- (e) (1) On or before October 1 of each year, the Board shall submit an annual report to the Governor and the General Assembly, in accordance with §2-1246 of this article.
- (2) The report shall include a description of:
- (i) the activities of the Board;
  - (ii) the opinions of the Board in any cases brought before it;
  - (iii) the number and nature of complaints filed with the Board, including a discussion of complaints concerning the reasonableness of the notice provided for meetings; and
  - (iv) any recommendations for improvements to the provisions of this subtitle.

**10-502.5. Same – Complaint process.**

(a) Any person may file a written complaint with the Board seeking a written opinion from the Board on the application of the provisions of this subtitle to the action of a public body covered by this subtitle.

(b) The complaint shall:

- (1) be signed by the person making the complaint; and
- (2) identify the public body, specify the action of the public body, the date of the action, and the circumstances of the action.

(c) (1) On receipt of the written complaint, and except as provided in paragraph (3) of this subsection, the Board shall promptly send the complaint to the public body identified in the complaint and request that a response to the complaint be sent to the Board.

(2) (i) The public body shall file a written response to the complaint within 30 days of its receipt of the complaint.

(ii) On request of the Board, the public body shall include with its written response to the complaint a copy of:

- 1. a notice provided under § 10-506 of this subtitle;
- 2. a written statement made under § 10-508(d)(2)(ii) of this subtitle; and
- 3. minutes and any tape recording made by the public body under § 10-509 of this subtitle.

(iii) The Board shall maintain the confidentiality of minutes and any tape recording submitted by a public body that are sealed in accordance with § 10-509(c)(3)(ii) of this subtitle.

- (3) (I) If the public body identified in the complaint no longer exists, the Board shall promptly send the complaint to the official or entity that appointed the public body.
- (ii) The official or entity that appointed the public body shall, to the extent feasible, comply with the requirements of paragraph (2) of this subsection.

(4) If after 45 days, a written response is not received, the Board shall decide the case on the facts before it.

(d) The Board shall:

(1) review the complaint and any response; and

(2) if the information in the complaint and response is sufficient to permit a determination, issue a written opinion as to whether a violation of the provisions of this subtitle has occurred or will occur not later than 30 days after receiving the response.

(e) (1) If the Board is unable to reach a determination based on the written submissions before it, the Board may schedule an informal conference to hear from the complainant, the public body, or any other person with relevant information about the subject of the complaint.

(2) An informal conference scheduled by the Board is not a “contested case” within the meaning of § 10–202(d) of this title.

(3) The Board shall issue a written opinion not later than 30 days following the informal conference.

(f) (1) If the Board is unable to render an opinion on a complaint within the time periods specified in subsection (d) or (e) of this section, the Board shall:

(i) state in writing the reason for its inability; and

(ii) issue an opinion as soon as possible but not later than 90 days after the filing of the complaint.

(2) An opinion of the Board may state that the Board is unable to resolve the complaint.

(g) The Board shall send a copy of the written opinion to the complainant and to the affected public body.

(h) (1) On a periodic basis, the Board may send to any public body in the State any written opinion that will provide the public body with guidance on compliance with the

provisions of this subtitle.

(2) On request, a copy of a written opinion shall be provided to any person.

(i) (1) The opinions of the Board are advisory only.

(2) Except as provided in paragraph (3) of this subsection, the Board may not require or compel any specific actions by a public body.

(3) (i) If the Board determines that a violation of this subtitle has occurred:

1. at the next open meeting of the public body after the Board has issued its opinion, a member of the public body shall announce the violation and orally summarize the opinion; and

2. a majority of the members of the public body shall sign a copy of the opinion and return the signed copy to the Board.

(ii) The public body may not designate its counsel or another representative to provide the announcement and summary.

(iii) Compliance by a public body or a member of a public body with subparagraphs (i) and (ii) of this paragraph:

1. is not an admission to a violation of a provision of this subtitle by the public body; and

2. may not be used as evidence in a proceeding conducted in accordance with § 10-510 of this subtitle.

**10-502.6. Same – Prospective violations.**

(a) On receipt of an oral or written complaint by any person that a meeting required to be open under the provisions of this subtitle will be closed in violation of this subtitle, the Board acting through its chairman, a designated Board member, or any authorized staff person available to the Board may contact the public body to determine the nature of the meeting that will be held and the reason for the expected closure of the meeting.

(b) When at least 2 members of the Board conclude that a violation of this subtitle may occur if the closed meeting is held, the person acting for the Board under subsection (a) of this section immediately shall inform the public body of the potential violation and any lawful means that are available for conducting its meeting to achieve the purposes of the public body.

(c) The person acting for the Board shall inform the person who filed the complaint under subsection (a) of this section of the result of any effort to achieve compliance with this subtitle under subsection (b) of this section.

(d) The person acting for the Board shall file a written report with the Board describing the complaint, the effort to achieve compliance, and the results of the effort.

(e) The filing of a complaint under subsection (a) of this section and action by a person acting for the Board under subsections (b), (c), and (d) of this section may not prevent or bar the Board from considering and acting on a written complaint filed in accordance with § 10-502.5 of this subtitle.

**§10-502.7. Training for public bodies.**

(a) Each public body shall:

(1) designate at least one individual who is an employee, an officer, or a member of the public body to receive training on the requirements of the open meetings law; and

(2) forward a list of the individuals designated under item (1) of this subsection to the Board.

(b) Within 90 days after being designated under subsection (a)(1) of this section, an individual shall complete:

(1) an online class on the requirements of the open meetings law offered by the Office of the Attorney General and the University of Maryland's Institute for Governmental Service and Research; or

(2) a class on the requirements of the open meetings law offered by the Maryland Association of Counties or the Maryland Municipal League through the Academy for Excellence in Local Governance.

**10-503. Scope of subtitle.**

(a) Except as provided in subsections (b) and (c) of this section, this subtitle does not apply to:

(1) a public body when it is carrying out:

(i) an administrative function;

(ii) a judicial function; or

(iii) a quasi-judicial function; or

(2) a chance encounter, social gathering, or other occasion that is not intended to circumvent this subtitle.

(b) The provisions of this subtitle apply to a public body when it is meeting to consider:

- (1) granting a license or permit; or
- (2) a special exception, variance, conditional use, zoning classification, the enforcement of any zoning law or regulation, or any other zoning matter.

(c) If a public body recesses an open session to carry out an administrative function in a meeting that is not open to the public, the minutes for the public body's next meeting shall include:

- (1) a statement of the date, time, place, and persons present at the administrative function meeting; and
- (2) a phrase or sentence identifying the subject matter discussed at the administrative function meeting.

**10-504. Conflict of Laws.**

Whenever this subtitle and another law that relates to meetings of public bodies conflict, this subtitle applies unless the other law is more stringent.

**10-505. Open meetings generally required.**

Except as otherwise expressly provided in this subtitle, a public body shall meet in open session.

**10-506. Notice of meetings.**

(a) Before meeting in a closed or open session, a public body shall give reasonable advance notice of the session.

- (b) Whenever reasonable, a notice under this section shall:
- (1) be in writing;
  - (2) include the date, time, and place of the session; and
  - (3) if appropriate, include a statement that a part or all of a meeting may be conducted in closed session.

- (c) A public body may give the notice under this section as follows:
- (1) if the public body is a unit of the State government, by publication in the Maryland Register;
  - (2) by delivery to representatives of the news media who regularly report on sessions of the public body or the activities of the government of which the public body is a part;

(3) if the public body previously has given public notice that this method will be used:

(i) by posting or depositing the notice at a convenient public location at or near the place of the session; or

(ii) by posting the notice on an Internet website ordinarily used by the public body to provide information to the public; or

(4) by any other reasonable method.

