



## City of College Park Virtual Meeting Instructions

This will be a Zoom virtual meeting. The link is:

<https://zoom.us/j/92398574069?pwd=MIU3dFB3OG9TZnBQT242R1lsK3RNQT09>

**Zoom Webinar ID:** 923 9857 4069

**Zoom Webinar Password:** CPjoinMCM

### A few minutes before the meeting begins

**1. To join the meeting by computer or mobile device:**

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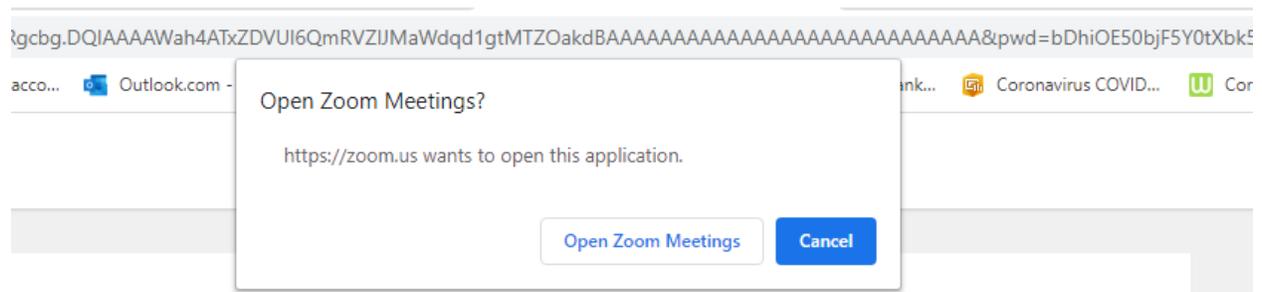
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- Dial 301-715-8592
- Enter Meeting ID: 923 9857 4069, then press #
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### As an Attendee

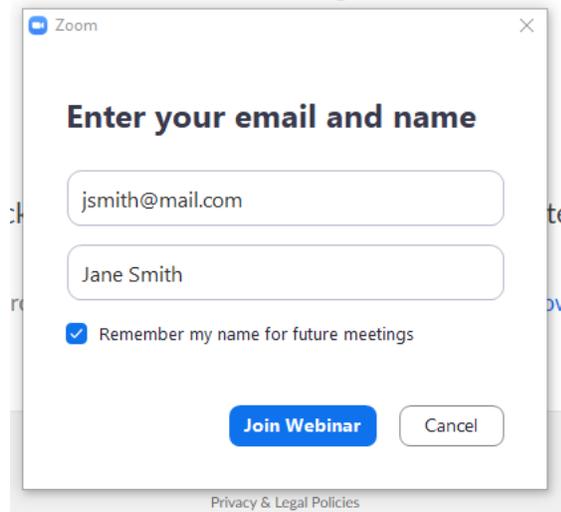
Joining a College Park Zoom webinar as an attendee will allow you to watch and listen to the webinar. Attendees can also use the Raise Hand button when the meeting is open for public comment. If the Host unmutes an attendee, that attendee will be able to speak to the webinar until they are muted again.

As an attendee, you will not have access to any other functions.

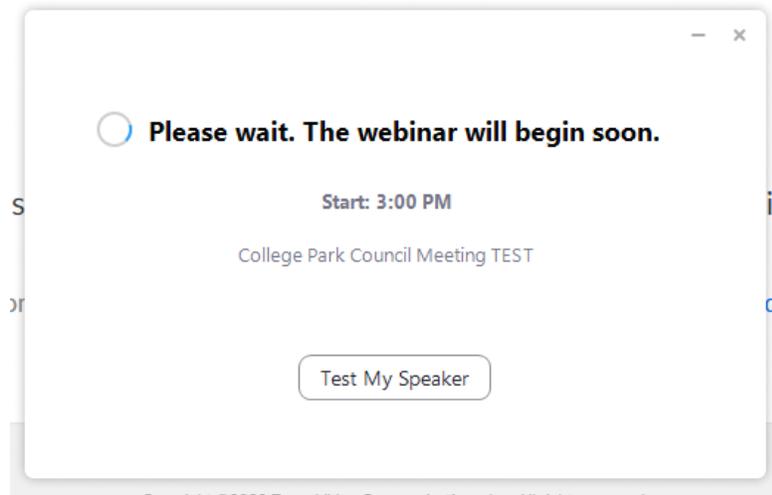


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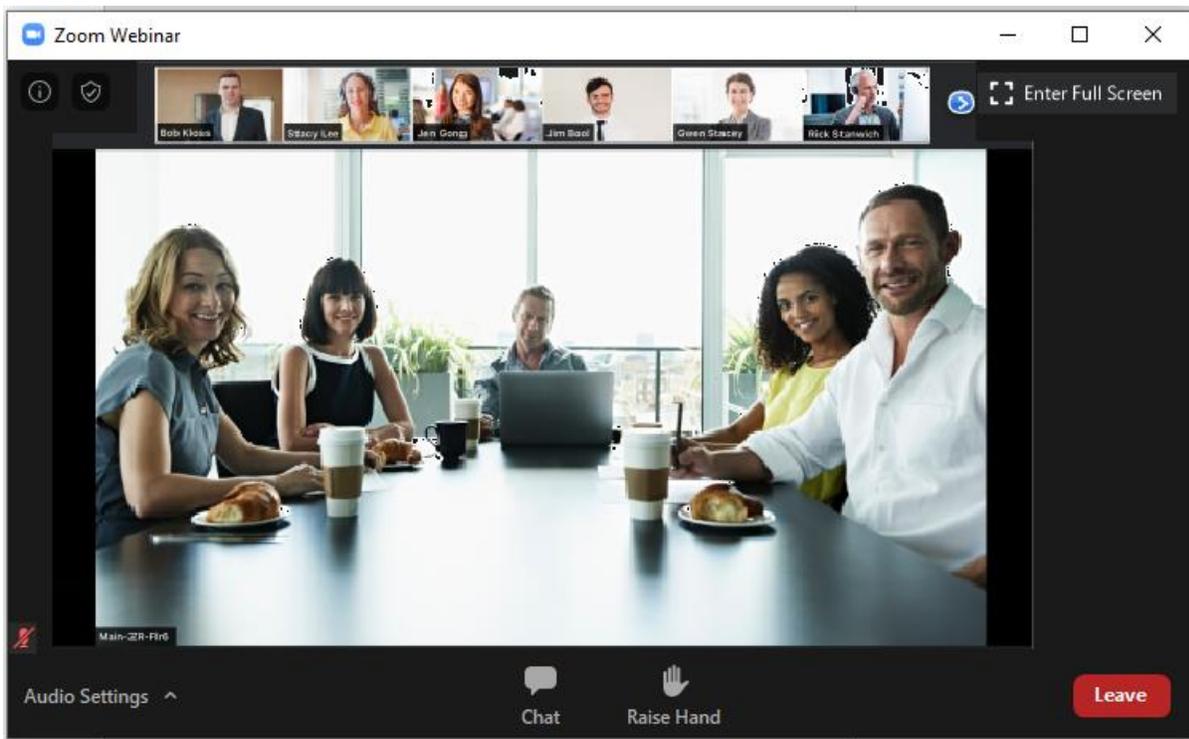
If the webinar is in the pre-meeting “Practice” mode and has not started to broadcast, you will get the following screen.



