



**TUESDAY, FEBRUARY 4, 2020**  
**CITY OF COLLEGE PARK**  
**DAVIS HALL – 9217 51<sup>ST</sup> AVENUE**

**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.

Time	Item	Staff/Council
7:30	Call To Order	
	City Manager's Report	
	Amendments To And Approval Of The Agenda	
<b>Discussion Items</b>		
7:35	1 Discussion of proposed tree trimming around the College Park Airport (40)  Guests: Stephen Edgin, College Park Assistant Airport Manager; Chanda Washington, Division Chief Public Affairs; Laura Connelly, Acting Park Planning Supervisor; Rae Wallace, NHRD Outreach and Communications Coordinator	Lee Sommer, College Park Airport Manager
8:15	2 Discussion on plans for the City's 75 <sup>th</sup> anniversary celebration on June 6 (15)	Gabi Wurtzel, Event Planner
8:30	3 Discussion on City events (30)	Gabi Wurtzel, Event Planner
9:00	4 Discussion of Mayor and Council Rules and Procedures (45)	Mayor and Council
9:45	5 <b>Special Session 20-R-03:</b> Adoption of Resolution 20-R-03 in support of the National League of Cities (NLC) "Leading Together Cities Agenda" for the 2020 Presidential Election candidates (5)	Request of Councilmember Mitchell

9:50	6	<b>Special Session 20-G-22:</b> Award of Contract for RFP CP-20-01, Strategic Plan and Performance Measurement, to Performance Breakthroughs, Inc. (PBI) for the 2020-2025 Strategic Plan (5)	Scott Somers, City Manager
9:55	7	Review of Legislation ( <b>Possible Special Session to vote on time-sensitive matters</b> )	Bill Gardiner, Assistant City Manager
10:00	8	Appointments to Boards and Committees	Mayor and Council
10:05	9	Requests for/Status of Future Agenda Items	Mayor and Council
10:10	10	Mayor and Councilmember Comments	Mayor and Council
10:15	11	City Manager's Comments	Scott Somers, City Manager
	12	ADJOURN	
	13	Information Report - Feasibility of a City tax credit for residents to purchase flood insurance	
	14	Information Report – Building Permit for 4619 College Avenue	

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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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Proposed  
Tree Trimming  
near College  
Park Airport

## MEMORANDUM

TO: Mayor and Council  
Scott Somers, City Manager

FROM: Jack Robson, Chair, College Park Airport Authority

SUBJECT: Tree Trimming, Topping, and/or Removal near College Park Airport

DATE: January 16, 2020

At the most recent Annual Inspection of the airport the State (Maryland Aviation Administration - MAA) noted that the trees trimmed or topped in 2014 had grown sufficiently so as to once again encroach on the airport's approach and departure safety areas. In addition, trees bordering those areas, not previously a problem, had grown so as to require trimming. M-NCPPC and the MAA have been negotiating on the extent of the project and have finalized the project's scope.

It is my understanding that M-NCPPC will be prepared to brief any of those persons and entities impacted. However, no briefings are scheduled. Should the City desire one, the Airport Manager can be contacted to make the appropriate arrangements.

cc: Lee Sommer, Airport Manager  
College Park Airport Authority  
College Park Tree and Landscape Board

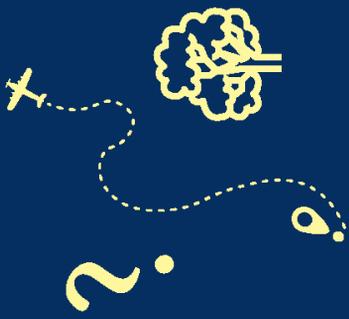
February 4th 2020

# Tree Trimming Around College Park Airport College Park City Council



live more, play more

[pgparks.com](http://pgparks.com)



# DID YOU KNOW,

your property is located in the flight path of College Park Airport?



*live more, play more*  
pgparks.com

# WHAT IS THE SITUATION?

At College Park Airport, we provide freedom of transit in air commerce, use of air space for transportation, and protect the lives and property of those on the ground. In order to uphold this, we must stay in accordance with the law. **State law requires that a landowner in the flight path of an airport maintain tree(s) that are obstructions to air navigation.**



# WHAT DOES THE LAW TELL US?

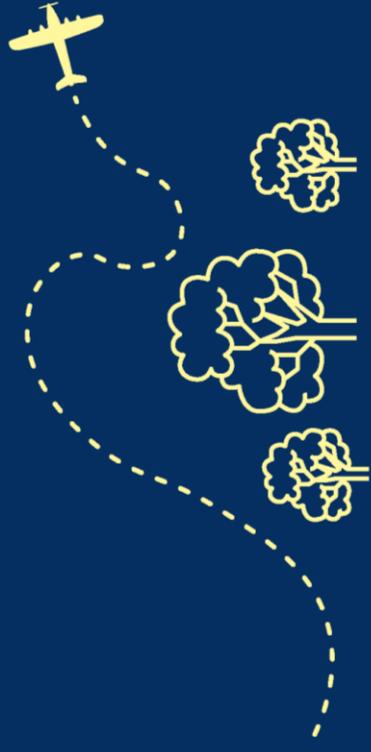
Code of Maryland Regulations 11.03.05.03 states:

**“A person may not allow trees to grow to such a height as to be an airport hazard** or allow trees that are an existing airport hazard to grow any higher.”



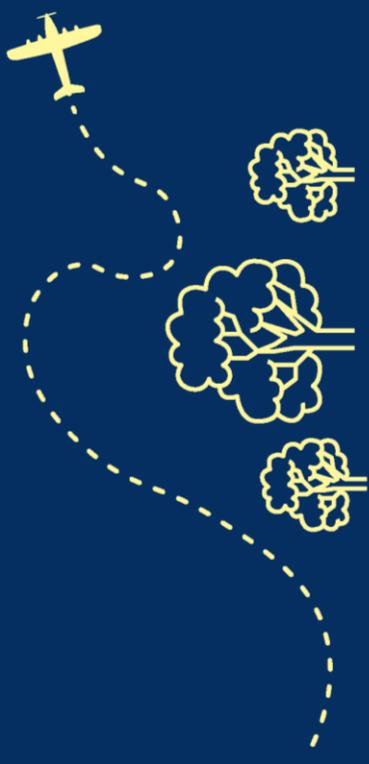
# WHY MUST THIS BE DONE

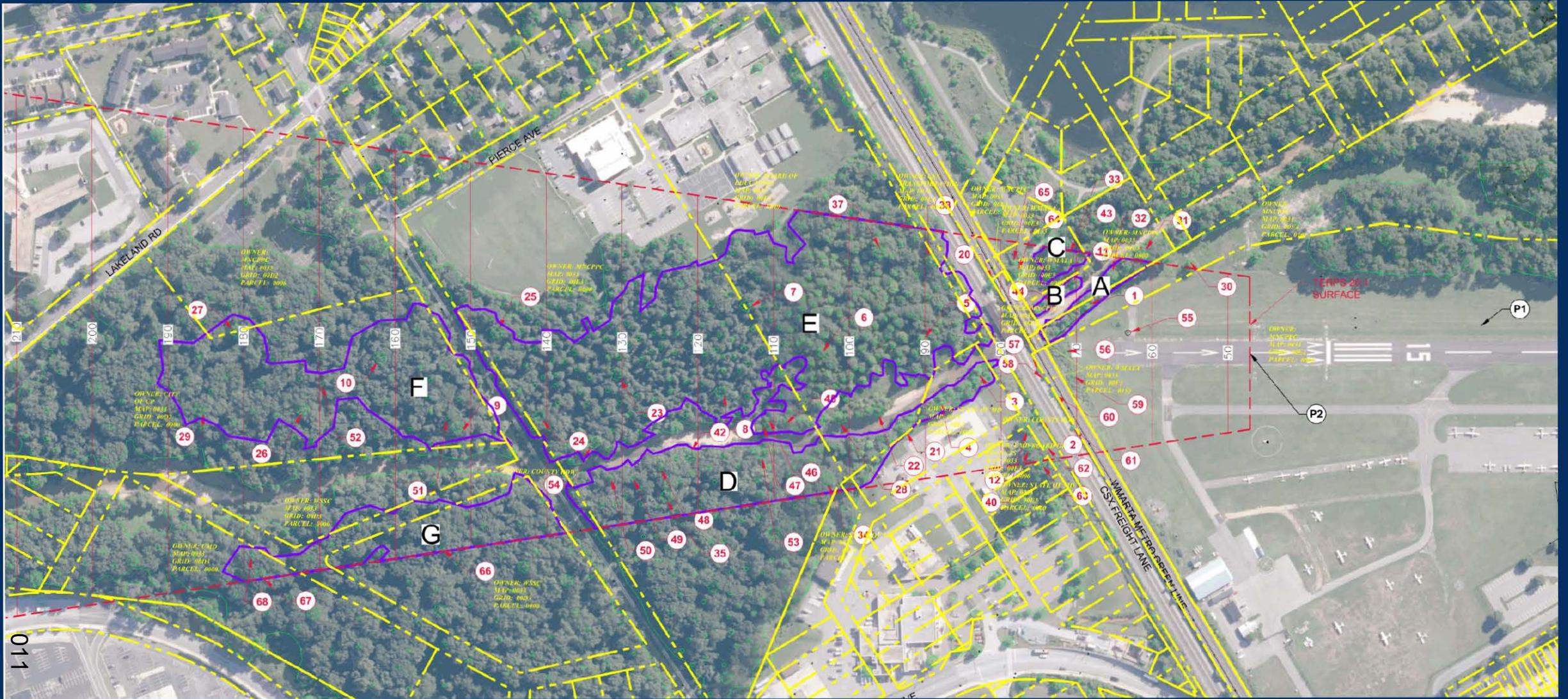
"To insure safety for the general and flying public by remediating airport obstruction hazards."



# HOW DO WE WORK TOGETHER?

College Park Airport performed a study and has concluded **which trees at College Park Airport and in properties near the Airport are an obstruction to air navigation.** We will work with you and your community to ensure trees that are an existing airport hazard do not grow any higher.







# TREE REPLANTING PLAN



- LEGEND**
- SINGLE TREE
  - TALLEST TREE IN GIVEN AREA
  - TREE CANOPY OUTLINE
  - TREE CLEARING AREA
  - OBSTRUCTION CALLOUT
  - POINT FOR STARTING SURFACE (SEE DETAIL)
  - TERPS 20:1 SURFACE
  - PROPERTY LINES
  - PROPOSED TREE REPLANTING AREA

**NOTES:**

- ANALYSIS BASED ON AERIAL PHOTOGRAMMETRY DATA OBTAINED IN JULY 2010. REFER TO CHART FOR FURTHER INFORMATION OF OBSTRUCTION SURVEYS AND FURTHER ANALYSIS MAY BE NEEDED PRIOR TO ANY OBSTRUCTION REMOVAL DESIGN. OBSTRUCTION REFERENCE IDs ARE REPRESENTATIVE OF THE TALLEST POINT WITHIN THAT CRITICAL AREA.
- THE FOLLOWING SURFACES WERE USED FOR AN OBSTRUCTION REMOVAL: TERPS 20:1 SURFACE AND LS3C.



DATE	GRID FOR TREE CANOPY
NO.	DATE



Project 144:  
**RUNWAY 15-33  
OBSTRUCTION REMOVAL**

Sheet 144:  
**RW 33 OBSTRUCTION  
REMOVAL SUMMARY**

Date: AUGUST 2013  
Scale: 1" = 100'  
Author: JDS/CD  
Checker: E.D.  
Job No: 230650125-144  
Sheet No: 3 OF 28

February 4th 2020  
Tree Trimming Around the  
College Park Airport  
College Park  
City Council



2

Discussion  
on the City's  
75<sup>th</sup> Anniversary  
Celebration



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

**Prepared By:** Gabi Wurtzel,  
Event Planner

**Meeting Date:** February 4, 2020

**Presented By:** Gabi Wurtzel,  
Event Planner  
Ryna Quinones,  
Communications Coordinator

**Proposed Consent Agenda:** No

**Originating Department:** Administration / Communications

**Issue Before Council:** The City of College Park's 75<sup>th</sup> Diamond Anniversary Event

**Strategic Plan Goal:** One College Park

**Background/Justification:**

The City of College Park's 75<sup>th</sup> anniversary of incorporation is coming up on Saturday, June 6, 2020. The 75<sup>th</sup> Diamond Anniversary event from 12:00 p.m. to 6 p.m. will embody all that is College Park – the community, businesses, schools, facilities, and artists who have made the City thrive for these 75 years.

Current plans call for a parade from 12:00 to 1:00 p.m. down Rhode Island Avenue to Duvall Field. The parade will be followed by a fair at Duvall Field from 1:00 to 6:00 p.m. to celebrate 75 years of College Park with entertainment, music and activities.