(d) A public body shall keep a copy of a notice provided under this section for at least 1 year after the date of the session.

#### **10-507. Public Attendance.**

(a) Whenever a public body meets in open session, the general public is entitled to attend.

(b) A public body shall adopt and enforce reasonable rules regarding the conduct of persons attending its meetings and the videotaping, televising, photographing, broadcasting, or recording of its meetings.

(c) (1) If the presiding officer determines that the behavior of an individual is disrupting an open session, the public body may have the individual removed.

(2) Unless the public body or its members or agents acted maliciously, the public body, members, and agents are not liable for having an individual removed under this subsection.

#### **10-507.1. Interpreters for hearing impaired.**

(a) This section applies only to the Executive and Legislative Branches of State government.

(b) (1) On request and to the extent feasible, a unit that holds a public hearing shall provide a qualified interpreter to assist deaf persons to understand the proceeding.

(2) The request must be submitted in writing or by telecommunication at least 5 days before the proceeding begins.

(3) Whether providing an interpreter is feasible shall be determined, in each instance, by the unit involved.

#### **10-508. Closed meetings.**

(a) Subject to the provisions of subsection (d) of this section, a public body may meet in

closed session or adjourn an open session to a closed session only to:

- (1) discuss:
  - (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - (ii) any other personnel matter that affects 1 or more specific individuals;
- (2) protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
- (3) consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) consider the investment of public funds;
- (6) consider the marketing of public securities;
- (7) consult with counsel to obtain legal advice;
- (8) consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including:
  - (i) the deployment of fire and police services and staff; and
  - (ii) the development and implementation of emergency plans;
- (11) prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- (14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

(b) A public body that meets in closed session under this section may not discuss or act on any matter not permitted under subsection (a) of this section.

(c) The exceptions in subsection (a) of this section shall be strictly construed in favor of open meetings of public bodies.

(d) (1) Unless a majority of the members of a public body present and voting vote in favor of closing the session, the public body may not meet in closed session.

(2) Before a public body meets in closed session, the presiding officer shall:

- (i) conduct a recorded vote on the closing of the session; and
  - (ii) make a written statement of the reason for closing the meeting, including a citation of the authority under this section, and a listing of the topics to be discussed.
- (3) If a person objects to the closing of a session, the public body shall send a copy of the written statement required under paragraph (2) of this subsection to the Board.
- (4) The written statement shall be a matter of public record.
- (5) A public body shall keep a copy of the written statement made under paragraph (2)(ii) of this subsection for at least 1 year after the date of the session.

**10-509. Minutes.**

- (a) This section does not:
  - (1) require any change in the form or content of the Journal of the Senate of Maryland or Journal of the House of Delegates of Maryland; or
  - (2) limit the matters that a public body may include in its minutes.
- (b) (1) Subject to paragraphs (2) and (3) of this subsection, as soon as practicable after a public body meets, it shall have written minutes of its session prepared.
  - (2) A public body need not prepare written minutes of an open session:
    - (i) if live and archived video or audio streaming of the open session is available;
  - or
  - (ii) if the public body votes on legislation and the individual votes taken by each member of the public body who participates in the voting are posted promptly on the Internet.
  - (3) The information specified under paragraph (2) of this subsection shall be deemed the minutes of the open session.
- (c) (1) The minutes shall reflect:
  - (i) each item that the public body considered;
  - (ii) the action that the public body took on each item; and
  - (iii) each vote that was recorded.

(2) If a public body meets in closed session, the minutes for its next open session shall include:

  - (i) a statement of the time, place, and purpose of the closed session;
  - (ii) a record of the vote of each member as to closing the session;
  - (iii) a citation of the authority under this subtitle for closing the session; and
  - (iv) a listing of the topics of discussion, persons present, and each action taken during the session.

(3) (i) A session may be tape recorded by a public body.

(ii) A public body shall provide for the preservation for 1 year of its minutes and any tape recording of its closed meetings.

(iii) Except as otherwise provided in paragraph (4) of this subsection, the minutes and any tape recording of a closed session shall be sealed and may not be open to public inspection.

(4) The minutes and any tape recording shall be unsealed and open to inspection as

follows:

(i) for a meeting closed under § 10-508(a)(5) of this subtitle, when the public body invests the funds;

(ii) for a meeting closed under § 10-508(a)(6) of this subtitle, when the public securities being discussed have been marketed; or

(iii) on request of a person or on the public body's own initiative, if a majority of the members of the public body present and voting vote in favor of unsealing the minutes and any tape recording.

(d) Except as provided in subsection (c) of this section, minutes of a public body are public records and shall be open to public inspection during ordinary business hours.

(e) A public body shall keep a copy of the minutes of each session and any tape recording made under subsection (c)(3)(i) of this section for at least 1 year after the date of the session.

#### **10-510. Judicial Enforcement.**

(a) (1) This section does not apply to the action of:  
(i) appropriating public funds;  
(ii) levying a tax; or  
(iii) providing for the issuance of bonds, notes, or other evidences of public obligation.

(2) This section does not authorize a court to void an action of a public body because of any violation of this subtitle by another public body.

(3) This section does not affect or prevent the use of any other available remedies.

(b) (1) If a public body fails to comply with § 10-505, § 10-506, § 10-507, § 10-508, or § 10-509(c) of this subtitle any person may file with a circuit court that has venue a petition that asks the court to:

(i) determine the applicability of those sections;

(ii) require the public body to comply with those sections; or

(iii) void the action of the public body.

(2) If a violation of § 10-506, § 10-508, or § 10-509(c) of this subtitle is alleged, the person shall file the petition within 45 days after the date of the alleged violation.

(3) If a violation of § 10-505 or § 10-507 of this subtitle is alleged, the person shall file the petition within 45 days after the public body includes in the minutes of an open session the information specified in § 10-509(c)(2) of this subtitle.

(4) If a written complaint is filed with the Board in accordance with § 10-502.5 of this subtitle, the time between the filing of the complaint and the mailing of the written opinion to the complainant and the affected public body under § 10-502.5(g) of this subtitle may not be included in determining if a claim against a public body is barred by the statute of limitations set

forth in paragraphs (2) and (3) of this subsection.

(c) In an action under this section, it is presumed that the public body did not violate any provision of this subtitle, and the complainant has the burden of proving the violation.

(d) A court may:

(1) consolidate a proceeding under this section with another proceeding under this section or an appeal from the action of the public body;

(2) issue an injunction;

(3) determine the applicability of this subtitle to the discussions or decisions of public bodies;

(4) if the court finds that a public body willfully failed to comply with § 10-505, § 10-506, § 10-507, or § 10-509(c) of this subtitle and that no other remedy is adequate, declare void the final action of the public body;

(5) as part of its judgment:

(i) assess against any party reasonable counsel fees and other litigation expenses that the party who prevails in the action incurred; and

(ii) require a reasonable bond to ensure the payment of the assessment; and

(6) grant any other appropriate relief.

(e) (1) A person may file a petition under this section without seeking an opinion from the State Open Meetings Law Compliance Board.

(2) The failure of a person to file a complaint with the Board is not a ground for the court to either stay or dismiss a petition.

#### **10-511. Penalty.**

(a) In accordance with § 10-510 of this subtitle, a public body that willfully meets with knowledge that the meeting is being held in violation of the provisions of this subtitle is subject to a civil penalty not to exceed:

(1) \$250 for the first violation; and

(2) \$1,000 for each subsequent violation that occurs within 3 years after the first violation.