Once the webinar starts broadcasting, you will be taken into the webinar (see the next screenshot below.)

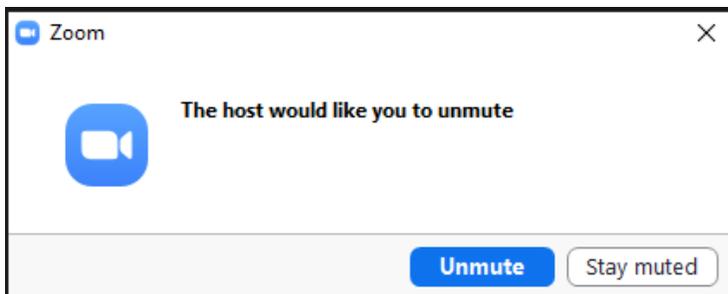
Note the “Raise Hand” Control in the lower part of the Zoom window.

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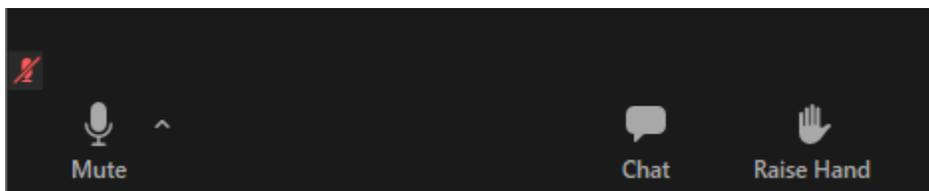
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Click the Unmute button to speak to the webinar and all the participants will be able to hear you.

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After the Host has stopped the option to speak, the microphone control will disappear and you will not be able to speak to the webinar.

### **Guidelines and Best Practices for participation**

1. Please keep yourself on “mute” to eliminate background noise.
2. A high-speed, wired internet connection will provide the best results.
3. We recommend that you close other applications on your device to preserve bandwidth.
4. If you will be speaking, we suggest using a headset with microphone for best results.
5. For public comment portions of the meeting, please unmute yourself when prompted by the Mayor, and remember to re-mute yourself when you are finished. Please eliminate as much background noise as possible when you are speaking.
6. Please state your name and whether you are a College Park resident when you begin your testimony. Speakers are given 3 minutes.



**TUESDAY, SEPTEMBER 1, 2020**  
**CITY OF COLLEGE PARK**

**\*VIRTUAL MEETING\***

**Please check meeting notice and City calendar for participant information**

**WORKSESSION AGENDA**  
**7:30 P.M.**

**COLLEGE PARK MISSION STATEMENT**

The City Of College Park Provides Open And Effective Governance And Excellent Services  
That Enhance The Quality Of Life In Our Community.

<b>Time</b>		<b>Item</b>	<b>Staff/Council</b>
7:30		Call To Order	
		City Manager's Report	
		Amendments To And Approval Of The Agenda	
<b>Discussion Items</b>			
7:40	1	Discussion and possible Special Session to approve the recommendations of the BOES for the District 2 Special Election (20)  <b><i>Special Session Item <u>20-G-142</u></i></b>	Board of Election Supervisors
8:00	2	Presentation on the Final Report of the Senior and Community Recreation Needs Assessment (30)	Tom Diehl, Principal and Project Manager, GreenPlay, LLC
8:30	3	Discussion about participation in the AARP Livable Communities program (30)	Kiaisha Barber, Director, Youth, Family and Senior Services
9:00	4	Review of the Tree and Landscape Board's Urban Forest Protection proposal (30)	Robert Marsili, Director, and Brenda Alexander, Assistant Director, DPW; and Rashawna Alfred, Chair, Tree and Landscape Board

9:30	5	Charter Resolution Of The Mayor And Council Of The City Of College Park, Amending Article III, "Mayor And Council", § C3-1, "Membership; Election; Term Of Office", To Delete The Requirement That Elected Officials Shall Be Registered To Vote For One Year Prior To Their Election And To Add A Requirement That Elected Officials Shall Be Domiciled In The City For At Least One Year Prior To Their Election (20)	Suellen Ferguson, City Attorney
9:50	6	Requests for/Status of Future Agenda Items	Mayor and Council
9:55	7	Mayor and Councilmember Comments	Mayor and Council
10:00	8	City Manager's Comments	Scott Somers, City Manager
		ADJOURN	

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

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1

Board Of Election  
Supervisors  
Recommendation  
for Special Election



**CITY OF COLLEGE PARK, MARYLAND  
SPECIAL SESSION AGENDA ITEM  
UPDATE: August 31, 2020**

**AGENDA ITEM 20-G-142**

**Prepared By:** Janeen S. Miller,  
City Clerk

**Meeting Date:** Sept. 1, 2020

**Presented By:** Jack Robson,  
Chief, Board of Election Supervisors

**Consent Agenda:** No

**Originating Department:** City Clerk's Office for the Board of Election Supervisors

**Action Requested:** Review and approve the proposal for the Special Election to fill the D. 2 Council Vacancy

**Strategic Plan Goal:** Effective Leadership

**Background/Justification:**

Councilmember Brennan provided notice of his resignation from the City Council, indicating that he would serve through September 30. City Charter Section C3-6, Vacancies, states if a vacancy occurs more than 180 days before the next general election, the vacancy shall be filled by Special Election held not later than 65 days after the vacancy exists. In this case the vacancy exists beginning October 1 which is more than 180 days before the next general election, so a Special Election must be held by Friday, December 4.