We would like to invite various local community members to participate in the parade including elected officials, public safety organizations (fire, EMS, police), schools, marching bands, color guards, car clubs, and other organizations. The parade will feature a reviewing station with professional judges to keep judging unbiased and an MC to announce groups walking by. In order to safely and successfully accomplish the parade aspect of the event, side streets on the parade route will need to be closed a few hours prior to the parade, while Rhode Island Avenue will be closed one hour prior to step-off. We will have security and visual markers along the parade route to signify the road closures. Security details and road closures will be discussed in further detail with Prince George's County.

The parade will lead into a free fair at Duvall Field featuring live music, performers, local vendors and exhibitors, food trucks, inflatables, carnival games, kid-friendly activities, and much more. To tie in the 75<sup>th</sup> anniversary, we will ask vendors /exhibitors to tie in a birthday theme (menu items, birthday themed activities, etc.) and possibly host a contest for the most spirited display. Bands and performers will have ties to College Park, as well – past and present. Volunteers are needed for both the parade and fair, so there will be opportunity for resident involvement.

\$20,000 is budgeted in FY20. Due to increased costs for security and increased transportation requests (like ride-sharing and use of the City bus) an additional \$10,000 is requested to fully cover costs.

**Fiscal Impact:**

\$20,000 is budgeted in FY 20. Staff requests and additional \$10,000 for the reasons noted above.

**Council Options:**

1. Support the event as proposed and approve an increase in the event budget.
2. Support the event with modifications that will not require an increase in budget.
3. Request that staff explore other types of events for the 75<sup>th</sup> Anniversary and come back to Council for discussion.

**Staff Recommendation:**

# 1

**Recommended Motion:**

N/A

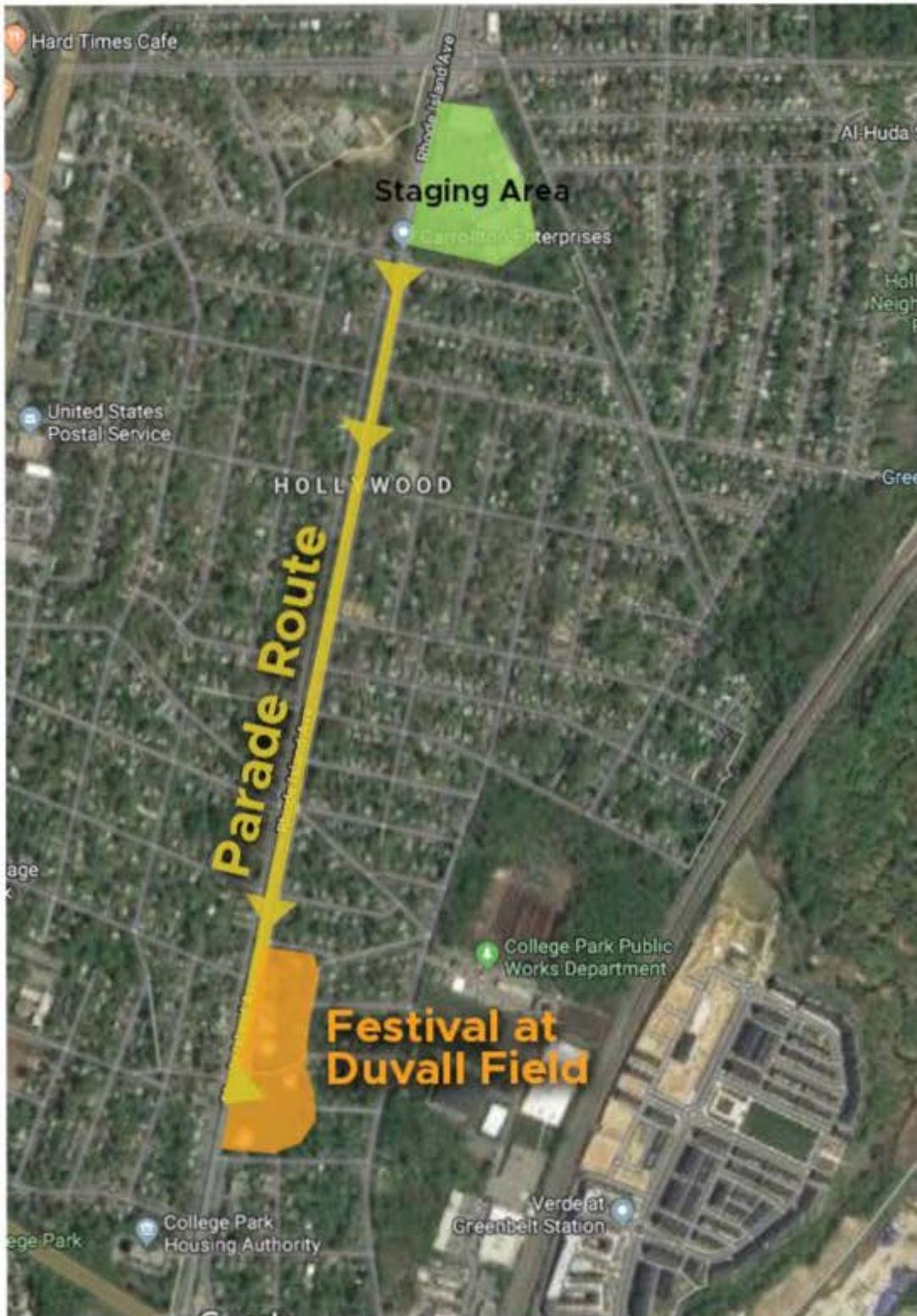
**Attachments:**

1. Event Budget
2. Event Map

## Attachment 1: Event Budget

<b>Item</b>	<b>Cost</b>	<b>Notes</b>
PG County Special Events Permit	\$150.00	
PG County Liquor License	\$80.00	
Public Safety	\$8,000.00	15 police - \$55/hr from 10 am - 7 pm
Port A Potties	\$600.00	
Professional Parade Judges	\$500.00	
Bandwagon	\$1,400.00	
Antique Cars	\$1,000.00	
Performers/Entertainment	\$5,000.00	
Inflatables	\$4,000.00	
Tents	\$1,000.00	
Tech/Equipment	\$4,000.00	
Staffing and Volunteer Costs	\$2,000.00	
Transportation	\$2,000.00	Bus, ride-share
Supplies	\$1,000.00	
<b>Total Costs</b>	<b>\$29,730.00</b>	

## Attachment 2: Event Map



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# Discussion On City Events

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



**Prepared By:** Gabi Wurtzel,  
Event Planner

**Meeting Date:** February 4, 2020

**Presented By:** Gabi Wurtzel,  
Event Planner  
Ryna Quinones,  
Communications Coordinator

**Proposed Consent Agenda:** No

**Originating Department:** Administration / Communications

**Issue Before Council:** City-Sponsored Events

**Strategic Plan Goal:** One College Park

**Background/Justification:**

The City annually hosts approximately thirteen events for the community— four family events, seven family holiday events, and two festivals. Certain departments and committees have been assigned responsibility for specific events and there has been limited overall coordination and promotion of the City’s events. Staff work with several Boards and Committees that are advisory and provide recommendations for some of the events. In addition to staff from several departments (and volunteers) who plan and manage the City events, the City annually budgets approximately \$137,000.

In 2018, the City Communications Office assumed responsibility for College Park Day and has made a very successful event even better. In late 2019, the City hired its first Event Planner to help improve our current events and create new events to meet the needs and interests of our growing and changing community. The primary purpose of City hosted events is to build community through inclusive activities that appeal to a wide range of residents. Some events are also designed to bring new visitors to the City which can lead to an economic benefit. The City’s goal is to produce events that are professional, cohesive, and reflect the community through participation and attendance.

Surveys and after-event analyses by staff have provided important information regarding the types of events that residents desire and feedback on our current events. Staff has begun and will continue to collect data for all events to gauge residents’ participation, economic benefit and attendees’ feedback. Based on this information, staff is proposing to add several new events and to change some of our current events to better reflect the community’s stated interests.

A new concert series is recommended--the Third Thursday Lake Artemesia Concert Series. This series will occur on the third Thursday evening in June through September in partnership with Berwyn Heights. The event will be a “bring-your-own-chair/blanket” style and will feature local bands and food and beverage vendors. The City is proposing a combined total budget of \$1,500 per concert, with the City providing \$3,000 for four concerts.

Another new proposal is a series of events highlighting City attractions like Herbert Wells Ice Rink, Linson Splash pool, the UMD Observatory, The Clarice, and others. These events would target different age groups and be held throughout the year to better appeal to a wider resident audience.

Staff would also like to discuss and receive Council feedback regarding some current events that have had lower resident participation. These events could be adjusted to increase interest and community building. Staff has worked with the relevant committees and will continue to coordinate with the committees to carry out the Council’s direction and create the best events possible.

Many of the City's events have been in place for more than a decade with only minimal changes and are not part of a cohesive event plan or strategy for the City. Staff would like to discuss the value of developing a plan and strategy for our community events.

**Fiscal Impact:**

About \$137,000 is currently budgeted for all current events.

**Council Options:**

1. Support the staff recommended changes to existing events and approve the proposed new series of events to increase community attendance and participation.
2. Support the staff recommended changes to existing events but not approve the new series of events.
3. Support the staff recommended new series of events and request additional information regarding changes to existing events.
4. Do not approve the new series of events or changes to existing events.

**Staff Recommendation:**

#1

**Recommended Motion:**

N/A

**Attachments:**

1. List with summary information of all recurring City events

## List of Recurring City Events

- **College Park Day**
  - October 6, 2019 at the College Park Aviation Museum
  - FY20 Cost: \$60,000 (cost offset by sponsorship of about \$16,000)
  - Total Attendance: 8,000
  - Resident attendance: unknown
  - Cost per person: \$7.50 (without sponsorship), \$5.50 (with sponsorship)
  - Recommendation: Create several policies including a vendor/exhibitor policy.
  
- **Fourth of July**
  - July 4, 2019 at the University of Maryland
  - FY20 Cost: \$35,000
  - Total Attendance: 20,000 (this estimate includes those who are parked on major roads and at other venues near the University)
  - Resident attendance: unknown
  - Cost per person: \$1.75
  - Recommendation: Location and site checks for 2020 are being conducted.
  
- **College Park Blues Festival**
  - November 9, 2019 at Ritchie Coliseum
  - FY20 Cost: \$12,000
  - Attendance: 427
  - Resident attendance: approximately 102
  - Cost per person: \$28.10, cost per resident: \$117.65
  - Recommendation: Repurpose funds from this event to create a series of community building events.
  
- **City Tribute to Dr. King**
  - January 11, 2020 at The Clarice
  - FY20 Cost: \$10,000
  - Attendance: 140 (not including performers – 179 with performers)
  - Resident attendance: approximately 22
  - Cost per person: \$71.43 in 2020, \$117.65 in 2019 (85 in attendance), cost per resident: \$454.55
  - Economic benefit: half of those surveyed said that they would patron a College Park business before or after the event
  - Recommendation: Change format of program to a day of service around the community. Performance or speaking piece could still be incorporated if desired.
  
- **Veterans Day & Memorial Day**
  - November 11, 2019 at the College Park Veterans Memorial, May 25, 2020 at the College Park Veterans Memorial
  - FY20 Cost: \$3,500
  - Attendance: varies, approximately 50-100
  - Resident attendance: unknown
  - Cost per person: \$17.50 (per 100 attendees)
  - Recommendation: Adjust format to include more veterans of all ages and their families. Consistently secure speakers, disseminate information much earlier, and possibly add other components.
  
- **Halloween Thing**
  - October 26, 2019 at Youth and Family Services
  - FY20 Cost: \$2,000, however the event has relied predominately on donations
  - Total Attendance: 300
  - Resident attendance: unknown
  - Cost per person: \$6.66

- Recommendation: Rework layout of event or possibly change location. Increased budget is needed to avoid dependence on soliciting donations.
- **Breakfast with Santa**
  - December 14, 2019 at the College Park Community Center
  - FY20 Cost: \$1,400
  - Attendance: 300
  - Resident attendance: unknown
  - Cost per person: \$4.67
  - Recommendation: Have the event professionally catered.
- **Family Fun Bowling Bash**
  - January 26, 2020 at Bowlero
  - FY20 Cost: \$2,000 (residents also pay \$5/person)
  - Attendance: 97 (max is 100 residents to get the discounted rate)
  - Resident attendance: 100%
  - Cost per person: \$16.60
  - Recommendation: Create logistics plan and promote event as a “community event”.
- **Brunch with Bunny**
  - April 6, 2019 at College Park Community Center
  - FY20 Cost: \$1,400
  - Attendance: 300
  - Resident attendance: unknown
  - Cost per person: \$4.67
  - Recommendation: Have the event professionally catered.
- **Spring Egg Hunt**
  - April 13, 2019 at Youth and Family Services
  - FY20 Cost: \$2,000, however the event has relied predominately on donations
  - Attendance: 400
  - Resident attendance: unknown
  - Cost per person: \$5
  - Recommendation: Rework layout of event or possibly change location. Adjust how the egg hunt is conducted by doing improving timing and spacing out hunts, increasing the amount of eggs laid out, not collecting eggs at the end, and segmenting children by age better. Increased budget is needed to avoid dependence on donations.
- **Bike to Work Day**
  - May 17, 2019 at City Hall
  - FY20 Cost: \$1,000
  - Attendance: approximately 152
  - Resident attendance: 59
  - Cost per person: \$6.58, cost per resident: \$16.95
  - Recommendation: Location will need to be determined for 2020. Have a better inclement weather back up plan.
- **Night at the Movies**
  - Various dates and locations in the summer
  - FY20 Cost: \$500 each time
  - Attendance: 250
  - Resident attendance: unknown
  - Cost per person: \$2
  - Recommendation: The City should look into investing in its own equipment to host the event.