(b) When determining the amount of a fine under subsection (a) of this section, the court shall consider the financial resources available to the public body and the ability of the public body to pay the fine.

#### **10-512. Short title.**

This subtitle may be cited as the "Open Meetings Act".

# Maryland Public Information Act information and links

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Maryland Public Information Act Manual (14th ed., October 2015)

Appendix I-1

## Access to Government Records Under the Maryland Public Information Act

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### *What is the Public Information Act?*

Maryland's Public Information Act ("PIA") gives the public the right to access government records without unnecessary cost and delay.

The PIA applies to all three branches of Maryland state government as well as local government entities. The PIA is found in the General Provisions Article ("GP"), §§ 4-101 through 4-601, Annotated Code of Maryland.

It is similar to the federal Freedom of Information Act which applies to federal executive branch agencies and independent federal regulatory agencies.

The PIA grants you the right to review the available records that are disclosable and to obtain copies of those records. It does not require an agency to answer informational questions or to create a record to satisfy your request.

### *What is a public record?*

A public record is defined as the original or copy of any documentary material in any form created or received by an agency in connection with the transaction of public business. Included in this definition are written materials, books, photographs, photocopies, films, microfilms, records, tapes, computerized records, maps, drawings and other materials.

### *Who can submit a PIA request?*

Anyone.

***Are all government records available?***

No. The PIA attempts to balance the public's right to access government records with other policies that respect the privacy or confidentiality of certain information.

For example, some public records are confidential under federal or state statutes, under court rules, or under various common law privileges such as attorney-client privilege and executive privilege. GP § 4-301. The PIA itself also protects certain records from disclosure (for example, adoption records, personnel records, certain personal information in Motor Vehicle Administration records). In addition, some information contained in public records must remain confidential (for example, an individual's medical information, confidential commercial information and trade secrets). GP §§ 4-304 to 4-327 (Part II), §§ 4-328 to 4-342 (Part III). In some cases, these protections may be waived.

Other records may be withheld if the agency decides that disclosure of those records would be "contrary to the public interest." Examples of records subject to discretionary disclosure include investigatory records, information related to academic, licensing, and employment examinations, and documents of a pre-decisional and deliberative nature. GP §§ 4-343 to 4-357 (Part IV).

***Do I have a right to obtain a record about me even if it is otherwise confidential under the PIA?***

In some cases, yes. The PIA grants a "person in interest" a right to access some records that are otherwise not available to the public under the PIA. A person in interest is usually the person who is the subject of the record.

***Whom do I contact to get access to a record under the PIA?***

There is no central agency that is responsible for PIA requests. You should contact the agency that has the type of record you are seeking. If you are uncertain about what agency would have the record, you might review the "Maryland Manual" (available online at [www.mdarchives.state.md.us/msa/mdmanual/html/mmtoc.html](http://www.mdarchives.state.md.us/msa/mdmanual/html/mmtoc.html)), check

agency web sites, or contact your local library where the reference staff might be able to help identify the agency that has the particular type of record. As for to whom to direct your request, check the agency's website; it should have the relevant contact information. You can also check the Attorney General's website and Appendix J to this Manual, both of which have a list of the PIA representatives for various State, county, and municipal bodies.

*Is there a particular form that I must use?*

No, although some agencies have created request forms to help the agency respond to PIA requests.

In some cases, a telephone call to the appropriate person in a government agency may satisfy your request for a document. In other cases, you will need to submit your request in writing. Address your request to the individual the agency identifies as its PIA contact. If you do not know who that is, address your request to the agency's public information officer or to the head of the agency.

It is important that you specifically describe the records you seek so that the agency can research your request. Sometimes discussions with agency personnel will clarify your request and help the agency find the records you are seeking.

*How long will it take for an agency to respond to my request?*

In many instances, an agency will be able to respond to your request immediately. In fact, for some frequently requested records, an agency may already have records available on its web site. (For example, the State Department of Assessments and Taxation makes property assessment information publicly available through its web site). Otherwise, an agency is normally expected to comply with a PIA request within 30 days, but there may be instances where an agency needs additional time to locate and review the requested records.

***Is there a charge for obtaining records under the PIA?***

The PIA allows an agency to charge a “reasonable fee” for copies of public records.

An agency may also charge a reasonable fee for searching for a public record – a charge that may include the time required for locating and reviewing the record. The first two hours of search time are free, but an extensive search may prove time-consuming and therefore expensive. Thus, it is in both your interest and the agency’s interest to ensure that a PIA request clearly and accurately describes the records sought. Sometimes discussing your request with agency staff is the best way to gain access to the records you seek promptly and at little or no cost.

Actual fee schedules may be found in agency regulations. Agencies may choose to waive fees in particular cases.

***What happens if I am dissatisfied with the agency’s response?***

If an agency denies all or part of your request, it must provide you with a written explanation that includes the reason for the denial, the legal authority justifying the denial, and your appeal rights.

You have three options if you are dissatisfied with the agency’s response: (1) You can go to court if you wish to challenge any aspect of the agency’s decision and, if you prevail, potentially receive attorneys’ fees and damages; (2) If the agency has charged you more than \$350 and you believe that fee to be unreasonable, you can file a complaint with the Public Information Act Compliance Board; and (3) You can initiate informal mediation of the dispute through the Public Access Ombudsman within the Office of the Attorney General.

***How can I learn more about the PIA?***

The Office of the Attorney General publishes a detailed legal analysis of the PIA in the Maryland Public Information Act Manual. The Manual also includes the text of the PIA and a sample request letter to help you make a PIA request. The Manual is available for purchase for \$10 by sending a check to the Office of Attorney General,

Opinions and Advice Division, 200 St. Paul Place, Baltimore, Maryland 21202. The manual is also available without charge on the Attorney General’s website, <http://www.oag.state.md.us/Opengov/pia.htm>.

## MEMORANDUM

**TO:** Department Directors, Managers, Supervisors and Administrative Staff

**FROM:** Janeen S. Miller, City Clerk  
Suellen M. Ferguson, City Attorney

**DATE:** October 1, 2015

**RE:** City of College Park Procedures For Compliance With The Maryland Public Information Act

The City of College Park maintains certain files and records that are classified as public records under Maryland law. Generally, these public records may be made available in accordance with the guidelines of the Maryland Public Information Act (MPIA) (§4-201 *et seq.* of the General Provisions Article, Annotated Code of Maryland, as amended).

The Maryland Public Information Act grants the public the right to review the available records that are disclosable and to obtain copies of those records. It does not require the City to answer informational questions or to create a record to satisfy a request.

Certain documents that are *designed* for public use (and other documents designated by the City) may be provided to members of the public without requiring an MPIA request. These include:

- Landlord-Tenant Publications
- Sections of the City Charter and City Code
- Standard Forms
- City Policies
- Resolutions, Ordinances and Charter Amendments
- Material from the “Agenda Packet”: Agenda Items and Non-Confidential Supporting Material for Council Worksessions and Regular Meetings
- Approved Minutes of official City meetings
- Annual Operating and CIP Budget and CAFR
- Documents designed to be provided to the public
- Documents and reports available on the City’s website

Requests for other public records not included on this list should be handled as a request for records under the Maryland Public Information Act, i.e., as an “MPIA Request.” A record is defined as any documentary material in any form created or received by an agency in connection with the transaction of public business. It includes written materials, emails, books, photographs, photocopies, film or microfilm, tapes, records, computerized records, maps, and drawings. Not all records are disclosable; determination regarding whether records are disclosable shall be made by the City Attorney.