Date for Special Election: The Board of Election Supervisors has met several times since July to discuss the Special Election, and Jack Robson and Janeen Miller have had several conversations with Prince George's County Board of Elections. The largest complicating factor in setting the date for our Special Election is that the timing overlaps with the Presidential Election. Additionally, November is a tough month with the Veterans Day and Thanksgiving holidays. Prince George's County BOE handles our voter registration, so the dates that voter registration is open/closed for the Presidential Election will directly affect the date of our Special Election. The City's Charter states that the election must be held 28 days after voter registration closes. The County is closing their voter registration on October 13. 28 days after October 13 is **Tuesday, November 10.** The BOES voted unanimously at their meeting on August 31 to propose this date for the Special Election.

In the meantime, the following information is provided:

- The Board proposes that the City mail applications for absentee ballots to all D. 2 registered voters to encourage the vote by mail option. If a voter has requested a ballot by mail, they may not vote on Election Day.
- The Special Election will be held at the College Park Community Center. Social distancing and other COVID safety protocols will be in place.
- The City has ordered a secure ballot drop box to be installed at Davis Hall to provide voters with two options to return their ballots: either through the USPS or to the secure ballot drop box.
- The Board plans to use paper ballots that are hand counted rather than using ballot tabulators, and to use Voter Authorization Cards rather than ePoll books. These choices will eliminate the need to engage a vendor to provide these services.

At the Worksession, Council will be asked to consider the following:

1. Whether to have an in-person Early Voting day for the Special Election.

*Comment: The BOES does not recommend an in-person Early Voting day for the following reasons:*

- *Due to COVID-19, in-person contacts should be limited*

- *Because we are mailing applications for absentee ballots to all D. 2 registered voters, we expect more voters to choose the vote by mail option*
- *Possible difficulty in finding election judges to staff the polls*

2. Whether to rent a Ballot Marking Device (BMD) for the Special Election. [A Ballot Marking Device, also known as a Universal Voting System, is the touch screen device that serves voters with special needs.]

*Comment: The BOES does not recommend a BMD for this Special Election for the following reasons:*

- *Its use would involve engaging a voting software vendor, all of which are currently preoccupied with the Presidential Election.*
- *If we use such a device it would mean multiple people would be using it, so it would have to be disinfected between uses*
- *It would increase the cost and add a layer of complexity to the Special Election*
- *For the small number of in-person voters expected at this Special Election, the Supervisors felt that they could provide the assistance a voter might require it*

3. Polling hours: The BOES is proposing 7 a.m. – 7 p.m. instead of the usual 7 a.m. – 8 p.m. This is a Council decision.

4. Change Council Meeting date: A Mayor and Council Regular Meeting is scheduled for Tuesday, November 10. Does Council want to move the Council meeting to Monday, November 9 so as not to conflict with the Special Election and Preliminary Ballot Count? (Reminder that Wednesday, November 11 is Veterans Day.)

Members of the Board of Election Supervisors will attend the virtual Worksession on September 1 to answer questions from the Mayor and Council.

**Fiscal Impact:**

Attached is an updated cost estimate of predicted expenses. This Special Election was not included in the adopted FY '21 budget and will therefore be included in the budget amendment scheduled for introduction later this month.

**Council Options:**

- #1: Approve the plan outlined by the Board of Election Supervisors and address the questions noted above.
- #2: Approved a modified plan.
- #3: Request more information and delay action.

**Staff Recommendation:**

#1

**Recommended Motion:**

*I move to approve the plan for the District 2 Special Election outlined by the Board of Election Supervisors as discussed tonight, and to approve the expenditures necessary to conduct the Special Election.*

**Attachments:**

1. Election Timeline for the Special Election to be held on Tuesday, November 10, 2020
2. 2020 Special Election Preliminary Cost Estimate

<b>2020 Special Election – District 2 Vacancy</b> <b>Proposed Timeline for Special Election on <u>Tuesday, November 10, 2020</u><sup>1</sup></b> (as of 08-31-20)		
Proposed Special Election:	Tuesday, 11/10/20 7 a.m. – 7 p.m. <sup>2</sup>	College Park Community Center
Present plan to Mayor and Council	Tuesday, 09/01/20	M&C Approve in Special Session
Public Notice/Call for Candidates: “City Clerk shall give public notice of the vacancy, containing the qualifications of the office, the geographical boundaries of the district(s) to be represented, the procedure to apply...to be placed on the special election ballot...and the deadline for applications.”  Public Notice #1	Wednesday, 09/02/20  Candidacy Forms made available (petition forms only will be posted in advance to allow more time for signatures)	Approved Plan advertised: -Constant Contact -Municipal Scene -Here and Now Newspaper -Website -Cable Channel -Weekly Bulletin -Diamondback -Social Media
Mail Absentee Ballot <u>Applications</u> to all D. 2 registered voters  Public Notice #2	~09/14/20  Received in homes between 9/21 – 9/25	Need to find a mailing house  We will also post the application on our website and advertise availability
Candidacy petitions/auth forms due: Petition for Candidacy Authorization for Candidacy Appointment/Acceptance of Treasurer Financial Disclosure Statements Authorization of Electronic Filing	Thursday, 10/01/20 NLT 4:00 p.m.	Requirements in Charter C4-5E are not applicable in a Special Election (i.e., the 46 <sup>th</sup> day...prior to the election.”).
Prepare, finalize, and print ballots	Friday, 10/02/20	

<sup>1</sup> Tuesday, November 10 is a Council meeting. Should the M&C Meeting be moved to Monday, November 9?

<sup>2</sup> Normal election hours are 7 a.m. – 8 p.m. The BOES is proposing 7 a.m. – 7 p.m.

Public Notice #3	Friday, 10/02/20 or Monday, 10/05/20	Announce candidates, provide bios, and repeat election notice
Mail Requested Ballots to qualified District 2 voters who have submitted applications	Monday, 10/05/20 through Monday, 11/02/20 (November 3 is a City holiday/no mail)	
Last date to register to vote	Tuesday, 10/13/20 Same date as the County's books close for Presidential Election	Charter C4-2: "Voter registration for City elections shall close 28 days prior to the election."
Voter Notification Cards mailed by County  Public Notice #4	No later than 10/20/20	Normally 2 -3 weeks prior to election
Last day to withdraw candidacy	Friday, 10/30/20 By Charter, this date is 11 days before the election.	11 <sup>th</sup> day before the election C3-6 (B)(3)(a)
"In-person" emergency absentee voting (late application)	Wednesday, 11/04/20 Tuesday, 11/10/20	If we want to allow more time for in-person voting (thereby cutting off mailed ballots earlier to allow for delays in the mail), it would require an Emergency Ordinance
Election Day	Tuesday, 11/10/20 7 a.m. – 7 p.m. <sup>3</sup>	College Park Community Center