# 4

## Discussion On Mayor and Council Rules and Procedures



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

**Prepared By:** Scott Somers, City Manager

**Meeting Date:** February 4, 2020

**Presented By:** Scott Somers, City Manager

**Originating Department:** Administration

**Issue Before Council:** Review and discuss the red-lined draft Council Rules. Provide direction to staff on how to proceed.

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

**Background/Justification:**

Attached is the current "Rules and Procedures for the Mayor and City Council of College Park" that was adopted March 27, 2018. Section I.B. calls for a biennial review. Based on discussion and exercises at both the facilitated Mayor and Council Orientation and the Mayor and Council Retreat, staff has provided proposed red-lined edits on the attached draft for Council discussion and consideration.

**Fiscal Impact:**

None

**Council Options:**

1. Review the attached red-lined draft Council Rules and then provide direction to staff on how to proceed.
2. Direct staff otherwise.

**Staff Recommendation:**

Option #1

**Attachments:**

Red-lined draft Council Rules

RULES AND PROCEDURES FOR  
THE MAYOR AND CITY COUNCIL OF COLLEGE PARK

I. ADOPTION, REVIEW AND AMENDMENT

A. Adoption. These rules are adopted pursuant to the authority provided in Art. VI, § C6-1 of the City Charter.

B. Biennial Review. These rules and procedures shall be scheduled for review by the Mayor and City Council during the first January Worksession after an election. Public notice and an opportunity for public comment shall be provided prior to making changes to these rules. Changes in procedures 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.

C. Rescission, Amendment, and Suspension of Rules. A motion to rescind or amend the rules and procedures previously adopted or a motion to suspend these rules and procedures may be brought pursuant to the appropriate section of Robert's Rules of Order.

II. GOVERNANCE PROCESS/COUNCIL-MANAGER DELEGATION

Policy 1. Governance Process. The Mayor and Council, on behalf of the residents and visitors of the City of College Park, govern with respect to achieving the City's Mission - The City of College Park provides open and effective governance and excellent services that enhance the quality of life in our community.

Policy 2. City's Interests Come First. Councilmembers will consider the needs and interests of all people in the City, not only the residents in their district.

Policy 3. Governing Style. The Mayor and Council will govern with an emphasis on: (a) outward vision rather than internal processes, (b) encouragement of diversity in viewpoints, (c) strategic leadership more than administrative detail, (d) clear distinction of Mayor, Council, and

City Manager roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) striving to be proactive rather than reactive.

Policy 4. Mayor and Council Code of Conduct (Chapter 38 of the City Code). The Mayor and Council commits itself and its members to ethical, professional, and lawful conduct, including proper use of authority and appropriate decorum.

Policy 5. Mayor and Council-Management Delegation. The Mayor and Council's connection to the operation of the organization is through a City Manager as provided in the City Charter. The Mayor and Council will direct residents to appropriate departments when resident inquiries arise that concern the delivery of City services.

Policy 6. Accountability of the City Manager. The City Manager is accountable to the Mayor and City Council and is the Mayor and Council's link to the operational achievement and conduct of City staff.

### III. LEGISLATIVE ACTIONS

The City Council affirmatively acts by voting at City Council meetings. Four types of legislative actions taken at City Council meetings are General Motions, Resolutions, Ordinances, and Charter Amendments.

A. General Motions. General motions are used for approval of a City 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.

B. Resolutions. Resolutions are used to set forth legal decisions and official positions of the City, to set policy, to establish commissions, and to implement programs. 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.

C. Ordinances.

1. Purpose and Requirements. The City Council updates the City Code and adopts other measures as required by State law, by Ordinance, which is enacted pursuant to the provisions of Article VIII of the City Charter. An Ordinance requires an introduction and a public hearing prior to adoption.

**Commented [BG1]:** Duplicated in 4. Below.

2. Public Hearing; Notice. As required by Art. VIII, § C8-2, a public hearing shall be held on proposed ordinances following the advertisement of the ordinance or a fair summary thereof on City-controlled media such as the City website, cable channel, bulletin board and City email listserv. Emergency ordinances shall be considered pursuant to § C8-2B of the College Park Charter.

**Deleted:** , and may not be adopted at the meeting at which it is introduced, unless designated as an emergency ordinance.

3. Majority vote. The affirmative vote of a simple majority of the members of the City Council shall be required for the adoption of ordinances, except as otherwise required by law as per the attached Voting Requirements chart. The vote can be held at the same meeting following the Public Hearing or during a subsequent meeting.

**Commented [BG2]:** Just to use the same words.

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**Commented [JSM3]:** This sentence should be deleted. They may not know until after the Public Hearing whether they are ready to proceed with action.

4. Adoption. The Council shall not adopt an ordinance or ordinance amendment at the same meeting at which the ordinance is introduced unless it is declared an emergency ordinance. Ordinances shall become effective upon expiration of twenty (20) days following Council approval unless the Council declares otherwise.

**Deleted:** Council should indicate in the Public Hearing Notice the meeting at which it intends to vote on the ordinance.

D. Charter Amendment Resolutions. Charter Amendment Resolutions are used only to amend the City Charter. Charter amendments may be enacted by charter resolution pursuant to the provisions of §4-301 *et seq.*, of the Local Government Article, Annotated Code of Maryland, and the City Charter. Prior to adoption, a public hearing shall be held on charter resolutions initiated by the Council following advertisement of the resolution or a fair summary thereof on the City website, cable channel, bulletin board and City email listserv and publication 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, are self-imposed and may be overridden by the Council by a majority vote.

#### IV. MEETINGS

A meeting occurs when a quorum of the Mayor and City Council convenes to consider or transact public business (Section C6-2 of the City Charter).

A. 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. Public notice of any changes to the meeting schedule shall be provided as soon as possible. In an election year, the schedule shall be approved by the new Council. Any time requirements related to amendments to agendas and submission of meeting materials will be adjusted accordingly when the meeting is held on a day other than Tuesday.

B. Regular Meetings. The Mayor and Council shall normally meet in Regular Meetings on the second and fourth Tuesday of each month if necessary, but, in no event, less frequently than required by Art. VI, § C6-1 of the Charter. The Mayor and Council may meet on other days when, in its judgment, an alternative day is either necessary or desirable. Regular meetings are the voting sessions when the Mayor and Council take official action.

C. Worksessions. The Mayor and Council will normally meet in Worksession meetings on the first and third Tuesday of each month. The Mayor and Council may meet on other days when, in their judgment, an alternative day is either necessary or desirable. Additional Worksessions may be scheduled by the Mayor and City Council as required. During Worksessions, the Mayor, Council, and staff hear presentations, discuss the merits of proposed legislation, discuss details of proposed programs, and give direction to staff. When necessary, the Mayor and Council may enter into Special Session during a Worksession. Special Sessions allow the Mayor and Council to take action on items when time doesn't allow for action to occur at the next Regular meeting.

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. 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.

E. Emergency Meetings. Emergency Meetings may be called with the consent of two-thirds of the Mayor and City Councilmembers available 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. Closed Sessions. The Mayor and City Council may close a meeting to the public by a vote in open session under the circumstances, conditions and for reasons set forth in Art. VI, § 6-3 of the Charter. ~~Public notice and summaries of Closed Sessions are provided as required by law. Councilmembers shall not disclose to anyone the information discussed in a Closed Session, unless the Council affirmatively votes to allow a member or the body to do so.~~

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G. Information Meetings. The Mayor and City Council may hold Information Meetings on specific topics. For example, Information Meetings can provide the Mayor and Council the opportunity to discuss possible City legislation or projects with residents and other stakeholders and obtain feedback in advance of drafting legislation. It can provide a forum outside the Worksession for an in-depth discussion of an issue, which may be particularly useful if the anticipated presentation and discussion requires an hour or more. The Mayor and City Council will determine the rules governing presentations made at such meetings. ~~A quorum is not required, and the Council will not vote on any item.~~

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H. Limitation on Number of Meetings. No more than four 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 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 Department of Public Works, Davis Hall, 9217 51<sup>st</sup> Ave., College Park,

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Maryland. In addition to the customary forms of notice, the notice of change in meeting place shall be prominently posted on the door of the regularly scheduled meeting place.

J. Meeting Time. Meetings of the Mayor and City Council shall begin at 7:30 p.m. unless a different starting time is established by the Mayor and City Council and reasonable notice thereof is provided to residents of the City.

**Commented [SS4]:** Staff wonders if there's room for discussion of the start time with a dinner incentive.

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. Quorum requirements. A quorum shall be constituted of five (5) Councilmembers. The Mayor shall serve as the presiding officer. A Councilmember acting as the presiding officer in the absence of the Mayor may be counted as part of the Council quorum and may vote as a Councilmember. 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 place in which the meeting is being held as that area may be defined from time to time by the Mayor and City Council, or by electronic means such as telephone or video conference. Worksessions do not require a quorum of the Council because the Council does not take official action during Worksessions.

Commented [SS5]: Discussion point. Create possible criteria?

2. Loss of quorum. Once a Regular 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 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. Agendas.

1. Content. The agenda shall outline the established order of business.

2. Preparation. A proposed agenda is prepared from a master list of Council-approved items generated from requests by the Mayor, Councilmembers and staff and as items arise that are timely and necessary for the conduct of City business. The proposed agenda for all meetings of the Mayor and Council will be finalized for publication by the City Manager and City Clerk in

consultation with the Mayor on the Friday before the meeting. Proposed agendas shall be created that can be reasonably accomplished within three hours.

3. Master List. Staff shall maintain a master list of items and may add to it and the proposed agenda as necessary for the efficient conduct of City business. Items should only be added to the Master list or to an agenda once the following are considered:

- 1) Does it fit with the City Mission (*The City of College Park provides open and effective governance and excellent services that enhance the quality of life in our community*) and Strategic Plan?
- 2) Are there time considerations?
- 3) Does it affect a significant number of residents?
- 4) Is there another way to handle it before devoting Mayor and Council discussion time / Staff time?
- 5) Is it strategic/big picture in nature?

Before the Mayor and Council may add an item to a Master list of future agenda items, [the following must occur:](#)

1. [Complete the appropriate form that responds to the \(5\) criteria for proposing an item for the agenda.](#)
2. [Run item by the City Manager to see if another solution is available.](#)
3. [Run item by 1-2 other City elected officials to acquire their feedback.](#)
4. [Finally,](#) a majority of Councilmembers must agree to an item being added.

[Councilmember votes include Yes, Yes with amendments, and No.](#) This can be done at a Worksession during “Requests For/Status of Future Agenda items” or at a Regular Meeting during an appropriate part of the agenda.

[Examples of items that could be considered appropriate or inappropriate for an agenda:](#)

<a href="#">Appropriate</a>	<a href="#">Inappropriate</a>
<a href="#">Item has City-wide impact/implication/significance</a>	<a href="#">“In the weeds” – item should be left up to staff</a>
<a href="#">Legal requirement – item must legally be addressed</a>	<a href="#">Staff work – items that involve staff doing their jobs</a>
<a href="#">Policy items</a>	<a href="#">Details of projects, especially smaller projects</a>

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<u>Change in practice</u>	<u>Re-litigation of a closed item</u>
<u>Immediate need/opportunity</u>	<u>Enforcement related matters; implementing existing ordinance, policy or practice</u>
<u>An item that will be a problem later if not dealt with</u>	<u>Items that staff have advised against</u>
<u>An item a majority of Council is interested in or wants to explore</u>	<u>Isolated complaints or items that a small number of residents are pushing for</u>
<u>Items where staff has requested Council input or items that would require a high level of staff time</u>	<u>Items that derail current priorities where item could wait until annual priority or strategic planning sessions, unless items are time sensitive</u>

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4. Proposed amendments to the published agenda. The Council is the final authority regarding consideration of items on the agenda. The Council may add, delete, or amend agenda items as it deems necessary on the night of the meeting through its regular agenda approval process, per Section M.7.

5. Notice of Agenda. Agendas for Regular Meetings and Worksessions shall be published on the Friday prior to the meeting.

6. Consent Agenda. Items of routine business that generally require no discussion by Council may be placed on the Consent Agenda of a Regular Meeting. Any member of the Council may remove an item from the Consent Agenda and place it under Action Items.

7. Adoption of Agenda. All meeting agendas and amendments shall be approved by the City Council at the beginning of the meeting. Items on the agenda can be reordered by the Mayor and City Council during the scheduled meeting. However, items that have been posted on the Action Agenda should not be moved to the Consent Agenda.

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N. Distribution of Meeting Materials.