**Receiving An MPIA Request:**

A request for records outside of the list above should be handled as an MPIA request, following the procedures set forth below.

1. MPIA requests must be in writing. A requestor may use the City’s “Maryland Public Information Act” request form, send an email, or otherwise submit their request in writing.
2. The request should be as clear and as detailed as possible by including specific dates and/or timeframes, a clear description of the subject matter and/or document names, and specific addresses, when relevant. Staff may ask questions of the requestor to help clarify the request.
3. An MPIA request may be submitted to any City department, but a copy must be immediately forwarded to the City Clerk’s office (either through email or by a paper copy). The City Clerk is the custodian of records and the designated contact person for Maryland Public Information Act requests in the City.

**Responding To An MPIA Request:**

***Timing:*** If the City has a record that is responsive and is recognized to be open to inspection, it must be produced promptly after receipt of the written request, and in any event, within 30 days of receiving the request. **However, if we believe that it will take more than 10 working days to produce the record, we shall indicate in writing (or by email) within 10 working days after receipt of the request the amount of time that we anticipate it will take to produce the public record, an estimate of the fees that may be charged, and the reason for the delay.** Notice of a denial shall be given within 10 working days – *see below regarding “Denial of a Request.”* These time limits may be extended with the consent of the requestor for a period of not more than 30 additional days.

In ordinary circumstances, the Department Director may respond directly to an MPIA request and the City Clerk’s office must be copied. However, in certain circumstances, the City Attorney must be brought in:

***Review by City Attorney:*** The City Attorney must review certain MPIA requests before processing. These include requests that are complex, involve a controversial matter, come from a party engaged in a dispute or litigation with the City, or involve any files containing attorney-client communication or any request involving an enforcement action.

Certain records are specifically excluded from public review such as personnel records, confidential records, attorney-client documents, etc. This is not a complete list. If you have any questions, please contact the City Attorney or City Clerk.

***Denial of a Request:*** Only the City Attorney may determine whether the City will deny an MPIA request. In cases of a denial, the City shall provide the requestor, within 10 working days, a written statement providing the reason(s) for the denial, the legal authority for the denial, a brief description of the undisclosed records, and notice of the remedies available to the requestor.

***Redaction of a Response:*** Only the City Attorney may determine whether the City will redact a portion of the response. In cases of redaction, the City shall provide the requestor, within 10

working days, a written statement providing the reason(s) for the redaction, the legal authority for the redaction, a brief description of the redacted records, and notice of the remedies available to the requestor.

The City may not ignore an application to inspect public records on the grounds that the application was intended for purposes of harassment.

***Review by Ombudsman:*** A review of MPIA requests and responses, by an ombudsman appointed by the Attorney General, is available to requestors and the City. Depending upon the request, the City may wish to seek advice about its response, including whether a request is overly broad, the amount of time the City requires given available staff and resources, to produce the records, whether a request for a fee waiver is appropriate, or repetitive or redundant requests from the same requestor. Only the City Attorney may determine whether to seek resolution of an issue through the ombudsman.

***The following additional guidelines shall be followed:***

- **Integrity of Files:** When otherwise allowed, a requestor is entitled to review a file. To maintain the integrity of the records, the original documents or files shall never be presented for review unless a designated City employee is in constant attendance. In these circumstances, the staff member in attendance shall have no obligation to explain a material in a file. Staff time may be charged in accordance with the fee schedule.
- **Delayed release of studies, reports and other documents addressed to Mayor and Council:** To insure the orderly process of government, the City Manager may, by Administrative Directive, withhold certain documents for a reasonable period of time, not to exceed 9 days, from public disclosure so as to insure that the Mayor and City Council themselves have had an opportunity to see the document before it is provided to a requestor. Such documents shall include the City Manager's Annual Budget Proposal, reports from consultants, and similar documents. With regard to in-house documents such as the Annual Budget, the 9-day period shall begin to run from the day of physical assembly and completion of the document, or the date of request for inspection, whichever is later.
- **Copies of Provided Records:** Copies generally do not need to be kept of the items provided to the requestor for standard requests. In the case of a request when the Attorney has been consulted, copies should be kept. If in doubt, please consult the City Clerk.
- **Creation of Records:** The City has no obligation to "create" records to satisfy a Maryland Public Information Act request.
- **Anonymous Requests:** An requestor cannot be required to provide his/her name, address, organization, or reason for the request as a precondition for making an MPIA request; however, the inability of staff to contact the requestor may impede the City's response.

- Archived Records: Staff is reminded that some City records are archived. Records exist electronically in databases, in Metafile, and physically in storage units. Those records must also be searched when responding to an MPIA request.
- Multiple Departments: More than one City department may have records that are responsive to an MPIA request. When a request is submitted at the department level it must be immediately copied to the City Clerk’s Office. The City Clerk’s Office is responsible for ensuring that all necessary departments have received the MPIA request. If other departments are involved, the response to the MPIA request must be coordinated through the City Clerk’s office.
- Data stored in HTE: Occasionally, the City will receive a request for information that does not exist in the format requested. The information may be available within the HTE system, but would require manipulation of the data to format and/or create a report. The City has no obligation to “create” records to satisfy a Maryland Public Information Act request, nor is an agency required to reprogram its computers or aggregate computerized data files so as to effectively create a new record. However, some data exists within HTE that can be provided in response to an MPIA request. The following policy is set forth to clarify what may and may not be done to retrieve records from the HTE system in response to an MPIA request:

HTE Action			
1	“Inquiry”	Print Screen	Allowed
2	“Demand Report”	Predefined report into which you enter a range of criteria to narrow down results.	Allowed
3	“Query”	Creation of a report from information contained in HTE in a format that did not previously exist.	Prohibited
4	“Canned Query”	A query that was previously written, whether or not it appears on the HTE menu.	Allowed

Report #3 above, the “Query”, is prohibited in response to an MPIA request. The City Manager may approve a request for data, on a case-by-case basis, that would involve a Query. Staff may not make the decision to produce a Query for a requestor. Charging a fee for a Query report does not make it allowable.

If there is any question about retrieving data from HTE for an MPIA response, check with the City Clerk before proceeding. No one may approach IT staff to produce a report without getting prior approval from the City Clerk or City Manager.

- Other electronic data: If a record exists in a searchable and analyzable format and the requestor has requested the copy in a searchable and analyzable format, then the City must comply ***if it is able to produce the copy without compromising material that is exempt from disclosure.***

Metadata should be removed from all electronic records that are produced except in certain situations. Metadata means information, generally not visible when an electronic document is printed, describing the history, tracking, or management of the electronic

document, including information about data in the electronic document that describes how, when, and by whom the data is collected, created, accessed, or modified and how it is formatted. If you have any questions about removal of metadata, contact the City Clerk.

**Fees:**

Under the Maryland Public Information Act, the City is allowed to charge fees relating to the fulfillment of MPIA requests and/or the production of records, under certain circumstances. It is the policy of the City of College Park to prepare and notify the requestor of the estimate of fees, and to receive full payment of such fees, before the production and release of the documents. The fee schedule is attached. All fees must be paid through the City Clerk's office.

Upon request, fees may be waived by the City Clerk's Office if it is determined to be in the public interest or if the requestor is indigent and files an affidavit of indigency with the City Clerk.

If you have any questions about the administration of the above guidelines, please do not hesitate to contact the City Clerk's Office.

**CITY OF COLLEGE PARK  
MARYLAND PUBLIC INFORMATION ACT**

**Fee Schedule Effective October 1, 2015**

Under the Maryland Public Information Act, the City is allowed to charge “reasonable fees” relating to the fulfillment of MPIA requests and/or the production of records. A “reasonable fee” is defined as one bearing a reasonable relationship to the recovery of actual costs incurred by the City.