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<sup>3</sup> Same as FN2

<p>Preliminary Count of Election Day Ballots</p> <p>The preliminary count does not include the absentee ballots or validated provisional ballots)</p>	<p>Tuesday, 11/10/20 8:00 p.m. – 10:00 p.m. (After the polls close)</p>	<p>Davis Hall</p> <p>Due to COVID safety protocols, this will be televised instead of inviting the public in.</p>
<p>Voted Ballots are Due Back:</p>	<p><u>If by mail</u>: Postmarked NLT Tuesday, November 10, 2020.</p> <p><u>If hand delivered to the poll</u>: NLT Tuesday, November 10, 2020 at 7 p.m.</p> <p><u>If delivered to the Drop Box</u>: NLT Tuesday, November 10, 2020 at 7 p.m.</p>	
<p>Date of Official Canvass</p> <p>Certify results after canvass</p> <p>Challenge period (3 working days) begins upon certification</p>	<p>Thursday, 11/19/20</p> <p>Time: TBD Location: Davis Hall Televise – TBD</p>	<p>Canvass delayed for COVID Safety protocols and to allow more time for County to validate provisional voters</p> <p>This is when the absentee ballots and validated provisional ballots will be counted</p> <p>(Challenge period ends 11/22/20)</p>
<p>BOES provides Official Report to Council; Swearing-in of new Councilmember</p>	<p>Tuesday, 12/08/20</p>	<p>Next Regular Meeting</p>

Campaign Finance Reports due:		
Initial	Tuesday, 10/06/20 (35 days preceding the election) by 4 p.m.)	
Pre-Election	Sunday, 11/01/20 or Monday, 11/02/20 (8 <sup>th</sup> or 9 <sup>th</sup> day preceding the election) by 4 p.m.	
Post-Election	Tuesday, November 24, 2020 (No later than 14 days following the election) by 4 p.m.	

<b>D. 2 Special Election November 2020 – Cost Estimate Updated 08/31/20</b>		
Outdoor Secure Ballot box	\$3,069	Install at Davis Hall
Mail absentee ballot applications to all D. 2 active registered voters with return postage-paid envelope	4,400	Approx. 2,700 active registered voters will receive applications. We will use a mailing house.
Mail requested ballots to qualified voters with a postage-paid return envelope (estimate 200 at \$2.45/each)	490	
Election judges (estimate 6 @ 9 hours and 6 @ 12 hours at \$17/hour) + Meal	2,142 175	
Translation	350	
Voter notification cards mailed by county	2,200	
<b>Subtotal</b>	<b>\$12,826</b>	
<b>Unknowns / To Be Determined</b>		
Early Voting (8 judges)	~1,100	For election judges
Ballot Marking Device	TBD	If decided to use
ePoll books	TBD	If decided to use

# 2

## Final Report on Senior and Community Recreation Needs Assessment

# 3

## Participation in the AARP Livable Communities Program



**CITY OF COLLEGE PARK, MARYLAND  
WORKSESSION AGENDA ITEM**

**Prepared By:** Kiaisha Barber  
Youth, Family and Senior Services Director

**Meeting Date:** 9/1/2020

**Presented By:** Kiaisha Barber and Senior Advisory Committee Members  
Robert Thurston, Bonnie McClellan and Mary Anne Hakes

**Originating Department:** Youth, Family and Senior Services

**Issue Before Council:** The City Council is asked to consider the Senior Advisory Committee recommendation for the City of College Park to proceed with AARP Age Friendly Community Designation Application and Process

**Strategic Plan Goal:** Goal 4- Quality Infrastructure; Goal 6 - Excellent Services

**Background/Justification:**

The Senior Advisory Committee has conducted preliminary research to explore the process for the City of College Park applying for designation as an Age Friendly Community by the AARP. First, an application needs to be submitted to AARP. The application should come from the Mayor and Council and requires a commitment letter signed by the Mayor; a resolution or proclamation from the jurisdiction outlining support for the age-friendly initiatives is also recommended.

Membership in the AARP Network of Age-Friendly States and Communities means that a community's elected leadership has made a commitment to actively work with residents and local advocates to make their town, city, county or state an age-friendly place to live. Members of the AARP Network of Age-Friendly States and Communities commit to an assessment process and cycle of continuous improvement. The AARP Network of Age-Friendly States and Communities is the United States affiliate of the World Health Organization Global Network for Age-Friendly Cities and Communities, an international effort launched in 2006 to help cities prepare for rapid population aging and the parallel trend of urbanization.

The initial process would include appointing a core work group to include, but not limited to, the current Senior Advisory Committee work group, City Council members, City senior services representative, an AARP representative, members from neighboring AARP Age Friendly Communities, local elected officials, businesses, faith community representatives and/or several other community stakeholders. There are 8 domains of livability as determined by WHO: social participation; housing; transportation; respect and social inclusion; community support and health services; communication and information; civic participation and employment; outdoor spaces and buildings.

College Park's current AARP Livability Score:

- 52 Overall
- 53 Housing
- 59 Neighborhood
- 54 Transportation
- 52 Environment
- 50 Health
- 53 Engagement
- 40 Opportunity

The core work committee would focus on the following the process outlined by AARP. It would include examining the follow within the City of College Park: affordable safe housing; expanding transportation services; reducing isolation; building enhanced senior programs and recreation opportunities (potentially a dedicated senior center); encouraging civic participation and use of university facilities; increasing and improving communication digitally, in person and by mail; and creating partnerships with local businesses,

pharmacies, grocery stores, faith communities, gyms, the university etc. to offer incentives and services. Health care and social services are vital would also be a part of long-term planning.

The work committee should also pursue funding opportunities and utilize the GreenPlay Community and Recreation Needs Assessment report and recommendations as appropriate. The Senior Advisory Committee estimates the planning process to take around 3 years to get baseline assessments, buy-in from constituencies, etc. The Senior Advisory Committee also recommends including acquiring AARP age-friendly designation as part of the City's strategic plan.

**Fiscal Impact:**

Varying, depending on the needs, improvements or additions to programming or infrastructure identified by the core team to complete the AARP process

**Council Options:**

1. Accept the recommendation of the Senior Advisory Committee (SAC) to develop a core workgroup to move forward with an application to the AARP for livable community designation.
2. Request more information regarding the AARP livable community designation before accepting the SAC recommendation.
3. Do not accept SAC recommendation at this time.

**Staff Recommendation:**

Consider the SAC recommendation as outlined.