1. Distribution. Meeting materials will be prepared by the City Clerk and published with the agenda and made available to the Mayor and 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 at which such matters are to be considered. Materials shall be delivered to the Mayor and Council pursuant to arrangements established with each official. Any meeting materials for items on the published agenda not included in the Friday distribution shall be emailed to Mayor and Council as soon as available.
2. Meeting materials for additions proposed by City staff. Any meeting materials for a proposed addition by staff to the published agenda that are not delivered to Mayor and Council with the Friday distribution of information will be emailed to Council as soon as available.
3. Meeting Folder: Any items submitted after the Friday distribution will be included in a separate folder (red folder) for Mayor and Council at the time of the meeting.

O. Conduct of Regular Meetings.

1. Presiding Officer. 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, shall designate a member of the City Council to preside. If the Mayor or the Mayor Pro Tem have not designated a member of the City Council to preside, the most senior member (in case of a tie, the oldest member) shall call the meeting to order. The first order of business shall be a Council vote to select the presiding officer.
2. 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.
3. Procedure.
  - a. Recognition. Councilmembers shall be recognized by the Mayor or 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. Council meetings are for decision making, action and votes. A Councilmember who introduces an agenda item for action by the Mayor and Council may provide comments relating thereto after the item has received a second. Comments by the

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Councilmember who introduces an agenda item shall be limited to three minutes. Following introduction and seconding of an agenda item, each member of the Council and the Mayor may provide comments on the item. Comments shall be limited to three minutes and should focus on the motion under consideration. Amendments shall be treated as a new item for purposes of Council comments. When considering items where many questions are anticipated, a “round” approach shall be used in which each Councilmember, the Mayor, and appropriate staff shall be limited to one question per “round”. All members should resist repetition and stay on topic. Consider the time frame allotted and guide one’s speaking time accordingly. The presiding officer shall actively facilitate and guide discussion to remain on topic, and cut off overly lengthy remarks with support by the Council. The Mayor and Councilmembers shall avoid creating surprises and asking unexpected questions of staff and each other at meetings.

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c. Council Reports/Comments. During the time established for Council Reports/Comments at the end of any formal Council meeting agenda, the Mayor and Councilmembers may provide reports or updates on committee meetings, trainings or seminars they have attended. Reports should be limited to three minutes.

**Commented [SS6]:** Discussion on purpose of this section.

4. Motions in Writing. All motions and amendments pertaining to Ordinances, Council policies or other substantive proposals shall, where possible, be made in writing.

5. 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.

6. Voting by Councilmembers and Mayor. When a question is put forth by the presiding officer, every member of the City Council present, and the Mayor, when authorized by law to vote, shall vote for or against the question before the Council unless the Councilmember or Mayor provides an explanation for abstaining. Upon request of any Councilmember or decision by the Mayor, a roll call vote will be taken.

7. Public Participation. Members of the public may speak at Regular meetings of the

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Mayor and City Council according to procedures established by the Mayor and City Council.

a. Sign-up Procedure. Speakers should complete a card (found on the agenda table) with their name and leave it at the podium when they come up speak. This will ensure that the Minutes record the proper spelling of their names. Any person addressing the Mayor and Council should state for the record their name and whether they are a resident of College Park. Persons addressing the Mayor and Council should do so in a courteous and considerate manner.

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b. Oral Comment.

1. Non-agenda and Consent Agenda Items. Comments are limited to three minutes per person and will be taken at the beginning of the Council meeting.

2. Action Items. Comments are limited to three minutes for individuals and five minutes for speakers representing a group or organization. Comments on amendments shall be limited to one minute. The Mayor and Council may, by simple majority vote of those present, alter or waive the time requirements.

c. Written Comment. 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 their name and whether they are a resident of College Park.

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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.

8. End of Meeting. It is the goal of the Mayor and Council to complete all Regular Council Meetings by 10:30 p.m. If the meeting has not adjourned by 10:30 p.m., then a motion, a second, and majority approval must be made to continue the meeting another 30 minutes at which time the meeting must adjourn.

P. Conduct of Worksessions.

1. Neither the Mayor nor any member of Council may speak for more than three minutes without interruption upon any single agenda item. The presiding officer shall deny the floor to any member of the Council after that person has spoken for three minutes or more, either at the presiding officer's own instance or upon a point of order. Information pertinent to the worksession should be provided by staff and Councilmembers in advance when possible. All members should resist repetition and stay on topic. Consider the time frame allotted and guide one's speaking time accordingly. The presiding officer shall actively facilitate and guide

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discussion to remain on topic, and cut off overly lengthy remarks with support by the Council.

To comment on an item just said, members should raise the approved physical indicator. A queue is not necessary to speak.

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2. A request for a show of hands not to discuss an agenda item any further shall always be in order.

3. Presentations from developers in advance of requests for City support shall be generally limited to fifteen minutes.

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4. It is the goal of the Mayor and Council to complete all Worksessions by 10:30 p.m. If the meeting has not adjourned by 10:30 p.m., then a straw vote of a simple majority of the Council must be made to continue the meeting another 30 minutes at which time the meeting must adjourn.

5. Because a quorum is not required, individual Councilmembers or the Mayor may leave the meeting without affecting the continuation of the Worksession.

#### Q. Disorderly Conduct.

1. The presiding officer shall preserve decorum, and will determine points of order, subject to the right of any Councilmember to appeal to the Council, and 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. The presiding officer will enforce order, prevent attacks on personalities or the impugning of Councilmembers' motives, and keep those in debate to the question under discussion.

2. Any person making disruptive or threatening remarks or actions during a meeting may be barred by the presiding officer from further attendance at that meeting unless permission is granted by a majority vote of the Councilmembers present.

#### 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 Regular Meeting and Worksession 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 motion maker and second, the method and outcome of the votes taken, names of guests and their affiliation; 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. 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 majority 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. Councilmembers will preserve order and decorum during Council meetings and will not by conversation or other action delay or interrupt the proceedings or refuse to obey the orders of the presiding officer and Council Rules. When addressing staff or the Mayor and fellow Councilmembers, Councilmembers shall confine themselves to questions or issues that are under discussion; and will treat each other and staff with respect.
- 3. Conflict of Interest. The Mayor or any Councilmember shall not participate in any matter pending before the Council in which the Mayor or Councilmember has a conflict of interest, as defined in the City's Code of Ethics, 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.

4. Communication among Councilmembers

The Mayor and Council may not communicate online in a manner that constitutes a “meeting.”

This could include posts on social media, texting, instant messaging, emailing, etc. during public meetings.

**Commented [SS9]:** City Attorney may provide clarifying language.

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5. Disclosure of Communication with Representatives/entities interested in matters before the Council

In order to facilitate equal information for all Councilmembers and to preserve the role of the Council as one body, the Mayor and Councilmembers should inform the entire Council at a public meeting when they meet with or have substantive conversations with representatives or entities interested in matters that are, or may come, before the City Council.

6. When the Mayor or a Councilmember writes a newsletter, blog, email, or other public communication intended for general distribution, the elected official shall include an attribution statement to identify that the communication is from the individual elected official and is not City sanctioned or approved. Whenever possible, the elected official shall reference the official City communication on the matter being discussed. Further, if an elected official gives a statement in their elected capacity on an issue affecting the City, the Mayor or Councilmember shall first identify the adopted position of Mayor and Council with respect to that subject, if any. Thereafter, the Mayor or 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.

V. MISCELLANEOUS

1. Use of Staff Resources. Mayor and Councilmember requests that will require City resources or divert staff from their regular duties of fulfilling the mission, vision, and strategic plan of the City and priorities of the Council should be brought to the Council for Council discussion and consideration per Section M.3. Requests for information concerning City service or functions should be made through the City Manager or to the appropriate Department Head with a courtesy copy to the City Manager. Responses will include the question and the answer and include the Mayor and Council to ensure all elected officials receive the same information.

2. Public Notice. Any public notice required in these rules shall be given in the following manner unless otherwise stated herein: by posting on the City website, the City cable channels, City Hall Bulletin Board and City email listserv.

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**Moved up [2]:** Communication by Mayor or individual Councilmembers. When the Mayor or a Councilmember writes a newsletter, blog, email, or other public communication intended for general distribution, the elected official shall include an attribution statement to identify that the communication is from the individual elected official and is not City sanctioned or approved. Whenever possible, the elected official shall reference the official City communication on the matter being discussed. Further, if an elected official gives a statement in their elected capacity on an issue affecting the City, the Mayor or Councilmember shall first identify the adopted position of Mayor and Council with respect to that subject, if any. Thereafter, the Mayor or 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.

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<b>Voting Requirements Effective 6/13/2018 with the adoption of 18-CR-02</b>				
	<b>Action</b>	<b>Code Section</b>	<b>Voting Requirement</b>	<b>Does the Mayor Vote</b>
1	To adopt the City budget	Section C10-3 of the Charter	A majority of the total elected membership of the Council (5)	The Mayor would not vote in this instance because there is no possibility of a tie.
2	To alter an assessment	Section C11-4 of the Charter	A vote of five (5) Councilmembers	The Mayor would not vote in this case, as a tie vote would at most involve four Councilmembers.
3	To spend money for a purpose different from the purpose for which the money was appropriated, spend money not appropriated at the time of the annual levy, or transfer funds between major budget items.	State law requirement	A two-thirds vote of all the individuals elected to the legislative body (6).	Because a vote of six members of the legislative body must approve, the Mayor would not vote in this case.
4	Authorization of supplemental and emergency appropriations, reduction of appropriations, or transfer of fund or major organizational unit to another in the budgetary process.	Section C10-5 of the Charter	A vote of six (6) members of the Council.	The Mayor would not vote in this case.
5	To adopt an amendment to the Charter.	State law requirement	A majority vote of all of the individuals elected to the legislative body (5).	If the full Council was in attendance, and there was a tie vote with all Councilmembers voting, the Mayor could vote to break the tie.
6	To enter into a closed session.	Section C6-3 of the Charter	A supermajority vote of all Councilpersons present (defined as one more than a simple majority of Councilpersons present).	The Mayor would not vote in this case.

7	To adopt an emergency ordinance	Section C8-2 of the Charter	The affirmative vote of at least six members of the Council.	Because a vote of six members of the Council must approve, the Mayor would not vote in this case.
8	To appoint a City Manager	Section C9-3 of the Charter	A majority vote of the Mayor and the Council.	The Mayor is authorized by the Charter to vote.
9	To remove a City Manager	Section C9-3 of the Charter	A resolution approved by vote of six members of the Mayor and Council.	The Mayor is authorized by the Charter to vote.
10	General Motions, Resolutions, Ordinances	Section C6-1 of the Charter	A majority vote of the Mayor and Councilmembers attending the meeting.	The Mayor votes only in the case of a tie.
11	Vacancies (in office of Mayor and Council)	Section C3-6 of the Charter: B(1)(b) And C	The vacancy may be filled by appointment by the Mayor and Council, by majority vote.	The Mayor is authorized by the Charter to vote.

5

Special Session  
20-R-03  
NLC “Leading  
Together Cities  
Agenda”

**A RESOLUTION OF THE MAYOR AND COUNCIL  
OF THE CITY OF COLLEGE PARK  
TO SUPPORT THE NATIONAL LEAGUE OF CITIES’  
“LEADING TOGETHER 2020 CITIES AGENDA”  
FOR THE 2020 U.S. PRESIDENTIAL ELECTION**

**WHEREAS,** the 2020 presidential election will be historic in scope, consequence and in determining the future direction of intergovernmental relations in the United States; and

**WHEREAS,** the next President will be tasked with governing more than 330 million Americans; and

**WHEREAS,** the City of College Park, MD is home to more than 30,000 of those Americans and is one of the 19,000 municipalities represented by the National League of Cities (NLC); and

**WHEREAS,** NLC has launched its Leading Together 2020 Cities Agenda in advance of the upcoming presidential election, which was created by a bipartisan task force composed of 28 local leaders from around the country; and

**WHEREAS,** the 2020 Cities Agenda lays out four principles and four priorities that candidates for President of the United States should support prior to seeking the endorsement of local leaders; and

**WHEREAS,** the 2020 Cities Agenda reflects local leaders’ strong understanding of Americans’ top priorities and concerns, and represents an agenda for a strong, safe and fair nation.

**NOW, THEREFORE, BE IT RESOLVED,** that the City of College Park, MD supports the 2020 Cities Agenda created by National League of Cities; and

**BE IT FURTHER RESOLVED THAT,** that the City of College Park, MD urges all candidates running for President to support the 2020 Cities Agenda; and

**BE IT FURTHER RESOLVED THAT,** copies of this Resolution and the 2020 Cities Agenda be forwarded to appropriate points of contact for the campaigns of each candidate running for office of the President at the time of this resolution’s adoption.

**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.

**WITNESS:**

**CITY OF COLLEGE PARK**

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

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

# BUILDING SUSTAINABLE INFRASTRUCTURE

Infrastructure investment is essential to moving America forward. Yet, much of our nation's infrastructure needs to be repaired and modernized to meet today's demands.