It is the policy of the City of College Park to prepare an estimate of fees, to notify the requestor of that estimate, and to receive full payment of such fees, before the production and release of the documents. Adjustments between the estimate and actual cost incurred will be made once the production is complete, and the difference will be reconciled with the requestor at that time. All fees must be paid through the City Clerk’s office.

The City may charge:

- The first two hours to search for a public record and prepare it for inspection are free. After that, the actual cost of the search for, preparation of, and reproduction of a public record in standard format, including media and mechanical processing costs, may be charged. Staff and attorney review costs may be included in this calculation and shall be prorated for each individual’s salary and actual time attributed to the search for and preparation of the public record.
- A reasonable fee for the search for, preparation of, and reproduction of public records prepared, on request of the applicant, in a customized format.
- Copies:
  - In house - the first 10 pages are free; thereafter, copies are 10¢ per page.
  - When outsourced - the actual cost will be charged.
  - Oversize copies will be outsourced.
  - Color copies will be outsourced.
- Copy of audio on CD:
  - In house - \$2.00 per CD
  - When outsourced – the actual cost will be charged
- Copy of video on DVD:
  - In house - \$2.00 per standard DVD
  - In house - \$7.50 per dual-layer DVD, if needed
  - When outsourced - the actual cost will be charged
- Transfer of audio cassette tape to digital media:
  - In-house – not available
  - Outsourced – the actual cost will be charged.

- Transfer of video (VHS) tape to digital media:
  - In house – not available
  - Outsourced – the actual cost will be charged.

Payment shall be made in cash, by credit card, or check payable to “The City Of College Park” and must be received before the documents are released.

Upon request, fees may be waived by the Clerk’s Office if it is determined to be in the public interest or if the requestor is indigent and files an affidavit of indigency with the City Clerk.

If you have any questions about the administration of the above guidelines, please contact the City Clerk, Janeen S. Miller, at 240-487-3501.

CITY OF COLLEGE PARK, MARYLAND  
**MARYLAND PUBLIC INFORMATION ACT REQUEST**

<b>REQUESTOR</b>	Name of Individual and/or Organization:  Address/Phone/Other Contact Information:
<b>INFORMATION REQUESTED</b>	Pursuant to §4-201 <i>et seq.</i> of the General Provisions Article, Annotated Code of Maryland, request is hereby made for (please specify): ____ examination, AND/OR ____ copies of the following records. The request should be as specific as possible, and should include specific dates and/or time frames; document names or subject matter; and specific locations and/or addresses:
<b>SIGNATURE</b>	I understand that if the City does not have the record as requested above, it is not required to compile information. I further understand that the costs of gathering the documents requested and copying them must be paid prior to release of the documents (fee schedule attached). I understand that if I am permitted to examine the record, I shall not alter, falsify, cancel, destroy, mutilate or remove any part thereof, under penalty of law. If the City denies access to the records I have requested herein, I understand that I have the right to seek judicial review of that decision by filing a complaint in the appropriate circuit court, as provided in §4-362 of the General Provisions Article, Annotated Code of Maryland, which sets forth certain remedies for wrongful denial of access. <b>NOTE TO REQUESTOR:</b> If the fee to be charged exceeds \$350.00 and you believe the fee to be unreasonable, you may file a complaint with the State Public Information Act Compliance Board as provided in § 4-1A-05 of the General Provisions Article, Annotated Code of Maryland. You may also seek the assistance of the Office of the Public Access Ombudsman to resolve disputes between you and the City relating to requests for public records as provided in § 4-1B-01 of the General Provisions Article, Annotated Code of Maryland.  Date: _____ Signature: _____
<b>FOR OFFICE USE ONLY</b>	
TO (DEPARTMENT(S)): _____ DID THE CITY ATTORNEY REVIEW REQUEST? YES _____ NO _____ REQUESTOR NOTIFIED OF RESPONSE ON: _____ BY: _____ REQUESTOR NOTIFIED OF FEE ESTIMATE ON: _____ BY: _____ FEE CHARGED: \$ _____ FEE PAID (DATE) _____ REC'D BY: _____ INFORMATION AVAILABLE ON (DATE): _____ REQUESTOR NOTIFIED: _____	
<b>RECEIPT</b>	
DOCUMENTS/INFORMATION RECEIVED BY: _____ Date: _____	

# **Parliamentary Procedure and Roberts Rules of Order**

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## Orientation Manual for Elected & Appointed Officials

### **What is Parliamentary Procedure?**

It is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion.

### **Why is parliamentary procedure important?**

Because it's a time tested method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization. Today, Robert's Rules of Order Newly Revised is the basic hand book of operation for most clubs, organizations and other groups. It's important that everyone know these basic rules.

### **Fundamentals of Parliamentary Procedure**

Only the experts or "parliamentarians" must know all the rules and technicalities of parliamentary procedure. The fundamentals listed below can help you participate in practically any meeting in an intelligent, decisive way. It is important to keep in mind that every meeting should have an "order of business" or "agenda." The following is a general outline of what might be included on a council, commission or board agenda.

1. Call to Order (By the presiding officer)  
Check quorum
2. Roll call of members present
3. Approval of Agenda
4. Approval of Minutes
5. Officers' reports
6. Committee reports  
A motion rising out of a committee's report is taken up immediately. Only those special committees that are prepared or were instructed to report should be called on.
7. Unfinished or Old Business
  - a. A question postponed from the last meeting.
  - b. Any other unfinished business.
8. New Business
  - a. Correspondence that needs action
  - b. Further new business members can introduce new items or can move to discuss any matter which is on the table.

## 9. Announcements

The chair may make or may call on other officers or members to make any necessary announcements; members may also obtain the floor for such purpose.

## 10. Program

Although the program is usually placed at the end of the order of business, it can be received any time. Often in courtesy to a guest speaker, the chair may ask for suspension of the agenda so the talk can be located at an unscheduled point within the business portion of the meeting. Usually this is done by unanimous consent: chair announces: "If there is no objection, we will hear our program at this time."

## 11. Further business

## 12. Adjournment

### **Putting Ideas Before the Assembly**

Business is brought before an assembly by the motion of a member. A motion may itself bring its subject to the assembly's attention, or the motion may follow upon the presentation of a report or other communication. A motion is a formal proposal by a member, in a meeting, that the assembly take certain action.

### **How to present a motion:**

#### Obtain the floor

- a. Wait until the last speaker has finished.
- b. Address the Chairperson by saying, "Mr./Ms Chairperson."
- c. Once you have the floor, you may speak and with exceptions, no one may interrupt you.

#### Make your Motion

- a. Speak in a clear and concise manner.
- b. Begin by saying "I move that..."
- c. Avoid personalities and stay on your subject.
- d. If possible have your motion written out ahead of time.

#### Wait for a second to your motion

- a. Before an idea may be discussed, it must be seconded. You need not agree with a motion in order to second it.
- b. Another member will second your motion or the Chairperson will call for a second.

#### Amending the Motion

- a. To add to, substitute or subtract from a motion that someone else has made, submit your idea to the group by "amending the motion."

#### Amend the Amendment

- a. Altering the motion can be carried one step further by "an amendment to the amendment." You now have a primary amendment and a secondary amendment to the MAIN motion. You may not have more than these two.

### The Chairperson States Your Motion

- a. The Chairperson will say, “It has been moved and seconded that we...” thus placing your motion before the membership for consideration and action.
- b. The membership then either debates your motion, or may move directly to vote.
- c. Once your motion is presented to the membership by the chairperson it becomes “assembly property”, and cannot be changed by you without consent of the members.