**Recommended Motion:**

**Attachments: Documents from the AARP Livable Community Program**

<https://www.aarp.org/livable-communities/network-age-friendly-communities/info-2014/sample-letters.html>  
<https://www.aarp.org/content/dam/aarp/livable-communities/age-friendly-network/2020/NAFSC-Program%20Cycle-20200211.pdf>  
<https://www.aarp.org/content/dam/aarp/livable-communities/livable-documents/documents-2018/Book-2-Roadmap-To-Livability-Listening-62518-lrspr.pdf#:~:text=%E2%80%94Book%201%2C%20AARP%20Roadmap%20to%20Livability%20Focus,they%20want%20and%20to%20identify%20and%20solve%20problems.>

4

Tree and Landscape  
Board's  
Urban Forest  
Protection Proposal



**CITY OF COLLEGE PARK, MARYLAND  
WORKSESSION AGENDA ITEM**

**Prepared By:** Brenda Alexander,  
Assistant Director DPW

**Meeting Date:** September 1, 2020

**Presented By:** Robert Marsili,  
Director DPW

**Proposed Consent:** No

**Originating Department:** Department of Public Works

**Issue Before Council:** Review revised recommendations from the Tree & Landscape Board for the Urban Forest Protection permitting process

**Strategic Plan Goal:** Environmental Sustainability – Urban Forest Preservation

**Background/Justification:**

Conclusions from the Citywide tree canopy assessment report completed in April 2019 and presentation to the Mayor and Council identified the following:

- measurable tree canopy loss has been occurring in the City
- preservation of existing canopy especially on private land is critical to maintain the City's tree canopy
- a large majority of the City's tree canopy is located on private land

The Council requested the Tree & Landscape Board (TLB) to review the tree canopy assessment report and provide recommendations. The TLB presented initial recommendations to the Mayor and Council on November 19, 2019, which included a new tree permitting process for tree removal on private property. These initial recommendations aimed to address:

- reducing the number of healthy trees removed from private property by creating a permitting process for tree removal
- requirements for tree replacement in conjunction with an approved tree removal

Based on the discussion with the Council, follow up guidance from the City Manager, Scott Somers, and residential responses, the TLB has revised their recommendations to the tree permitting process to incorporate this feedback. The significant revisions to the recommended permitting process are:

- Modification to the tree replacement requirements to reduce the number of replacement trees required
- Deletion of the requirement for a Maryland Tree Expert to perform the tree work
- A cost share component to cover the fee of an independent assessment by an International Society of Arborists (ISA), if needed, to provide a written report to assist with a tree removal determination
- Eligibility for reimbursement from the Tree Canopy Enhancement Program (TCEP) for replacement tree(s)
- Designation of a Heritage Tree category to maintain healthy canopy trees
- Reduction in penalties for non-compliance

The TLB anticipates the revised recommendations reflect the interest of the Council as an initial mechanism to provide protection for the City's Urban Tree Canopy. To further incentivize tree planting on private property, the TLB also suggests increasing the TCEP reimbursement amount from \$150.00 to \$250.00 annually.

**Fiscal Impact:**

Unknown at this time. Additional staff time will be required to review, and process permit applications. The cost of an independent assessment is \$1,500. The FY21 budget for TCEP reimbursements was increased from FY20 as the number of TCEP applications increased.

**Council Options:**

Provide additional guidance to the TLB on the drafted recommendations to the Urban Forest Protection plan for the creation of an ordinance for Council approval.

**Staff Recommendation:**

Staff will take direction from Council.

**Recommended Motion:**

**Attachments:**

Tree & Landscape Board Memo  
Revised Urban Forest Protection Recommendations

## MEMORANDUM

TO: City of College Park Mayor and City Council

FROM: Rashawna Alfred, Chair, Tree and Landscape Board

RE: Revised recommendations for the Urban Forest Protection permitting process for private property tree removals

DATE: August 19, 2020

The Tree & Landscape Board presented a first draft of recommendations for a new permitting process for tree removal on private property at the November 19, 2019 City Council work session. Upon review of Council comments and suggestions, resident feedback, and further discussions with City Manager, Scott Somers, the Tree & Landscape Board members have worked to revise the recommendations related to the tree removal permitting process. The revised recommendations based on these discussions attached reflect the following changes:

- Tree replacement requirements have been modified to reduce the number of replacement trees required based on the circumference of the removed tree.
- The requirement for a Maryland Tree Expert to perform the tree removal has been removed.
- If the services of an ISA (International Society of Arborists) certified arborist is required, the applicant can select the arborist from a list of arborists and the fee for the tree assessment will be shared 50:50 between the applicant and the City. The arborist's written report will be used to determine if the tree is eligible for removal.
- Applicants replacing dead, diseased, or emergency-removed trees are eligible to apply for 100% reimbursement from the City's Tree Canopy Enhancement Program fund to pay for tree replacements in conjunction with an approved tree removal permit.
- Included a Heritage Tree designation that prohibits the removal of trees measuring 120 inches in circumference that are healthy.
- The maximum fine for pruning a tree more than 20% without an approved permit has been reduced from \$1,000 to \$500.

We ask the City Council to review the revised recommendations as a mechanism to maintain the City's urban forest, which is largely located on residential property as identified in the recent tree canopy assessment. The assessment concluded that the City's tree canopy is and has been declining over the past decade, and tree preservation efforts are critical to sustain the tree canopy. Tree replacement efforts are also needed to replace trees that have succumbed to natural causes; therefore, the Board is also recommending the reimbursement amount of the Tree Canopy Enhancement Program be increased from \$150.00 to \$250.00 annually.

To further the Board's educational charge, the Tree and Landscape Board recently collaborated with the City of College Park's Communications Coordinator to improve the availability of information on the City website related to trees and to expand upon the numerous benefits of the City's urban tree canopy.

## **College Park Urban Forest Protection Recommendations** *revised 8/19/2020*

### *Purpose*

The purpose of these recommendations is to protect, preserve, and promote the City of College Park's urban forest, which is part of a larger ecosystem that:

- contributes significantly to air, noise, and visual pollution control;
- provides stormwater runoff control;
- moderates climate extremes;
- promotes energy conservation; and
- provides significant aesthetic benefits affecting property values and the community's quality of life.

Regulation of actions affecting the urban forest provides mutual benefits to City residents, property owners, and the entire community.