Local governments and states have stepped up over the past 10 years with more than \$3.8 trillion in municipal bonds to address their most pressing infrastructure needs. However, a \$2 trillion infrastructure funding gap remains for our nation's transportation and water networks. This number does not reflect the costs of expanding broadband access, addressing climate change, and investing in workforce development and training programs. The costs of continued inaction are staggering. Strategic investments in our infrastructure will support a growing and strong economy.

## Transportation

America's transportation problems far exceed available funding and how we move as a country is changing. Increasingly clogged and potholed roads now host more traffic along with innovative ride-share services, "micro-mobility" options like shared bikes and scooters, rapid buses and more. Many necessary projects are also ineligible for federal support, creating clear divisions – 35% of non-interstate urban roads are in poor condition, compared to just 6% of the better-supported urban interstates. Cities, towns and villages are investing in transportation from their own budgets and ballot initiatives, including innovative, sustainable solutions. The federal government must step up as an equal partner to leverage local investment, improve roads and increase safety.

### TO IMPROVE OUR NATION'S TRANSPORTATION INFRASTRUCTURE, WE ASK THE PRESIDENT TO:

- ➔ Partner with local governments to rebuild and fully fund the nation's transportation needs, better connect our regions, and innovate with technology and sustainable solutions.
- ➔ Work with local governments to expand

and implement new revenue mechanisms that reflect the true cost of every mode of transportation, provide direct resources for regional priorities, and can grow with the country's transportation network.

- ➔ Increase grant funding and flexibility to save the lives of riders, bikers and pedestrians through Road to Zero and safety projects.

## Water

Much of the nation's water infrastructure was built in the post-World War II period—and some of it is more than 100 years old. It's no wonder there are an estimated 240,000 water main breaks across the country each year, according to the American Society for Civil Engineers. Adding to the challenge for local governments are new costly and complex federal mandates that are driving local water and sewer rates to levels that are unaffordable for many residents. Local government investments account for nearly 98% of all water and sewer infrastructure spending, including more than \$125 billion in 2017, according to the U.S. Census Bureau. The federal government should recommit to being a significant partner in investing in our nation's water infrastructure.

**TO IMPROVE OUR NATION'S WATER INFRASTRUCTURE, WE ASK THE PRESIDENT TO:**

- ➔ Fully fund water infrastructure finance mechanisms, including the Clean Water and Drinking Water State Revolving Funds and the Water Infrastructure Finance and Innovation Act (WIFIA), and support other mechanisms for financing infrastructure.
- ➔ Provide direct funding for local efforts to manage stormwater, improve system resiliency, address lead and other drinking water contaminants, promote water infrastructure-related workforce development, and accelerate the use of innovative technologies.
- ➔ Support and promote policy solutions that provide flexibility to local governments in meeting environmental requirements, such as integrated planning, extended pollution discharge permits, and a revised affordability framework.

## Broadband

Broadband is the infrastructure backbone of a modern economy. Demand for connectivity has only increased as jobs, education, healthcare, and government services shift online. However, too many households and communities remain unconnected, either because of inadequate infrastructure or unaffordable broadband subscription. Federal, state, and local broadband investments are currently hampered by insufficient data collection on broadband access. In addition to investing in better data, the federal government must empower local governments to invest in and regulate broadband service.

**TO ENSURE THAT RELIABLE, AFFORDABLE BROADBAND SERVICE IS AVAILABLE TO ALL, WE ASK THE PRESIDENT TO:**

- ➔ Expand broadband access in underserved communities by eliminating state barriers to municipal broadband networks.
- ➔ Increase the flexibility of federal programs

within the Universal Service Fund to allow community anchor institutions to serve as springboards for wider broadband access within the community.

- ➔ Improve the quality of federal broadband maps to include a street-level understanding of broadband access, actual service speeds, and subscription costs.
- ➔ Empower communities to use their contracting, franchising, and oversight powers to prevent and prohibit digital redlining.

## Community Resilience

Cities across the country are seeing the effects of climate change and are taking action to mitigate the impacts of extreme weather events on their residents and businesses. With heat waves, droughts, wildland fires, heavy downpours, floods, and hurricanes becoming more frequent and more severe, communities need to be able to anticipate, prepare for and adapt to these events. Extreme weather can cost local, state and federal governments trillions of dollars and severely impact local and regional infrastructure, the economy, public safety, public health, natural landscapes, environmental quality and national security.

**TO STRENGTHEN COMMUNITY RESILIENCE AND MODERNIZE OUR NATION'S INFRASTRUCTURE, WE ASK THE PRESIDENT TO:**

- ➔ Take urgent action to reduce greenhouse gas emissions across a broad sector of the economy, including transportation networks and energy production and consumption.
- ➔ Support local adaptation efforts, including vulnerability assessments and emergency management planning, to prepare cities and residents for climate impacts that may be unavoidable.
- ➔ Provide grants, tools and resources to support local efforts to strengthen infrastructure and make communities safer and more resilient in the face of extreme weather events.

# CREATING A SKILLED WORKFORCE

Investing in the American workforce is critical to expanding our nation's economic success and ensuring that all people have opportunities to thrive. The priorities: “re-skilling” those who are already in the workforce for new jobs in expanding industries and providing access to careers for those looking to enter the workforce.

“Middle-skill” jobs, which require education beyond high school but not a four-year degree, make up the largest part of the labor market in the United States and in each of the 50 states. All too often, key industries are unable to find enough sufficiently trained workers to fill these jobs.<sup>1</sup> In all, 53% of jobs in today's labor market are middle-skill and only 43% of U.S. workers are trained at this level.<sup>2</sup>

Without a skilled and trained workforce, the nation's cities, towns and villages will face serious challenges when it comes to attracting and retaining businesses and staying economically competitive. According to federal government estimates, 4.6 million additional trained workers will be needed by 2022 to keep pace with current hiring needs in the infrastructure sector alone.<sup>3</sup>

The American people understand the importance and the urgency of this issue: 93% of voters support increasing investments in skills training.<sup>4</sup>

Because of the diversity of local economies, the federal government needs to empower local workforce solutions, streamline federal funding, and drive new resources to proven approaches in our communities.

## **TO ADVANCE WORKFORCE READINESS IN THE FACE OF CHANGING ECONOMIC FORCES AND TECHNOLOGY, WE ASK THE PRESIDENT TO:**

**Boost investment in and awareness of apprenticeship programs that provide a pathway to successful careers, including industry and sector partnerships and pre-apprenticeship programs for workers with barriers to employment.**

- ➔ Registered apprenticeships have an 80-year history as an effective approach to meeting growing workforce needs and connecting workers to good jobs and careers. With increased funding and awareness in recent years, apprenticeships continue to grow in number and expand into new and emerging industries including health, technology, finance and transportation.<sup>5</sup>

<sup>1</sup> National Skills Coalition, *Forgotten Middle-Skill Jobs: State by State Snapshots*

<sup>2</sup> National Skills Coalition, “Skills for Good Jobs, Agenda 2019”

<sup>3</sup> Perkins Collaborative Resource Network, *Advancing CTE in State and Local Career Pathways*

<sup>4</sup> National Skills Coalition press release, *Likely 2020 Voters Overwhelmingly Support Increasing Investment in Skills Training*

<sup>5</sup> Jobs for the Future, Center for Apprenticeship & Work-Based Learning

- ➔ Cities, towns and villages seek increased federal investment and commitment for these time-tested programs to address workforce needs across diverse American communities.

**Expand Pell grants and other financial aid programs to cover needed workforce skills training, such as short-term programs leading to certificates.**

- ➔ Many higher education and short-term certificate training programs are not covered by financial aid, but they are often the stepping-stone to workforce re-entry, a better job and a meaningful wage.<sup>6</sup>
- ➔ By expanding the Pell grant program, the federal government can ensure that more individuals gain access to critical training and education so they can access skilled jobs that remain unfilled in our communities. Workers need more support to respond to changes in technology that require updated skill sets.

**Create new pathways to successful careers for unemployed and underemployed Americans through expanded investments in skills training and wraparound supports, such as childcare and transportation.**

- ➔ By creating skills training and new pathways to middle-skill jobs for individuals facing barriers to employment, the President has the opportunity to meet urgent employment gaps that exist across America's communities.
- ➔ Additional wraparound services like expanded childcare can be a game changer for individuals who might not otherwise be able to enter the workforce.

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<sup>6</sup> [Center for Law and Social Policy, \*Short-Term Education and Training Programs as Part of a Career Pathway\*](#)

# ENDING HOUSING INSTABILITY AND HOMELESSNESS

Cities, towns, and villages across the United States are facing a crisis in housing and homelessness. Housing instability is increasingly recognized as one of the biggest barriers to economic prosperity for American families.

Due to stagnant wages, rising real estate prices, strict lending standards and regulatory obstacles, housing has become an outsized cost for more and more families and individuals. Too many Americans are forgoing basic necessities just to pay rent or to make their monthly mortgage payment. And only one in four families eligible for federal housing assistance actually receives it.

For those who lose their housing—as a result of foreclosure, eviction, family emergency, health crisis, or countless other threats to housing stability—records of that loss will follow them for years and, unfortunately, put recovery out of reach for many. The housing crisis is driving homelessness to levels that are overwhelming local governments and service providers working at the intersection of mental health, substance use disorder and homelessness.

The time to end housing instability and homelessness is now. National polls show the public overwhelmingly supports greater federal investment in housing. The vast majority of Americans (85%) believe that ensuring all residents have safe, decent, affordable homes should be a “top national priority.” This view is strong across the political spectrum: 95% of Democrats agree it should be a top national priority, along with 87% of unaffiliated voters and 73% of Republicans. Eight in ten voters also say that both the President and Congress should “take major action” to make housing more affordable for low income households.<sup>1</sup>

Local leaders cannot do this work alone. All levels of government need to tackle the housing crisis head-on. The President must step up with a bold national agenda to end housing instability and homelessness—because a safe and stable home is the first step to a safe and stable life.

<sup>1</sup> National Housing Survey, HART RESEARCH ASSOCIATES, Study #12590, February/March 2019

**TO PROMOTE COMPREHENSIVE HOUSING SOLUTIONS, WE ASK THE PRESIDENT TO:**

- ➔ Ensure sufficient federal funding streams are in place, partnerships are enabled and encouraged, and federal funds are appropriated directly to the local level for mental health, drug treatment and other emergency services.
- ➔ Prevent homelessness by providing wraparound services, emergency assistance and crisis interventions for at-risk individuals and families before they face a crisis.
- ➔ Promote housing affordability by advancing new policies to stabilize and stem the loss of public and affordable housing, while authorizing new funding for pilot programs that advance housing for all.
- ➔ Improve housing opportunities for vulnerable populations, including senior citizens and individuals struggling with drug addiction, mental illness, or histories of incarceration.
- ➔ Fix inequities in housing development and the housing finance system to reverse decades of disinvestment and decline resulting from historically discriminatory public policies, and to close the racial homeownership gap.

# REDUCING GUN VIOLENCE

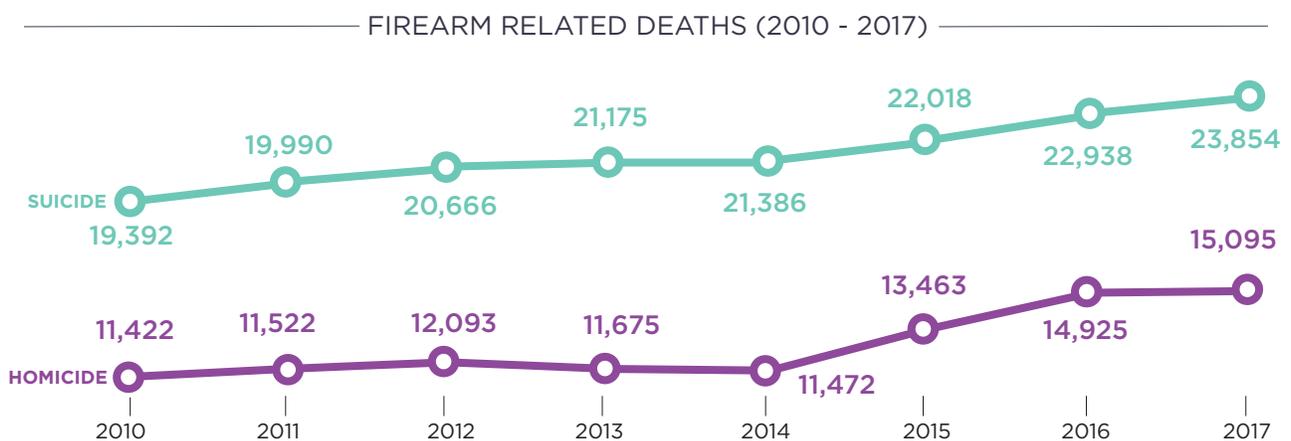
Gun ownership is a fundamental right guaranteed by the United States Constitution's Second Amendment. With this right, however, we all have a great responsibility to keep communities safe from all types of gun violence.

In a survey conducted by the National League of Cities in August 2019, 73% of local government officials said they believe the U.S. is experiencing a gun violence epidemic. The percentage jumps to 89% for local government officials in cities with populations of more than 300,000.