### Expanding on Your Motion

- a. The time for you to speak in favor of your motion is after the Chairperson has stated “it has been moved and seconded that we...”
- b. The maker is always allowed to speak first.
- c. All comments and debate must be directed to the Chairperson.
- d. Keep to the time limit for speaking that has been established.
- e. The mover may speak again only after other speakers are finished, unless called upon by the Chairperson.

### Putting the Question to the Membership

- a. The Chairperson asks, “Are you ready to vote on the question?”
- b. If there is no more discussion, a vote is taken.
- c. The Chairperson announces the result of the vote immediately after putting the question; a majority vote in the affirmative adopts any motion.
- d. The Clatsop County Charter provides that no commissioner present at a Board meeting shall abstain from voting without first disclosing the reason for the abstention.

If your motion does not receive a second, the motion dies for lack of a second.

### Voting on a Motion

The method of a vote on any motion depends on the situation and by-laws of policy of your committee. There are five methods used to vote by most committees, they are:

1. By Voice—The Chairperson asks those in favor to say, “aye”, those opposed to say “no”. Any member may move for an exact count.
2. By Roll Call – Each member answers “yes” or “no” as his name is called. This method is used when a record of each person’s vote is required.
3. By General Consent—When a motion is not likely to be opposed, the Chairperson says, “if there is no objection...”The membership shows agreement by their silence, however if one member says, “I object.” the item must be put to vote.
4. By Division—this is a slight verification of a voice vote. It does not require a count unless the Chairperson so desires. Members raise their hands or stand.
5. By Ballot—Members write their vote on a slip of paper, this method is used when secrecy is desired.

### There are four Basic Types of Motions:

1. Main Motions: The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.

2. **Subsidiary Motions:** The purpose is to change or affect how a main motion is handled, and is voted on before a main motion.
3. **Privileged Motions:** The purpose is to bring up items that are urgent about special or important matters unrelated to pending business.
4. **Incidental Motions:** The purpose is to provide a means of questioning procedure concerning other motions and must be considered before the other motions.

### **Postponing Consideration**

1. **Motion to Table**

A move to “lay on the table” means to temporarily put aside one motion to consider another. It is not debatable and after a matter has been tabled, it may be taken from the table at the same meeting (if other business has intervened) or at the next regular meeting. After that, it would be “DEAD” and the matter would have to be reintroduced.

2. **Motion to Postpone to a Certain Time**

“I move that action on this matter be postponed until \_\_\_\_\_ (state date/time). “If carried, the matter is postponed to the time specified and comes up as “unfinished business.”

3. **Motion to Postpone Indefinitely**

Primarily a strategic motion used to reject the main question without incurring a direct vote on it.

### **Stick to the Facts**

#### Point of Order

If you feel a violation in parliamentary procedure exists, call for a “point of order” to enforce the rules. The chair rules, but is obliged to recognize you and pass on your inquiry to the group.

#### Appeal from Decision of the Chair

If you disagree with the decision of the chair, you can appeal (it must be done immediately following the ruling). It does require a second and then the chair must state the question and the whole group votes on whether to over-rule or sustain the Chair. Either a majority vote or a tie will sustain the Chair.

#### Orders of the Day

If the meeting goes off on a tangent and does not follow the agenda or the order of business, you may remind the Chair by calling for “orders of the day.” This requires a 2/3 vote and is put to the vote at the discretion of the Chair.

#### Motion to Limit Debate

To prevent a discussion from dragging on endlessly, you can:

- a. Move to limit each speaker’s time
- b. Move to limit the number of speakers
- c. Move to limit the overall time of debate
- d. Move to close debate at a set time and vote

These questions require 2/3 vote. This is an important safeguard as it proves that twice as many vote for an issue as against it.

### Motion to Refer

When it is advisable to give further study to a proposal, move that the matter be referred to \_\_\_\_\_ committee.

NOTE: Kind of committee, size and power should be included in the motion.

### How to End Debate

“Call for the previous question.” This will close debate on a pending question and require immediate vote by the group on whether to close debate. 2/3 vote is required.

### Questions and Answers

What is the quorum in a committee?

A majority of its members unless otherwise stated in bylaws.

### May a Motion be Withdrawn?

Yes. If it has not been stated by the chair, the maker of a motion may withdraw his motion. (A withdrawn motion does not appear in the minutes.) Once a motion has been stated by the chair, it can be withdrawn only by general consent or a majority vote.

### How Can Action Already Voted on be Reconsidered?

By a move to reconsider the vote. This must be done on the same day the vote was taken and motion to reconsider may only be made by one who voted on the prevailing side.

### Can a Motion be Rescinded? When?

Any member can move to rescind a motion. The motion is in order at any time until action has been taken on the matter. The motion to rescind requires a majority vote with previous notice or a 2/3 vote without notice. The motion and the action to rescind appear in the minutes of the respective meetings where the actions were taken. NOTE: The motion to rescind (repeal or annul) re-opens the whole question for discussion.

# Robert's Rules of Order Motions Chart

RobertsRules.org

Based on *Robert's Rules of Order Newly Revised (10th Edition)*

**Part 1, Main Motions.** These motions are listed in order of precedence. A motion can be introduced if it is higher on the chart than the pending motion.

§ indicates the section from Robert's Rules.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§21	Close meeting	I move to adjourn	No	Yes	No	No	Majority
§20	Take break	I move to recess for ...	No	Yes	No	Yes	Majority
§19	Register complaint	I rise to a question of privilege	Yes	No	No	No	None
§18	Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
§17	Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
§16	Close debate	I move the previous question	No	Yes	No	No	2/3
§15	Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14	Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13	Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12	Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
§11	Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
§10	Bring business before assembly (a main motion)	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

**Part 2, Incidental Motions.** No order of precedence. These motions arise incidentally and are decided immediately.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§23	Enforce rules	Point of Order	Yes	No	No	No	None
§24	Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority
§25	Suspend rules	I move to suspend the rules	No	Yes	No	No	2/3
§26	Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3
§27	Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29	Demand a rising vote	I move for a rising vote	Yes	No	No	No	None
§33	Parliamentary law question	Parliamentary inquiry	Yes	No	No	No	None
§33	Request for information	Point of information	Yes	No	No	No	None

**Part 3, Motions That Bring a Question Again Before the Assembly.**

No order of precedence. Introduce only when nothing else is pending.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§34	Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35	Cancel previous action	I move to rescind ...	No	Yes	Yes	Yes	2/3 or Majority with notice
§37	Reconsider motion	I move to reconsider ...	No	Yes	Varies	No	Majority

# Council Rules and Procedures

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*The Council Rules and Procedures can be amended at any time by Council, and under the current rules “shall be reviewed at least biennially by the Mayor and City Council.”*

Approved 01/10/2014  
14-G-03

## **RULES AND PROCEDURES FOR THE MAYOR AND CITY COUNCIL OF COLLEGE PARK**

### **I. AUTHORITY**

These rules are adopted pursuant to the authority provided in Art. VI, § C6-1.

### **II. MEETINGS**

#### **A. Regular Meetings.**

The Mayor and Council shall normally meet in regular Meetings on the second and fourth Tuesday of each month and in regular worksessions on the first and third Tuesday of each month if necessary, but, in no event, less frequently than required by Art. VI, § C6-1 of the College Park Charter. The Mayor and Council may meet on other days where, in its judgment, an alternative day is either necessary or desirable. Notice of alternative meeting dates shall be confirmed in the annual meeting schedule and shall be given as set forth in this Section.