### *Applicability*

The following trees are considered part of the City's Urban Forest and are subject to the provisions of this chapter:

1. Public trees in public rights-of-way or on property owned by the City or any governmental agency.
2. Trees on private residential and improved commercial property with trunks that measure greater than 36 inches in circumference (12-inch diameter), measured at 4 1/2 feet above ground level. If a tree divides into branches at less than 4 1/2 feet height, the trunk shall be measured immediately beneath the dividing point.
3. Trees measuring greater than 120 inches in circumference (38-inch diameter) are considered Heritage Trees. If a Heritage Tree is in a healthy, non-hazardous condition it cannot be removed.

### *Requirements*

No person shall remove or destroy any tree in the City's Urban Forest (as defined above), undertake construction or other action that significantly detracts from the health or growth of such a tree, or prune more than 20% of such a tree, without first applying for and obtaining a permit from the City.

A permit shall not be required for action on an emergency basis to prevent harm to life or property. If a tree has fallen due to weather, the property owner should report this to the Public Works Director within a reasonable time, and include at least one picture of the fallen tree to

document the condition that shows the entire tree before any removal work begins. A tree removed for emergency reasons must be replaced as outlined below.

An application for a permit will only be considered from property owners or the property owners' authorized agent. Upon receipt of an application for a tree removal permit, an assessment will be conducted by the Public Works Director, or designee, or an International Society of Arboriculture (ISA) certified arborist or a Tree Risk Assessment Qualified arborist selected by the property owner from a list of arborists, and hired at a 50:50 cost share between the City and the applicant, to determine the condition of the tree. The selected ISA certified arborist will perform a Level 3 assessment and provide a written report with recommendations. At the conclusion of the tree assessment, the Public Works Director will advise the applicant if a tree permit is required to proceed with removal of the tree.

A permit will be issued if the tree is determined to be dead, diseased, constitutes a hazard to the safety of persons or property that cannot be addressed by using the current tree care, ANSI Z Standards (American National Standard Institute), or deemed as an invasive species or undesirable because of its location, condition or effect on other trees. However, the requirement for a replacement of tree(s) shall not be waived.

Additional factors may also be considered in the decision, such as:

- the overall health of the tree;
- the potential hazards associated with the tree;
- the desirability of preserving the tree by reason of its age, size or outstanding quality, such as uniqueness, rarity or status as a landmark or species variety;
- the extent to which the area would be subject to environmental degradation due to removal of the tree or trees;
- the extent of the tree canopy in the immediate area; and
- the applicable county zoning and state law.

An approved permit must be conspicuously posted on the property until the tree is removed. Tree permits are valid for one year from date issued.

#### *Tree Replacement Required*

Removal of a City's Urban Forest tree, as defined above, requires replacement trees based on the circumference of the tree to be removed, as listed below:

- 36" - 47": replace with 1 tree
- 48" - 72": replace with 2 trees
- 73" and above: replace with 3 trees

If an applicant is unable or unwilling to comply with the Tree Replacement Requirements by planting replacement tree(s) on their own property, they may instead make a payment to the City's Tree Canopy Enhancement Program fund based on the tree circumference of the tree to be removed (as listed below):

- 36" - 47": \$150
- 48" - 72": \$300
- 73" and above: \$450

If an applicant removes a tree in the urban forest per issuance of a permit but does not replant all replacement trees as required within 6 months, the applicant shall be charged a \$500 fine per replacement tree to be paid to the City's Tree Canopy Enhancement Program fund.

An applicant replacing a tree that was dead, diseased, or considered emergency removal is eligible to receive 100% reimbursement funding for required replacement trees from the City's Tree Canopy Enhancement Program (TCEP) fund. Replacement tree(s) species shall be approved prior to planting and planted within 6 months from the date tree removal is complete. Replacement trees shall meet the guidelines specified in the TCEP, whether or not reimbursement from the fund is requested.

Requests for reimbursement will be processed 6 months after planting, only if the replacement tree(s) is (are) alive and healthy, per the opinion of the Director of Public Works or designee.

#### *Enforcement and Penalties*

If a person removes or prunes a tree more than 20% that is considered part of the City's Urban Forest as defined above without receiving a permit, the person will be issued a municipal infraction and assessed a \$500 fine per replacement tree required, based on the circumference of the removed or pruned tree, to be paid to the City's Tree Canopy Enhancement Program fund.

#### *Process*

The Public Works Director or designee will administer the program, including receipt and evaluation of applications, issuance or denial of tree removal and replacement permits, and collection of fees.

If a person disputes a decision by the Public Works Director, that person may appeal the decision, in writing, to the Tree and Landscape Board within 15 business days of the date of permit denial. The Tree and Landscape Board will make a final decision within 2 months.

# 5

## Charter Resolution

To Delete The Requirement That  
Elected Officials Shall Be Registered  
To Vote For One Year Prior To  
Their Election

**CITY OF COLLEGE PARK, MARYLAND  
WORKSESSION AGENDA ITEM**



**AGENDA ITEM 20-CR-02**

**Prepared By:** Suellen M. Ferguson  
City Attorney

**Meeting Date:** September 1, 2020

**Presented By:** Suellen M. Ferguson  
City Attorney

**Consent Agenda:** No

**Originating Department:** Administration

**Action Requested:** Introduction of amendment to Article III, "Mayor and Council", § C3-1, "Membership; election; term of office" of the City Charter to delete the requirement that a candidate for City elected office be a registered voter for at least one year prior to election and to substitute the requirement that a candidate shall have been domiciled in the City for at least one year prior to the election.

**Strategic Plan Goal:** Goal 5: Effective Leadership

**Background/Justification:**

Currently, § C3-1 requires that a candidate for City elective office be a registered voter for at least one year prior to the election. This is different than many other jurisdictions in Maryland, which require that a person be domiciled, but not registered to vote, in the jurisdiction for a period of time before the election. This requirement is generally supported on the basis of ensuring that candidates have a connection to the community that they seek to represent. Requiring that a person be registered to vote for a period of time before the election does increase the barrier to being a candidate. Removing this barrier should enlarge the pool of individuals who could become candidates. Because the requirement of registration is deleted, age, citizenship and domicile must be confirmed. This amendment authorizes the Supervisors of Elections to make these determinations.