Since 2010, fatalities as a result of gun violence in the U.S. have been steadily on the rise.<sup>1</sup> According to the U.S. Centers for Disease Control and Prevention, the leading cause of “violence-related” injury deaths in the U.S. from 2010 to 2017 was a firearm.<sup>2</sup>

These numbers do not include the hundreds of thousands of people who were injured and survived a firearm-related incident, nor do they include the number of victims who lost family members as a result of gun violence.

Beyond the tragic human costs, the epidemic of gun violence in communities across the country is having a devastating impact on local economies. The estimated total lifetime medical and work-loss costs of firearm-related deaths to the American economy easily exceeded \$360 billion between 2010 and 2017. This does not include the billions of dollars incurred by local governments in response to gun violence, such as police and emergency medical response,



<sup>1</sup> Centers for Disease Control and Prevention, WISQARS, *Fatal Injury Data, Fatal Injury Reports, National, Regional and State, 1981-2017*

<sup>2</sup> National Center for Health Statistics (NCHS), National Vital Statistics System

medical transport, hospital expenses, mental health and social services for victims and survivors, criminal investigations, legal and court expenses, and jail and incarceration costs.

Likewise, the rise in mass shootings is severely increasing local government costs associated with preparing for and responding to active-shooter incidents in schools, government buildings, and other locations, such as parks and community centers. Reducing gun violence in cities, towns, and villages requires a complex response that differs for each community. Whereas some cities may focus their efforts on keeping guns out of the hands of criminals, other jurisdictions may set out to provide more services to reduce suicides and domestic violence. Local governments need to have better access to data to identify the causes of gun violence in their communities and to determine what types of policies and services are required to address the problem properly.

It's time for the nation's elected leaders to work together to address this crisis by advancing common-sense solutions to protect our communities and our children, while ensuring that law-abiding residents maintain their Second Amendment rights.

**TO REDUCE GUN VIOLENCE AND PROMOTE PUBLIC SAFETY, WE ASK THE PRESIDENT TO:**

- ➔ Convene a national commission on gun violence (including elected officials from all levels of government, victims' family members, survivors, gun advocates, law enforcement, and others) to offer recommendations.
- ➔ Advance legislation requiring fully federally funded and completed background checks for all gun sales and transfers, consistent with state and local laws.
- ➔ Enact federal legislation that would allow judges to issue extreme risk protection orders to reduce firearm-related suicides, murder-suicides, and domestic violence.
- ➔ Provide sufficient funding to the Centers for Disease Control to conduct comprehensive research to identify the underlying causes that lead to gun violence and mass shootings in communities.

6

Special Session  
20-G-22

Award of Contract for  
Strategic Plan  
Consultant

**CITY OF COLLEGE PARK, MARYLAND  
REGULAR COUNCIL MEETING**



**AGENDA ITEM 20-G-22**

**Prepared By:** Bill Gardiner  
Assistant City Manager

**Meeting Date:** February 4, 2020

**Presented By:** Bill Gardiner  
Assistant City Manager

**Consent Agenda:** Yes

**Originating Department:** Mayor and Council

**Action Requested:** Special Session 20-G-22: Award of Contract for RFP CP-20-01, Strategic Plan and Performance Measurement, to Performance Breakthroughs, Inc. (PBI) for the 2020-2025 Strategic Plan

**Strategic Plan Goal:** Effective Leadership

**Background/Justification:**

The City posted a Request for Proposals (RFP) on November 12, 2019 for a new five-year strategic plan and performance management system and received the following proposals from firms:

<u>Firm Name</u>	<u>Cost</u>
The Novak Consulting Group	\$32,975
Performance Breakthroughs, Inc.	\$32,990
Trubell Strategy Group and Blanche Media Group	\$33,000
Zelos, LLC	\$32,625

Council and the City Manager and Assistant City Manager reviewed each proposal and Council requested to interview Performance Breakthroughs, Inc and Zelos, LLC. The interviews took place on January 18, 2020 prior to the Council retreat. Council requested staff to check the references for Performance Breakthroughs, Inc. (PBI) and if the references were strong, to prepare an agenda item for the award of contract.

Staff spoke with representatives from the City of Alexandria, Arlington County, and Fairfax County regarding work that PBI provided for departments within those organizations. PBI provided strategic planning, organizational change, and performance measurement consulting services to these entities, and the engagements were over the course of a year up to eight years. The reference comments included, "Very direct, truth teller, but also a good listener;" "Good understanding of multiple impacts and aligning performance measures to department work;" "Understands protocols and hierarchy—listens and offers solutions." All of the references recommended the firm for the work described in the City's RFP.

The PBI proposal included an option to provide additional facilitation and sessions with the City Council and with City management. The purpose of these sessions is to further develop plan actions items that will be connected to departments and resources, and to work directly with City management to finalize the measurements, reporting plan, and implementation. Additionally, the City Council discussed including additional community outreach activities and meetings to ensure there are many opportunities for community input. Staff recommends that Council approve these optional services which would increase the contract by approximately \$10,000 in total.

The proposed contract was reviewed by the City Attorney and included in the City's RFP.

The strategic planning process is anticipated to start in February and finish by June 30, 2020.

**Fiscal Impact:**

The FY20 budget includes \$33,000 for the development of the next strategic plan.

**Council Options:**

1. Council approve the award of contract with Performance Breakthroughs, Inc. in an amount not to exceed \$43,000 for strategic plan and performance measurement services.
2. Council approve the award of contract with Performance Breakthroughs, Inc. in the amount of \$32,990 for strategic plan and performance measurement services.
3. Council requests staff to provide additional information prior to selecting a firm to facilitate the City's strategic plan and performance measurement process.

**Staff Recommendation:**

#1

**Recommended Motion:**

*I move to authorize the City Manager to sign a contract substantially in the form attached for an amount not to exceed \$43,000 with Performance Breakthrough, Inc. for strategic plan and performance measurement services.*

**Attachments:** Performance Breakthroughs, Inc. proposal pages 1-13  
PBI cover letter  
Proposed contract for Strategic Plan and Performance Measurement Services



11502 Club Court  
Woodbridge, VA 22192

Mr. Bill Gardiner  
Assistant City Manager  
City of College Park  
8400 Baltimore Ave., Suite 375  
College Park, MD 20740

2 December 2019

Dear Bill:

Performance Breakthroughs, Inc. (PBI)—a veteran-owned and -operated small business registered in the Commonwealth of Virginia and located in Woodbridge — is pleased to present our proposal to the City of College Park for RFP CP-20-01 (Strategic Plan and Performance Measurement).

This work is in the center of our strike zone. In fact, just a month ago PBI's President Jeff Parks facilitated a workshop on this topic *"Delivering Great Results from Your Vision and Strategic Plan"* at the 2019 International City and County Managers (ICMA) International Conference. City Manager Somers actively participated in that workshop. Both he and Assistant City Manager Gardiner also participated in the *"Shaping the Culture of Your Organization"* the next day.

Since 1998, PBI has delighted over 200 client organizations. The past 15 years we've specialized in Virginia local governments, specifically: Fairfax, Arlington, and Prince William Counties; the Cities of Alexandria and Manassas Park; and the Towns of Vienna and Herndon.

Our world is Organizational Excellence. We describe what that means in our proposal response as well as the attached ICMA article on that topic. Our resumes depict how we have employed that conceptual framework in our strategic planning, measurement work, leadership/management training, coaching, and follow-on initiatives.

The PBI team partners with our clients in the truest sense of the word to build deep trust and collaboration. We seek to delight our clients by ensuring that they are very happy with the outcome and very pleased with the experience of working with us.

We have put a tremendous amount time into both understanding the City's expectations and into planning this RFP response - making it comprehensive, but conveyed in simple terms.

We look forward to discussing our capabilities with you in more detail. If you have any questions, please contact me at 703-795-0045 (Mobile) or e-mail at [JParks@PerformanceBreakthroughs.com](mailto:JParks@PerformanceBreakthroughs.com).

Sincerely,

Please acknowledge receipt by signing and emailing a copy of this letter to the above address:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

**PERFORMANCE BREAKTHROUGHS, INC.**  
*Guiding Your Journey to Excellence*

**Proposal for Strategic Planning and  
Performance Measurement Services**

**RFP # CP-20-01**

**City of College Park, Maryland**



**Presented to:**

**Bill Gardiner – Assistant City Manager**

**Presented by:**

**Performance Breakthroughs Inc.**

**A. Jeffrey Parks**

**Jessica Brown Ph. D**



**December 2, 2019**

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**UNDERSTANDING OF THE PROJECT**

College Park is a vibrant city just northeast of Washington DC. It is strategically located near key government, historic, academic, transportation, military, and recreation sites/centers. As such, the City plays a critical role in the economic, social, and political life of Maryland and the DMV.

The City serves approximately 33,000 residents with a staff of 110 employees housed in six Departments. College Park is home to the University of Maryland – a major Big Ten School known nationwide for its competitive sports programs. In the 1990s, Jeff’s uncle (Dr. Marvin Eyler) was the Dean of Physical Education for the University.

The City’s current five-year strategic plan is ending, and the Mayor and Council wish to develop a new five-year strategic plan. The 2015 plan created new vision and mission statements, values, and goals in addition to the implementation action plan. It is anticipated that the new FY 2021 – 2025 strategic plan will have a stronger focus on the action/operational plan and performance measures. An important aspect of this new plan is the cascading of organizational strategic plans and the establishment of a “suite of measures that matter.” Both of these PBI taught in the recent ICMA Nashville workshop. Creation of the new plan will be highly impacted by the just completed 2019 online community survey. This data will be very valuable in helping us prepare for the focus groups and interviews portion of our work.

PBI knows College Park pretty well from frequent visits to Jeff’s 101 year old aunt who has lived in Riderwood Village (Beltsville) for the last 15 years. He and a business friend have also frequently dined at College Park restaurants – Ivy Noodles, Mamma Lucia pizza, and Sakura Seafood Buffet (with a side trip to the next door hidden gem C Depot).

The City has a positive reputation on the Niche website ([www.niche.com](http://www.niche.com)). Of the 133 reviews, 51 consider the City an excellent or very good place to live, 70 consider it average, and only 12 consider it poor. The Mayor has a long history with the City having served 8 years on the City Council before his recently elected third term as Mayor. This stability and the Council’s diversity are strengths and help both with credibility and consistency. College Park’s 2018 accomplishments reflect a strong focus on accessible services, transparency, the environment, and activities that unite the community. PBI applauds the City on these successes and believes your commitment to this strategic planning work will contribute to even more effectiveness, efficiency, and a reputation as a desirable place to live, work, and play.

**INTRODUCTION TO PBI**

Performance Breakthroughs, Inc. (PBI) is a Virginia certified small business (SWaM), veteran-owned and operated, and headquartered in Woodbridge, Virginia. We are completing our 22<sup>nd</sup> year of business and have substantial experience serving Northern Virginia local governments (Alexandria, Arlington, Fairfax, Herndon, Loudoun, Manassas Park, Prince William, and Vienna), as well as multiple Federal Government, non-profit, and private sector clients.

Guiding organizations through the process of envisioning, articulating, and implementing their strategic direction (vision/strategic plan and values) is our specialty. Our Founder, Jeff Parks, served a 20-year career in the U.S. Coast Guard and finished as the Director of Training, Workforce Performance Improvement, and Leader Development for the entire Service. PBI was later the Prime Contractor helping the United States Department of Homeland Security (DHS) create its first-ever Executive Capstone Program of Instruction.

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**ICMA:** Mr. Parks is deeply involved with the International City and County Managers Association (ICMA) and serves as an adjunct instructor for ICMA University. He presented half-day workshops on Strategy and Culture at the 2017 International Conference in San Antonio, the 2018 conference in Baltimore, and recently at the 2019 conference in Nashville. City Manager Somers was an active participant in this year's *"Delivering Great Results from Your Vision and Strategic Plan"* workshop. Both he and Assistant City Manager Gardiner were active players in the *"Shaping the Culture of Your Organization"* workshop. They each seemed to take away a significant amount of new knowledge, tools, and confidence. Their enthusiasm for this work was inspiring to us and demonstrated that College Park is a jurisdiction we would want to partner with.

**STRATEGIC PLANNING → ORGANIZATIONAL EXCELLENCE:** Mr. Parks and Dr. Jessica Brown are both experts in strategic planning, reviewing survey data and other documentation, interviews, focus groups, and observation, then synthesizing a large amount of information into actionable plans. Beyond the normal strategic plan thinking, our work positions clients to achieve "Organizational Excellence" and become High Performance Organizations (see Figure 1 below). Over the past 20 years PBI has facilitated strategic planning processes for local governments, Federal Government agencies, non-profit organizations, and private sector/commercial organizations.

**PROCESS:** Our strategic planning process is very inclusive – starting with developing full clarity on the desired output of the strategic planning work and an understanding of the leaders' intentions for implementation once the plan and values are complete. We gain advance approval for the survey instruments and interview questions we plan to use. In focus groups, we have the ability to develop trust quickly thereby getting people to share fully and openly about the information asked for as well as the unstated and key issues that provide insight into root causes of organizational challenges.