#### **B. Annual Meeting Schedule.**

An annual Meeting schedule shall be approved by the Mayor and City Council at its first regular Meeting in December of each year. In an election year, the schedule shall be approved by the new Council.

#### **C. Worksessions.**

The Mayor and Council will normally meet in worksession meetings on the first and third Tuesdays of each month. The Mayor and Council may meet on other days where, in their judgment, an alternative day is either necessary or desirable. Additional worksessions may be scheduled by the Mayor and City Council as required.

#### **D. Special Meetings.**

The Mayor and City Council may meet in special Meetings upon written request of either the Mayor or two members of the City Council. Notice of special meetings shall be given to each Councilmember at least twenty-four (24) hours in advance of such special Meeting and shall contain the purpose, date, time and place of such Meeting.

#### **E. Emergency Meetings, Notice.**

Emergency Meetings may be called with the consent of two-thirds of the Mayor and City Council members present for matters constituting a severe and imminent danger to the health, safety or welfare of the public. Notice of such Meetings shall be given as is feasible under the circumstances.

F. Executive Sessions.

The Mayor and City Council may meet in executive session (closed to the public) under the circumstances, conditions and for reasons set forth in Art. VI, § 6-3. Notice of Executive Sessions shall be given as required by law.

G. Information Meetings.

The Mayor and City Council may hold informational Meetings to present information to the residents of College Park and obtain feedback from residents of the City. The Mayor and City Council will determine the rules governing presentations made at such Meetings.

H. Limitation On Number Of Meetings.

No more than four (4) meetings may be held in any given month, unless approved by a majority of the Council present and voting. Except in the event of an emergency as determined in subsection E, in no event may council approve more than two (2) additional meetings in any given month.

I. Place of Meeting.

All Meetings of the Mayor and City Council, unless otherwise determined, shall be held at the College Park City Hall, Council Chambers, located at 4500 Knox Road, College Park, Maryland. Notice of change in Meeting place shall be prominently posted on the door of the regularly scheduled Meeting place and shall be given by such other means, including local cable, as may be feasible.

J. Meeting Time.

Meetings of the Mayor and City Council shall begin at ~~[8:00]~~ 7:30 p.m. unless a different starting time is established by the Mayor and City Council and reasonable notice thereof provided to residents of the City.

K. Public Notice of Meeting.

Proper notice of all Meetings of the Mayor and City Council shall be provided to the public by the City Clerk.

L. Quorum.

1. A quorum shall consist of five (5) members of the City Council and the presiding officer. To conduct official business, a quorum must be present at all times. To be "present" is defined as being within the Council Chambers or the Chamber in

which the Meeting is being held as that area may be defined from time to time by the Mayor and City Council.

2. Once a Meeting has been properly convened with the presence of a quorum and the number of persons necessary to constitute a quorum is no longer present, the presiding officer or a Councilmember should bring this fact to the attention of the Mayor and City Council and the Mayor and City Council shall then be automatically, temporarily recessed until a quorum is reestablished. Upon reestablishment of the quorum, the Mayor and City Council shall resume consideration of the matter before it at the time of the recess. If, in the opinion of the presiding officer, a quorum cannot be obtained within a reasonable period of time, the presiding officer shall declare the Meeting adjourned until the next scheduled Meeting; at that next Meeting, after taking up the usual preliminary matters, the Mayor and City Council shall resume its consideration of the matter that was before it when it previously adjourned. This shall not prevent any Councilmember from moving to table, defer, postpone, or make any other appropriate motion with respect to any pending matter.

M. Meeting Agendas.

The agenda for all Meetings of the Mayor and City Council shall be prepared by the City Manager and City Clerk in consultation with the Mayor. Agenda items submitted after the established deadlines may be considered by consent of a simple majority of members of the Mayor and City Council present at the Meeting. Agenda items shall be submitted no later than twelve o'clock noon on the Thursday preceding the Council Meeting at which the matter is to be presented. The agenda shall be posted at places where City notices are customarily posted and shall be communicated to residents of the City through the local cable channel. Work Session agendas shall be created that can be reasonably accomplished within three hours. The pace will be sped up after 11 pm to complete any unfinished business. A Consent Agenda may be established for regular Meetings which consists of items determined by a unanimous vote of the Mayor and City Council to require action but which do not require discussion. The agenda shall outline the established order of business. Items on the agenda can be reordered by the Mayor and City Council during the scheduled Meeting.

N. Agenda for Special Meetings.

The matter or matters to be considered at a Special Meeting of the Mayor and City Council shall be stated in the call to the Meeting. No other matters shall be considered unless all members of the Mayor and Council are present.

O. Distribution of Meeting Materials.

The agenda and related materials will be provided to members of the Mayor and City Council in advance of scheduled Meetings. The Mayor, Council and staff shall

use emails and telephone calls whenever possible to reduce the need for explanation and discussion. Meeting materials will be prepared by the City Clerk and made available to members of the Council and the general public except for materials which are legally privileged or confidential no later than close of business on the Friday immediately preceding the Meeting of the Mayor and City Council at which such matters are to be considered. Materials shall be delivered to members of the Mayor and City Council pursuant to arrangements established with the member.

P. Conduct of Meetings.

1. Chairperson. The Mayor shall preside at all Meetings of the Mayor and City Council. The Mayor Pro Tem shall preside at all Meetings in the absence of the Mayor. In the absence of both the Mayor and the Mayor Pro Tem, the Mayor, or the Mayor Pro Tem, if the Mayor is not available to do so, shall designate a member of the City Council to preside in their absence.
2. Procedure.
  - a. Recognition. Council members shall be recognized by the presiding officer before speaking. Other persons at a Meeting of the Mayor and City Council may speak only when called upon or authorized.
  - b. Comments on Agenda Items. A member of the City Council who introduces an agenda item for action by the Mayor and Council may provide comments relating thereto. Comments by a member of Council who introduces an agenda item shall be limited to five minutes. The time which it takes the Councilmember to actually state the Motion shall not be included in the five minutes. Following introduction and seconding of an agenda item, each member of the Council may provide up to two comments on the item. Each comment shall be limited to three minutes. Amendments shall be treated as a new item for purposes of Council comments.
  - c. Council Comments. During the time established for Council comments at the end of any formal Council meeting agenda, a member of the Mayor and Council may offer comments provided they are limited to five minutes. Council comments shall be limited to no more than three items. Councilgrams should be used in lieu of Council comments whenever possible.
3. Motions in Writing. All motions pertaining to Ordinances, Council policies or other substantive proposals shall, where possible, be made in writing.
4. Reconsideration. A motion to reconsider a vote on any action may be made no later than the next regular Meeting following the Meeting at which the action to be reconsidered was taken. A motion to reconsider may be made only by a

Councilmember who voted on the prevailing side of the action to be reconsidered or by a member absent when the vote was taken, although any member of the Council, and the Mayor when voting as allowed by law, may support the motion to reconsider. A motion to reconsider may be approved by a simple majority of those Council members present and voting. The same number of votes shall be required to approve the action upon reconsideration as was required to pass or adopt the original action.