**Fiscal Impact:**

None

**Council Options:**

1. Introduce the Charter resolution
2. Amend and introduce the Charter resolution
3. Do nothing.

**Staff Recommendation:**

Option #1

**Recommended Motion:**

*I move to introduce 20-CR-02, to amend Article III, "Mayor and Council", §C3-1, "Membership; Election; Term of Office", to delete the requirement that a candidate for City elected office be a registered voter for at least one year prior to election and to substitute the requirement that a candidate shall have been domiciled in the City for at least one year prior to the election, and to authorize the Supervisors of Elections to verify the requirements of age, citizenship and domicile to be a candidate.*

**Attachments:**

1. Charter Amendment for introduction.

**CHARTER RESOLUTION**  
**OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK,**  
**AMENDING ARTICLE III, “MAYOR AND COUNCIL”, § C3-1,**  
**“MEMBERSHIP; ELECTION; TERM OF OFFICE”, TO DELETE THE**  
**REQUIREMENT THAT ELECTED OFFICIALS SHALL BE REGISTERED TO**  
**VOTE FOR ONE YEAR PRIOR TO THEIR ELECTION AND TO ADD A**  
**REQUIREMENT THAT ELECTED OFFICIALS SHALL BE DOMICILED IN**  
**THE CITY FOR AT LEAST ONE YEAR PRIOR TO THEIR ELECTION**

A Charter Resolution of the Mayor and Council of the City of College Park, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §4-301 *et seq.*, Local Government Article, Annotated Code of Maryland, as amended.

**WHEREAS**, §C3-1, “Membership; Election; Term of Office” currently requires that a candidate for City elective office, at the time of taking office, shall have attained the age of 18 years and must be a citizen of the United States, and a registered voter in the City for at least one year immediately preceding the date of election; and

**WHEREAS**, the Mayor and Council have determined that requiring domicile in the City for one year prior to the election, instead of requiring voter registration in the City for one year prior to the election, will expand the pool of possible candidates while still ensuring that individuals are knowledgeable about the College Park community; and

**WHEREAS**, the Mayor and Council have determined that it is in the public interest to delete the requirement that a candidate for City elected office be a registered voter for at least one year prior to election and to substitute the requirement that a candidate shall have been domiciled in the City for at least one year prior to the election; and

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CAPS : Indicate matter added to existing law.  
[Brackets] : Indicate matter deleted from law.  
Asterisks \* \* \* : Indicate matter remaining unchanged in existing law but not set forth in Resolution.  
CAPS :Indicate matter added in amendment  
[Brackets] :Indicate matter deleted in amendment

**WHEREAS**, the Mayor and Council authorize the City’s Supervisors of Elections to confirm age, citizenship and domicile.

**Section 1. NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of College Park that Article III, “Mayor and Council”, §C3-1, “Membership; election; term of office” be repealed, re-enacted and amended to read as follows:

**§ C3-1 Membership; election; term of office.**

All legislative powers of the City shall be vested in a Mayor and eight district Council members, two from each district of the City, to be known as the Mayor and Council. The Mayor and Council is the legislative body of the City. The Mayor shall be elected at large by the voters of the City and the Council members shall be elected by the voters within their respective districts. The candidate for Mayor with the highest number of votes shall be declared elected as Mayor. The two candidates for Council member for each Council district with the highest number of votes shall be declared elected as Council member. At the time of taking office, the Mayor and each member of the Council shall have attained the age of 18 years and must be a citizen of the United States, and, [~~a current registered voter in the City so registered~~] for at least one year immediately preceding the date of election, SHALL HAVE BEEN DOMICILED IN THE CITY. THE CITY’S SUPERVISORS OF ELECTIONS SHALL DETERMINE WHETHER THESE REQUIREMENTS HAVE BEEN MET. The Mayor and Council members shall continuously [~~reside~~] BE DOMICILED in the City during their term of office. Each Council member must reside in their respective district and the Mayor and each Council member shall retain throughout their respective term of office all the qualifications necessary for election, and the failure to retain all of such qualifications shall ipso facto cause a forfeiture of office.

**Section 2. BE IT FURTHER RESOLVED** by the Mayor and Council of the City of College Park that this Charter Resolution was introduced on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, after at least 21 days of prior public notice of the meeting. It is adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and that the amendment to the Charter of the City of College Park, hereby proposed by this enactment, shall be and

become effective upon the fiftieth (50<sup>th</sup>) day after its passage by the City unless petitioned to referendum in accordance with §4-304 of the Local Government Article, Annotated Code of Maryland within forty (40) days following its passage. A complete and exact copy of this Charter Resolution shall be posted in the City offices located at 4500 Knox Road, College Park, Maryland for forty (40) days following its passage by the Mayor and Council and a fair summary of the Charter Resolution shall be published in a newspaper having general circulation in the City not less than four (4) times, at weekly intervals, also within the forty (40) day period following its adoption by the City.

**Section 3. BE IT FURTHER RESOLVED** that, within ten (10) days after the Charter Resolution hereby enacted becomes effective, either as herein provided or following referendum, the City Manager for the City of College Park shall send separately, by mail, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, one copy of the following information concerning the Charter Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the City of College Park or in the referendum; and (iv) the effective date of the Charter Resolution.

**Section 4. BE IT FURTHER RESOLVED** that the City Manager of the City of College Park be, and hereby is, specifically enjoined and instructed to carry out the provisions of Sections 2 and 3 as evidence of compliance herewith; and said City Manager shall cause to be affixed to the minutes of this meeting (i) an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Resolution shall have been published; and (ii) shall further cause to be completed and executed the Municipal Charter or Annexation Resolution Registration Form.

**Section 5: BE IT FURTHER RESOLVED** that if any provision of this Resolution or the Charter adopted by this Resolution, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Resolution or of the Charter which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Resolution and of the Charter are hereby declared to be severable.

**INTRODUCED** by the Mayor and Council of the City of College Park at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

**ADOPTED** by the Mayor and Council of the City of College Park at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

**EFFECTIVE** the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**ATTEST:**

**CITY OF COLLEGE PARK,**

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

By \_\_\_\_\_  
Patrick L. Wojahn, Mayor

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

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

# 6

## Future Agenda Items



TO: Mayor, City Council, City Manager and Department Directors

FROM: Janeen S. Miller, City Clerk

DATE: August 25, 2020

RE: Future Agendas

The following items are tentatively placed on future agendas. This list has been prepared by the City Manager and me and represents the current schedule for items that will appear on future agendas.