**DIFFERENTIATORS:** PBI uses a scenario planning approach that ensures that multiple potential positive and negative future scenarios are considered. We discuss categories such as customers, demographics, workforce, technology, competition, regulatory, social, cultural/international, etc. This type of planning includes a "future-focused" environmental scan that facilitates better dreaming about "breakthrough opportunities" – your current organizational strengths projected into this future-focused SWOT analysis. Using this approach we often identify potential risks that might normally go unseen.

Another differentiator is our strong commitment to create plans that describe the desired results in outcome (vs. output) terms. PBI visions and strategic plans usually define a specific month and year as the end date of the planning horizon; that focuses more attention on urgency and prioritization. We also pay attention to internal threats – a common one being the lack of time and attention to ensure the plan is fully implemented and institutionalized.

We recognize that building the plan is only the first step. Therefore, we work hard to prevent organizations from getting stuck in the implementation and execution phases. Our approach includes: (1) ensuring metrics and accountability are crystal clear (2) providing a roadmap to ensure clear and consistent communication on progress and execution, and (3) if desired, we are connected with several strategic platform tools that make metrics tracking seamless, visible, and transparent. This increases the effectiveness of meetings because the progress updating has been done in advance and everyone knows how the others are contributing. Meetings can then focus on identifying and celebrating achievements as well as discussing the barriers and needed support. In short, PBI brings strong experience to the project and change management aspects of building, implementing, and institutionalizing the vision and strategy.

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PBI has a deep history of working with the Balanced Scorecard. We use the thinking from that strategic planning approach to ensure our clients create a balanced strategic plan that is focused on all important aspects of growth and not heavily skewed on only one or two aspects.

**CLIENT DELIGHT:** Finally, the PBI team is organized and diligent in anticipating and meeting client/partner needs to ensure that projects are seamlessly implemented on time and within budget. PBI is committed to exceeding our clients’ expectations on the results while providing a great client experience.

**HOW WE THINK - ORGANIZATIONAL EXCELLENCE**

Our mission is to *awaken the passion for excellence*. We use a simple, holistic, and proven framework for building and sustaining High Performance Organizations (HPO). Figure 1, below, showcases this thinking. We read/interpret this graphic starting at the top left (vision and values) and working clockwise. All puzzle pieces are important, but clear, specific, compelling, measurable, and outcome-based visions and values are the most critical and are the first steps as they provide the baseline for all other work.

- Vision and strategic planning
- Core Values embedded in all human resources functions
- Inspiring leadership and management
- Maximizing workforce engagement & performance
- Meaningful measures to track progress toward vision and values
- Winning hearts and minds to lead organizational change
- Delighting internal and external customers including meeting stakeholder expectations

The ICMA article “8 Keys to Organizational Excellence” describing this framework more completely is included as an appendix in this package.



Figure 1 - PBI's HPO Framework

**HOW WE THINK - STRATEGIC PLANNING**

In preparing our response to this proposal, PBI has thoughtfully crafted an inclusive and detailed approach to gather and review relevant information to understand the perspectives and expectations of key stakeholders, use that data to help the City refine its mission and vision, and create an outcome-based strategic plan, operational plan, and set of measures to start implementing in FY2020. Our approach below is a starting point for discussion and can be modified to more appropriately fit the City’s interests.

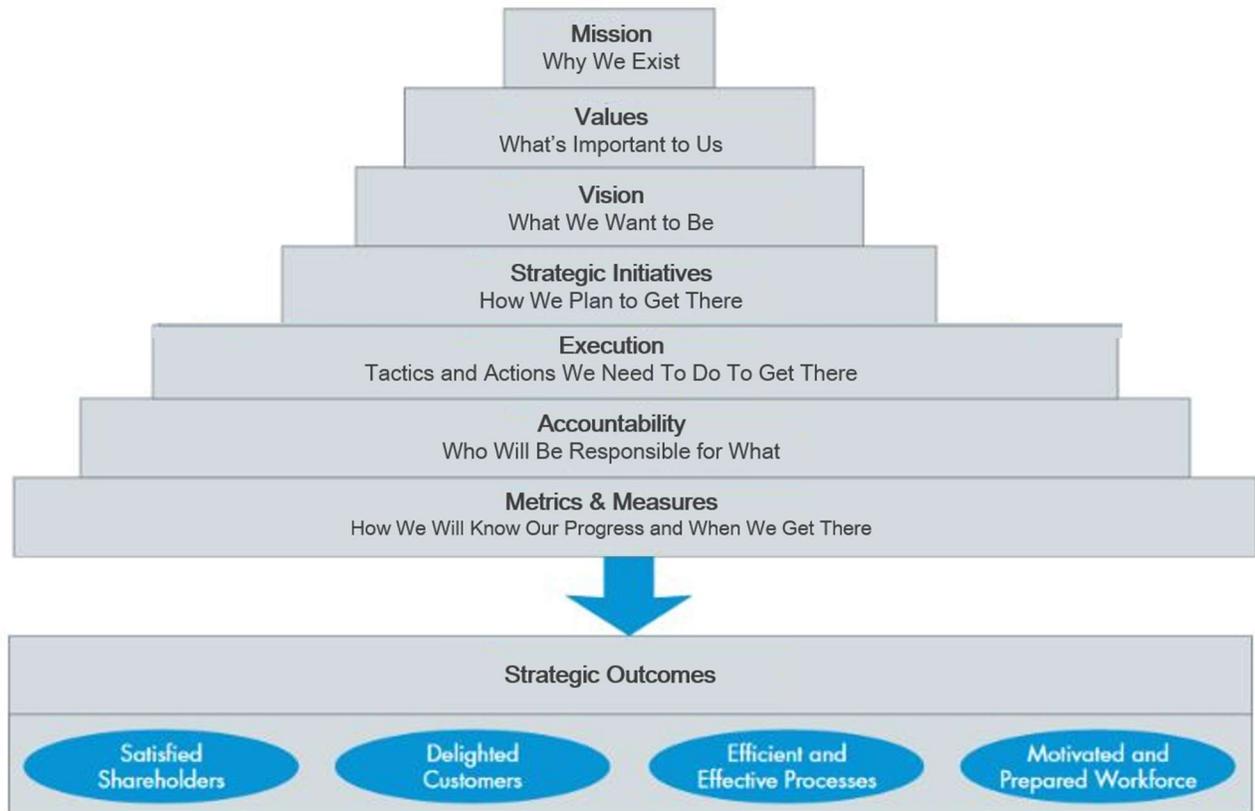
The diagram below (Figure 2) provides a visual representation of our holistic approach and shows how it can move College Park closer to achieving the strategic outcomes of satisfied stakeholders, delighted customers, effective and efficient processes, and a competent and engaged workforce. Strategic planning should be thoughtful and deliberate. If done too quickly, that can lead to vague, confusing and/or incomplete results. Our goal is to help the City achieve the above outcomes by inspiring leaders and staff to implement the newly developed strategic plan. The results from this work include:

- An updated mission and vision that is aspirational and achievable
- Revisited/reaffirmed core values that align with and support the mission and vision
- Strategic objectives that are focused and balanced

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- An implementation plan with clear roles and responsibilities and a communication cadence
- Measures to track progress, focus resources, and identify successes
- Potentially, a tool to make tracking and transparency easy

As we cascade objectives and initiatives to the department level, we will push for clarity and specificity such that all levels understand their contribution to the mission, vision, and strategy.



**Figure 2 - Strategic Planning & Mapping**

**HOW WE WORK - MILESTONES AND OUTCOMES**

PBI believes in measures and indicators – for tracking both the project milestones as well as project outcomes. In our work, we use the Logic Model, the four Balanced Scorecard perspectives, and Dr. Dean Spitzer’s Transformational Measures. We also combine new strategic methodologies with the tried and true to ensure the best outcome. Recently, a methodology called OKRs (Objectives and Key Results - from the book “Measure What Matters”) is being used to create inspirational and aspirational objectives and outcomes, in combination with more traditional method that ties in the more tactical level with high level strategic plans. The combination of the two yields a visible and seamless transition from strategic to tactical. OKRs are being used by some of the most successful organizations such as Google and the Gates Foundation.

Below, we provide a table of project milestones and outcomes that College Park (“The City”) will have from our work and the indicators that can show the level of success.

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**OUTCOMES OF OUR WORK AND ASSOCIATED INDICATORS**

TANGIBLE/INTANGIBLE OUTCOMES	INDICATORS
Both The City and PBI have diligently <u>followed the above</u> (or adjusted) review and planning <u>processes</u> .	Adherence to schedule. No slippage beyond 2 weeks for any particular task. The City and PBI agree that our communications have been responsive and effective.
A <u>summary report explains the data</u> and information gathered in interviews and focus groups from the residents, Council, and other stakeholder groups.	Strategic planning participants understand the data and its meaning and are ready to fully participate in crafting the vision, strategy, plans, and measures.
The City has a <u>clear picture of</u> its strengths, weaknesses, opportunities, and threats ( <u>SWOT</u> ) for the planning horizon.	The City concurs that the SWOT analysis is accurate and complete.
A clear, specific, compelling, measurable, and outcome-based <u>strategic and implementation plan</u> has been <u>agreed to</u> .	The City and PBI agree that the vision/strategic plan is complete, tailored to The City, and is implementable.
<u>Scenario planning was used</u> to cover a range of positive and pessimistic future environment possibilities to consider all perspectives.	The City concurs that the scenario planning added value by considering future environmental possibilities and ensuring that The City would be ready to prepare for them.
Objectives and Key Results ( <u>OKRs</u> ) that are <u>tied to the strategic initiatives</u> – to focus resource allocation and provide clarity on priorities.	The City agrees that the OKRs are valid, feasible, and are a starting point for action planning.
The City’s taskforce participants <u>understand the “big picture” and their roles</u> in communicating and contributing to it.	Favorable responses from participants on evaluations at the conclusion of the planning work.
The City’s Department Directors are <u>excited</u> and enthusiastic to <u>communicate the new journey and deploy</u> the new vision and strategic plan.	Favorable responses from participants on evaluations at the conclusion of the planning work.
The City <u>staff understands</u> the vision/strategic plan, its’ value, how it will be used, how they contribute, <u>and are supportive</u> of the effort.	Favorable responses from staff at the conclusion of the plan being presented to staff.

PBI believes that this customized approach and partnership will yield both tangible and intangible deliverables for the City of College Park.

**OUR PROPOSED APPROACH**



## PROJECT PROCESS & TIMELINE

**\*\* REPRESENTS WORK THAT PBI RECOMMENDS BUT THAT IS NOT PART OF THE CITY'S ORIGINAL SCOPE OF WORK**

### Public Focus Groups

- These focus groups will bring the public together to solicit feedback on how they have experienced the City in the past to include both positive and constructive aspects. Furthermore, these sessions will identify how the public sees the City growing and their vision for the future of College Park in the next 5 years.
- Facilitators encourage a fully diverse and representative group of participants (multiple perspectives) as much as possible.
- Questions and exercises for this session would be created by the facilitators and provided to the City Council in advance for feedback and approval.
- Two facilitators (and potentially one City staff member) will be present to help capture what the public says to create a summary report to present to the City Council.

### Stakeholder Focus Groups

- These focus groups will bring together the City's top stakeholders, including the University, unless the City prefers to conduct a separate stakeholder focus group for them. These sessions will capture how the stakeholders view the current state of the City to identify what they feel is key in continuing and what they see as growth opportunities for the City.
- Questions and exercises for this session would be created by the facilitators and provided to the City Council in advance for feedback and approval.
- Two facilitators (and potentially one City staff member) will be present to help capture what these stakeholders say to create a summary report to present to the City Council.

### Interview with Mayor \*\*

- Due to the overwhelming re-election victory of the Mayor, PBI feels it is vital to have an individual session with the Mayor to identify his vision for the City as it moves through the next 5 years. This session would involve identifying what the Mayor feels are the most critical issues to address and what the Mayor thinks is crucial to continuing the growth of the City.
- Two interviewers would be present for this interview to provide the ability to ask pertinent questions, provide perspective, and capture the information provided.

### City Council Session

- This session would focus on debriefing the City Council on what was identified in the public and stakeholder focus groups to understand their perspectives and help create a strategic plan that meets their needs. In this session, PBI would also lead the City Council in conducting their own SWOT analysis to start to think through what areas are most critical to address in the next 5 years.

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- Two facilitators would conduct this session to ensure that all perspectives are represented and vital questions are asked to help Council members think holistically and outside of the box as well as document the results.

### City Council & Staff Sessions

- **Session 1:** The first session of this series would focus on the City's vision, mission, and values to identify if any revisions need to be made based on public and stakeholder feedback and Council member input. The vision and mission would then inform the focus of the strategic initiatives. The remaining time would be utilized to brainstorm ideas for strategic initiatives that would maximize City strengths, remedy weaknesses, capitalize on opportunities, and avoid threats.
- **Session 2:** The second session of this series would help Council and staff explore potential strategic initiatives. This session could include an aspect of Scenario Planning to help the group think of all potential future environments (extremely or mildly positive; extremely or mildly negative) that may arise based on external factors. Later in the session we would prioritize ideas based on importance, urgency, and resource allocation. As below, we are recommending a third session. If this is the last session, we should finish with the top five initiatives and hone the verbiage offline; if we have a third session we could finish with as many as eight.
- **Session 3 \*\*:** PBI believes a third session is necessary to agree on the final strategic initiatives, their priority, and the inspirational wording of them. This session would hone the initiative list from eight to five based on key information regarding feasibility and resources. The extra time ensures we gain the greatest amount of alignment and buy-in from all those included.
- All sessions would include two facilitators.