5. Voting by Councilmembers, Mayor. When a question is put by the presiding officer, every member of the City Council present shall vote either "Yes", "No" or "Abstain". Each member of the Council may make a brief statement explaining the reasons for the member's vote. The Mayor, when authorized by law to vote, shall vote either "Yes", "No" or "Abstain" and may make a brief statement explaining the reasons for the vote. Upon request of any Councilmember, a roll call vote will be taken.
6. Public Participation. Members of the public may speak at public Meetings of the Mayor and City Council according to procedures established by the Mayor and City Council.
  - a. Sign-up Procedure. Cards will be placed in the back of the room for people to sign if they wish to speak. When they come to the podium, they will give the cards to the City Clerk. This will assure that the Minutes record the proper spelling of the name and a correct address.
  - b. Public Comment. Comments from members of the public are limited to three (3) minutes at the beginning of the Council meeting on any non-agenda and consent agenda items. A person may also speak for up to five (5) minutes after the portion of the Meeting devoted to general Council comments at the end of the evening Meeting. A speaker representing a group or organization will be allowed up to five (5) minutes to present the position of the organization. Questions by the Mayor or individual Councilmembers will not be counted against the speaker's time.
  - c. Comments on Agenda Action Items. Comments from members of the public are permitted on all agenda action items. Comments from members of the public on agenda items are limited to three (3) minutes and from speakers representing a group or organization to five (5) minutes, except that the Mayor and Council may, by simple majority vote of those present, alter or waive the time requirements.
  - d. Written Comment. Public comment may be submitted in writing at or prior to the meeting. In order to be received by the Council as part of the record, the

comment must include the specific agenda item to which it relates and the full name and address of the person submitting the comment. Comments that are submitted to the City Clerk prior to the close of business (5:00 p.m.) on the day of the meeting will be provided to the Mayor and City Council at the start of the meeting.

7. City Manager's Report. At the commencement of each meeting, the Mayor shall provide an opportunity for the City Manager to provide an oral report concerning new items of City business not previously furnished to Council in written form, or upon which staff believes immediate action or guidance is required by Council. Council comments or questions to the City Manager shall be limited to matters raised in the oral report or those which require immediate action by Council. All other questions or comments for response by the City Manager shall be deferred to the end of the meeting.
8. Presentations from developers in advance of requests for City support shall be limited to forty minutes.
9. When considering items where many questions are anticipated, a "round" approach shall be used in which each Council member, the Mayor, and appropriate staff shall be limited to one question per "round".
10. The presiding officer shall cut off overly lengthy remarks with support by the Council.

Q. Disorderly Conduct.

The presiding officer shall call to order any person who disrupts the orderly conduct of business at Meetings including speaking without being recognized, exceeding designated time limits, failure to be germane to the issue being presented or use of vulgarities.

R. Record of Meetings.

1. Responsibility for Meeting record. The City Clerk or the City Clerk's designee shall be responsible for minutes of each Meeting of the Mayor and City Council and for maintaining the official record, which shall include all Council actions. Minutes shall include:
  - a. all motions made, the name of the mover and seconder, the method and outcome of the votes taken; and

- b. copies of resolutions, new or revised ordinances or other actions approved by the Mayor and City Council.
2. Public access to Meeting records. Minutes and records of Meetings of the Mayor and City Council shall be made available to the public by the Clerk in accordance with the Public Information Act and the State Open Meetings Laws.

S. Ordinances.

1. Ordinances may be enacted pursuant to the provisions of Art. VIII of the College Park Charter.
2. Public Hearing; Notice. As required by Art. VIII, § C8-2, a public hearing shall be held on proposed ordinances following publication of the ordinance or a fair summary thereof in a local newspaper of general circulation. Emergency ordinances shall be considered pursuant to § C8-2B of the College Park Charter.
3. Majority vote. The affirmative vote of a simple majority of the members of the City Council present and voting shall be required for the enactment of ordinances, except as otherwise required by law.
4. Adoption. The Council shall not adopt an ordinance or ordinance change at the same Meeting at which the ordinance is introduced unless it is declared an emergency ordinance.

Ordinances shall become effective twenty (20) days following Council approval unless the Council declares otherwise.

T. Parliamentary Authority.

Robert's Rules of Order, Newly Revised, as amended, shall govern all questions of procedure not otherwise provided for in these rules or by State or Federal Law.

U. Biennial Review of Rules.

The rules and procedures of the Mayor and City Council shall be reviewed at least biennially by the Mayor and City Council. Public notice and an opportunity for public comment shall be provided prior to making changes in these rules. Changes in procedure may be made by majority vote of the Mayor and City Council at the regular Meeting after the change in rules or procedures is proposed.

V. Rescission and Suspension of Rules.

A motion to rescind or amend something previously adopted or a motion to suspend these rules may be brought pursuant to the appropriate section of Robert's Rules of Order.

W. Conduct of Councilmembers.

1. If the Mayor or any member of the Council indulges in any language or conduct unbecoming to the office, the member shall be called to order by the presiding officer and, in such case, the offending member shall lose the floor and shall not proceed without the approval of the majority of the members present. The Mayor and Council may, by vote of all members of the Mayor and Council, excluding the offending member, expel the Mayor or any member of the Council from a Meeting for disorderly conduct or violation of Council rules.
2. Conflict of Interest. No Councilmember shall participate in any matter pending before the Council on which the Councilmember has an interest, as defined in the City's ethics ordinance, or has taken a formal position as a party in a legal matter which is contrary to the legal position of the City of College Park in such matter. The determination of the existence of a conflict shall be made by a vote of not less than six (6) members of the Council and shall be based on a finding that a conflict exists with a statement setting forth the basis of the finding to be included in the minutes of the Meeting. Upon such finding, the presiding officer shall exclude the conflicted member from participation in any consideration of the matter on which the member is conflicted and from being present at Executive Sessions addressing the issues as to which the Councilmember is conflicted.
3. Representation Before Other Governmental Organizations. When a Councilmember appears before any other governmental agency or organization to give a statement on an issue affecting the City, the Councilmember shall first identify the adopted position of Mayor and Council with respect to that subject, if any. Thereafter, the Councilmember may provide a statement of personal opinion or comment (including a minority or opposing viewpoint), provided the Councilmember expressly acknowledges that such statements do not represent the position of the City.

X. Conduct of Work Sessions.

1. No person or group shall be interrupted by the Mayor or any Council member during a presentation at a work session. Questions may be asked at the end of the presentation.
2. Neither the Mayor nor any member of Council may speak for more than five (5) minutes without interruption upon any single agenda item. The Chairperson of the work session shall deny the floor to any member of the Council after that person has spoken for five (5) minutes or more, either at the Chairperson's own instance or upon a point of order.

3. A request for a show of hands not to discuss an agenda item any further shall always be in order.
  4. It is the goal of the Mayor and Council to complete all work sessions by 11:00 p.m. All work sessions must cease by midnight, and the Council is therefore considered adjourned. In the event that a simple majority of Council wishes to continue the work session beyond midnight, it may do so by a straw vote. Upon failure of the straw vote to carry by a simple majority, all Council activities will cease at midnight. If during the course of the meeting, anyone wishes to leave the chambers for any reason, they may feel free to do so, but the rest of the Council will continue their agenda and a recess will only be taken in case of an emergency.
- Y. Charter Amendments. Charter amendments may be enacted by resolution pursuant to the provisions of Article 23A, §11 et seq. of the Annotated Code of Maryland. Prior to adoption, a public hearing shall be held on charter resolutions initiated by the Council following publication of the resolution or a fair summary thereof in a local newspaper of general circulation. The Council shall not adopt a charter resolution at the same Meeting at which it is introduced. The pre-adoption notice and publication requirements of this subsection, as well as the requirement that the charter resolution not be adopted at the Meeting at which it is introduced, may be overridden by the Council by a majority vote.
- Z. Use of Staff Resources. Neither the Mayor nor any members of Council may request that staff time in excess of two hours be spent on a specific item unless prior approval has been granted by the Mayor and Council.