### **TUESDAY, SEPTEMBER 8, 2020 REGULAR MEETING**

(20-G-127) Approval of a recommendation to the Prince George's County Planning Board of support, with conditions, for the Detailed Site Plan 19042 for Branchville Gardens multi-family apartment building and approval of a Declaration of Covenants – Terry Schum, Director of Planning (15)

(20-G-128) Approval of a recommendation to the Prince George's County Planning Board of support, with conditions, of the Detailed Site Plan for the Marriott Residence Inn - Terry Schum, Director of Planning (15)

Approval of the Final Report of the Senior and Community Recreation Needs Assessment – Kiaisha Barber, Director of Youth, Family and Senior Services (15)

Consider recommendation to continue live camera monitoring MOU with UMD until June 20, 2021 – Bob Ryan, Director of Public Services (20)

Consideration of an Emergency Ordinance to increase the fines for violations of Chapter 141-1 (Creating a nuisance, causing a hazard to health) and Chapter 144-5 re Mandatory Disclosures (Identification of tenants)

Introduction of Ordinance 20-O-09, FY '21 Budget Amendment (#1) – Gary Fields, Director of Finance (15) (Public Hearing September 22)

Introduction of Charter Amendment 20-CR-02 (10) (Public Hearing October 13)

(Proposed Consent) Cancellation and re-award of contract for Hollywood Dog Park – Robert Marsili, Director of Public Works

## **TUESDAY, SEPTEMBER 15, 2020 WORKSESSION**

Presentation on Prince George's County activities and legislation by County Council Member Dannielle Glaros (20)

Discussion of Detailed Site Plan for The Hub on Knox Road - Mixed Use Student Housing project, and approval of a Declaration of Covenants – Terry Schum, Director of Planning (30)

Review of Draft Environmental Impact Statement (DEIS) and Draft Section 4(f) Evaluation for the I-495 & I-270 Managed Lanes Study – Terry Schum, Director of Planning (30)

Update on the City's Sustainability Plan - Bill Gardiner, Assistant City Manager; Robert Marsili, Director of Public Works; Janet McCaslin, Sustainability Coordinator (20)

One-year review of Chapter 141, Nuisances re: Ordinance 19-O-13, Unruly Social Gatherings, which was adopted in September of 2019 - Bob Ryan, Director of Public Services (20)

Placeholder: Proposal for a virtual College Park Day event – Ryna Quinones, Communications and Events Manager (15)

### **2:35 +**

Closed Session to review appointments to Boards and Committees (45)

## **TUESDAY, SEPTEMBER 22, 2020 REGULAR MEETING**

Public Hearing and possible adoption of Ordinance 20-O-09, FY '21 Budget Amendment (#1) – Gary Fields, Director of Finance

Public Hearing and possible action on the Petition request for permit parking on 48<sup>th</sup> Avenue between Pontiac Street and Berwyn Road – Jim Miller, Parking Enforcement Manager

Appointments to all Boards and Committees

## **OCTOBER 6, 2020 WORKSESSION**

Presentation on Accela land use CRM software – Bill Gardiner, Assistant City Manager (30)

CPCUP Vision 2030 presentation (20)

Discussion of amendments to Chapter 102, Dogs and Other Animals (20-O-10) – Bob Ryan, Director of Public Services; Kathy Rodeffer and Suzie Bellamy, Animal Welfare Committee Co-chairs (30)

Review of bulk trash pilot project pursuant to Ordinance 20-O-02 which became effective on May 1, 2020 (schedule spring of 2021) (40)

**2:20**

### **OCTOBER 13, REGULAR MEETING**

Consider a Property Use Agreement and support for a liquor license transfer from Milkboy to “Crab and Turtle” – Bob Ryan, Director of Public Services (20)

### **ANNUAL ITEMS**

January, early: Discussion of Homestead Tax Credit Rate (currently at 0%) (must certify by March 25 to change rate)

January, after an election: Review and adoption of Council Rules and Procedures

IFC/PHA Annual meeting with Council (when is best?)

March: Annual Review/Renewal of Insurance Contracts

March: Annual farmers market debrief (Council: is this still relevant?)

March: Annual Economic Development Report

April and September: Comments on the M-NCPPC budget

June Worksession: Review of applications for advisory board vacancies

June Regular Meeting: Appointments to advisory boards

June Regular Meeting: Proclamation for Pride Month

October, first regular meeting: Proclamation for Indigenous Peoples’ Day

Early Fall: Annual presentation from SHA on projects in the City (schedule prior to CTP discussion)

Fall: Annual police agency presentation

November, first regular meeting: Proclamation for Small Business Saturday

December: Approval of Annual Retreat agenda

### **MASTER LIST**

2020 Quarterly Financial Presentations: ~~January 28, April 28, August 11, November 10~~

01-23-19: Information Report: Actions taken to mitigate the discharge of sump pump water runoff – Steve Halpern, City Engineer

Discussion of security at City buildings and cyber security – Scott Somers, City Manager

07-09-19: Input from staff and the Airport Authority about the GAO study on helicopters in the City and helicopter noise in the region (15)

10-01-19: Discussion of signing on to the principles of the Maryland Advocates for Sustainable Transportation – request of Mayor Wojahn

10-15-19: Greater utilization of APC to review projects that are coming to Council

Discussion of additional roadway connectivity between City neighborhoods - AND – Find options to reduce traffic on our major roadways (include Complete Streets) (40) Terry Schum, Director of Planning; Steve Halpern, City Engineer; Robert Marsili, Director of Public Works

01-07-20: Award of contract for final design of Duvall Field – Terry Schum, Director of Planning

02-04-20: Follow up discussion on certain events held in the City (Veterans and Memorial Day events, MLK Tribute and Blues Festival)

01-29-20: Discussion of the decennial redistricting and of establishing a redistricting commission (standard census tabulation for voting districts will occur prior to general release and no later than April 1, 2021)

04-21-20: Follow-up discussion on a City Youth Advisory Committee – Kiaisha Barber, Director of Youth, Family and Senior Services

Review of proposal for a pilot program for a rebate to homeowners for installation of residential security camera systems - Bob Ryan, Director of Public Services (20)

05-05-20: Information Report on Edgewood Road Right-Of-Way at intersection with US 1 – Terry Schum and Steve Halpern

Discussion of goals and purpose for City Events, and criteria for evaluating City Events (30)

Discussion of the process/technology for enforcing permit parking zones

Applications for Small Cell installations

Discussion on the recommendation to form an ad hoc committee regarding the future of Amherst Avenue (Frog Pond) – Terry Schum, Director of Planning (15)

Approval of an update to the City Manager's contract (20-G-105)

07-07-20: Continue the conversation of race and equity in the City

07-14-20: Comments to the County task force about No-Knock Warrants

08-17-20: Proposed Consent: Authorization for the City to enter into a three-year agreement with the Maryland Department of Transportation State Highway Administration for purchase of salt and aggregate during certain snow events

DSP for The Aspen student housing project– Terry Schum, Director of Planning

Program Open Space Acquisition – Terry Schum, Director of Planning