### City Council & Staff Action Planning Sessions

- **Session 1:** The first session of action planning with the Council and staff would focus on the first two to three strategic initiatives. It would help the group to identify all the key actions and milestones for the successful completion of those initiatives within five years. Furthermore, it would identify the department, stakeholders, and specific staff that would own each action. Finally, it will start to identify the resources and other participants needed to fully complete the initiative on time and in scope.
- **Session 2:** The second session of action planning with the Council and staff would focus on the remaining strategic initiatives. It would help the group to identify all the key actions and milestones for their successful completion within five years. Furthermore, it would identify the department, stakeholders, and specific staff that would own each action. Finally, it will start to identify the resources and other participants needed to fully complete the initiative on time and in scope.
- All sessions would include two facilitators.

### Department Action Planning Sessions (1-6) \*\*

- PBI believes that these sessions are critical in gaining alignment and buy-in from each department. To that end, would conduct them individually. Each department would consider the strategic initiatives and provide their input on resources needed and milestones for completion. They also would more clearly define the actions needed for successful implementation. Finally, departments

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would identify key measures and metrics to help them track and report progress, how that will be tracked, and by whom. One facilitator would be used for each meeting.

**Department Directors Session**

- This session would bring department directors together to learn about change management. We would emphasize: (1) communicating to their teams the initiatives and metrics in a way that inspires them and gains their buy-in, (2) identifying change agents/advocates to enlist, (3) leveraging current strengths (4) best practices for progress reporting, (5) identifying and overcoming obstacles a timely fashion, (6) and accountability for achievement.

**Final Version Review Session**

- This session will bring all necessary participants together for a final review of the completed plan to help kick-off the start of the great things the City plans to achieve with it.

**Final Briefing to the Mayor and Council**

- This session will be a joint briefing from PBI and the City staff to share the outcomes of our work and to answer any questions or concerns from Council members.

**PROJECT TIMELINE**

Assuming a start date in mid-January 2020, PBI anticipates full completion of the project to take 4+ months. This timeline below is subject to revision based on the actual start date of the project. During the project kick-off meeting PBI will work with the City’s taskforce to modify the schedule as necessary.

**\*\* INDICATES RECOMMENDED ADDITIONAL WORK THAT WAS NOT IN THE CITY’S ORIGINAL RFP OR SCOPE OF WORK**

Month	Event	Purpose	Hrs
<b>January</b>	Kick off meeting	Gain total alignment	-----
	Review of External Data	Review and inform to design including community survey results	10
	Public Resident Focus Group #1	SWOT & Vision & Mission input	3
	Public Resident Focus Group #2	SWOT & Vision & Mission input	3
	Monthly Check-in	Review progress & update schedule	1
<b>February</b>	Stakeholder Focus Group #1	SWOT & Vision & Mission input	3
	Stakeholder Focus Group #2	SWOT & Vision & Mission input	3
	**Interview with Mayor		2
	City Council Session #1	SWOT & Focus group results	3
	Monthly Check-in	Review progress & update schedule	1
<b>March</b>	City Council & Staff Session #1	Review & modify Vision & Mission	3

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	City Council & Staff Session #2	Brainstorm & develop strategies for 5 yr	4
	**City Council & Staff Session #3	Discuss & finalize strategies for 5 yr	4
	City Council & Staff Action Planning #1	Develop action items connected to depts & resources needed	4
	City Council & Staff Action Planning #2	Develop action items connected to depts & resources needed	4
	Monthly Check-in	Review progress & update schedule	1
<b>April</b>	**Dept Mtg #1 – Action Planning	Perf measures & reporting plan to implement & monitor	3
	**Dept Mtg #2 – Action Planning	Perf measures & reporting plan to implement & monitor	3
	**Dept Mtg #3 – Action Planning	Perf measures & reporting plan to implement & monitor	3
	**Dept Mtg #4 – Action Planning	Perf measures & reporting plan to implement & monitor	3
	**Dept Mtg #5 – Action Planning	Perf measures & reporting plan to implement & monitor	3
	**Dept Mtg #6 – Action Planning	Perf measures & reporting plan to implement & monitor	3
	Monthly Check-in	Review progress & update schedule	1
<b>May</b>	Dept Directors Session	Communicate plan & measures & train staff	3
	Draft 1	Draft 1 created & delivered for review and feedback	12
	Revisions	Feedback changes made	5
	Final Version Review Session	Deliver final version and review with stakeholders	2
	Briefing to Mayor and Council	Briefing and Q&A of final product	-----

**A HALF HOUR OF PREPARATION (FOR THE PBI TEAM) WILL BE ADDED PER HOUR OF FACILITATION**

### PBI HISTORY AND TEAM

PBI's strategic planning (and core values) work includes several differentiators:

- Ensuring a common conceptual framework and language before starting the work
- A focus on Organizational Excellence as the long-term outcome of planning's work
- The use of a future-focused environmental scanning approach
- A commitment to defining organizational outcomes first, then cascading those into objectives with tasks, roles, and timetables
- The element of "Mega Planning" (planning that ensures a significant societal or environmental outcome). This was popularized by one of Jeff's mentors - Dr. Roger Kaufmann of Florida State University.

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Our strategic planning and core values work has included such diverse clients and assignments as:

CLIENT	PROJECT TYPE
L2 Construction Management Corporation	Vision and Strategic Plan
Twin Contracting Corporation	Strategic Plan, Core Values, Measures, & Reorganization
Joint Interagency Task Force (JIATF East)	Balanced Scorecard Strategic Plan
ICMA University	Strategic Planning, Core Values, & Measures Workshops
Prince William and Fairfax Counties	Strategic Planning, Core Values, & Measures Workshops
The City of Alexandria	Strategic Planning, Core Values, & Measures Workshops
George Mason University	Strategic Planning, Core Values, & Measures Workshops
The Performance Institute	Strategic Planning, Core Values, & Measures Workshops
Balanced Scorecard Institute	Strategic Planning for approximately 20 clients
A Finance Department of Booz Allen Hamilton	Strategic Plan & Core Values
The Potomac (Washington DC) Chapter of the International Society for Performance Improvement	Strategic Plan & Strategy Map
The North American Transportation Management Institute	Strategic Plan
The Arlington-Alexandria Coalition for the Homeless	Strategic Plan
Imperial Bank	Vision & Strategic Plan
Boy Scout troop # 1196	Vision & Strategic Plan
Cross Country Home Services	Vision & Strategic Plan
NetStrategies	Strategic Plan & Core Values
USO Metro DC	Strategic Planning Framework & Core Values
Fairfax County's Department of Family Services	Strategic Planning Framework & Core Values
US Coast Guard	Core Values – 1 <sup>st</sup> Ever
Town of Vienna	Core Values
Arlington County's Water Pollution Control Plant	Core Values
Brookings' Center for Executive Education	Core Values

**Senior Consultant & Project Lead (Point of Contact) - Mr. A. Jeffrey Parks**

Near the end of his Coast Guard career, Mr. Parks served as the Director of Training, Workforce Performance Improvement, and Leader Development for the entire Service. In that role he oversaw the design, development, and delivery of training for five training centers and over 400 course designers and instructors. In his final year, he convened a panel of 20 individuals involved in leadership training, analyzed the leadership system, and facilitated the first-ever set of core values for the Coast Guard - which was established in 1790. [That project has a tie to the University of Maryland that we can explain.] Later, Mr. Parks was the driving force in defining the strategy, outcomes, evaluation, and design of the General Motors/Automotive Youth Educational Systems Initiative (a School to Work program that is now in 400 schools, 4500 dealerships, and 45 states)

After his Coast Guard career, Mr. Parks served as a Senior Associate for the Balanced Scorecard Institute and used the Balanced Scorecard strategic planning approach with over 20 clients – including JIATF East (a Joint Interagency Task Force comprised of all 5 U.S. military Services, 9 Federal agencies, 3 NATO nations, and 12 Central and South American countries). In 2011-2012, Mr. Parks was the lead for PBI's work with the Department of Homeland Security helping them strategically plan their first-ever Executive Capstone Program.

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In 2017, PBI provided workshops on People and Performance Management and on Project Management to the National Institutes of Health (NIH) Library senior staff. An Alumni workshop was also provided to ensure momentum and full application of this training as a key input into their strategic planning/Balanced Scorecard system.

Mr. Parks has been deeply involved with ICMA. He facilitated the above-mentioned workshops at not only the International Conferences, but also at state/regional conferences in Massachusetts, New Mexico, Pennsylvania, New York, and South Carolina (January 2020). He has authored two articles for ICMA's magazine Public Management – *"8 Keys to Organizational Excellence"* and *"Maximizing Employee Performance – a 6 Step Approach"*.

Mr. Parks (and his son) are Eagle Scouts. On the City of College Park project, Mr. Parks will serve as the primary contact, project lead, and one of the two facilitators.

**Senior Consultant & Project Manager - Dr. Jessica Brown**

Dr. Brown has a passion for helping organizations achieve excellence. She pursued and completed her doctorate in Consulting Psychology to do this work. She is an expert in strategic and scenario planning, survey development and analysis, measurement and evaluation, leadership development, and project management. Her scenario planning facilitation skills help clients envision all possible futures to allow them to consider their future landscape and create a vision and strategies that will anticipate any scenario.

She has designed numerous strategic planning sessions that have led to plans for an array of clients (Allergan, Experian Interactive, Louis Vuitton, Juvenile Diabetes Research Foundation, Standard Pacific Homes, San Diego HR Forum, and Western Digital). This work included gathering survey and interview data to receive input and buy-in from all perspectives, analyzing the data to identify trends, and developing customized sessions based on the results. Dr. Brown also helps organizations develop and modify measures that provide invaluable insight into the organization's progress on what matters most.

She has managed numerous similar projects simultaneously to their completion. Dr. Brown is well-organized, detail-oriented, and skilled at creating timelines that accurately reflect the needs of the project. She ensures that clients are well-informed throughout the process and that milestones are met to exceed expectations.

Just a couple weeks ago, Dr. Brown and Mr. Parks presented an all day workshop to Howard Community College staff on Project Management and Leadership and Engagement.

On the City of College Park project, Dr. Brown will serve as the data/info analysis expert, scenario planning expert, and one of the two facilitators/interviewers.

**SAMPLE CONSULTANT AGREEMENT  
City of College Park, Maryland**

**Strategic Plan and Performance Measurement RFP CP-20-01**

**THIS CONSULTANT AGREEMENT** (the “Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the CITY OF COLLEGE PARK (the “City”), a municipal corporation of the State of Maryland, whose address is 8400 Baltimore Avenue, College Park, Maryland 20740 and \_\_\_\_\_ hereinafter referred to as “Consultant,” whose \_\_\_\_\_ address \_\_\_\_\_ is \_\_\_\_\_.

**WHEREAS**, Consultant desires to act for the City as professional strategic planning consultants to aid the Mayor and Council in developing a new five-year strategic plan and performance measurement.

**WHEREAS**, the City desires that Consultant provide such services.

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

**1. Appointment.** The City hereby engages Consultant, as an independent professional strategic planner and not as an agent or employee of the City, to provide professional strategic planning services to aid the Mayor and Council in developing a new five-year strategic plan and performance measurement, and Consultant hereby accepts such work, subject to the terms and provisions of this Agreement.

**2. Scope of Services.** Pursuant to the Agreement, the Consultant agrees to furnish all the material and perform all the work in compliance with the requirements and standards contained

in the Contract Documents, as defined herein. All work shall be performed in accordance with the standards in the industry. The following Consultant services are included as part of this Agreement:

- Provide proposed schedule of work.
- Review existing City documents and possibly external data sources to compile information relevant to the City's new strategic plan and facilitate discussion by the City Council.
- Design and lead two public resident focus groups and two targeted stakeholder focus groups to identify existing strengths, weaknesses, opportunities, and threats and to obtain input regarding the current vision, mission, and goals for the City. The consultant will summarize and present the findings to Council.
- Design and facilitate one session with the City Council to identify existing strengths, weaknesses, opportunities, and threats and to report on the results of the focus groups.
- Design and facilitate two sessions with the City Council and staff to review and possibly modify the City's mission, vision and goals, and develop specific strategies to meet them over the next five years.
- Lead the City Council and staff to develop action items directly connected to City departments and resources and which will achieve the City's goals.
- Develop performance measures and a reporting plan for each department to help monitor implementation of the actions items to fulfill the strategic plan goals.
- Facilitate one session with department directors to communicate and train staff on the implementation of the plan and performance measures.
- Work with the strategic plan task force during the planning process to refine the schedule for the overall project; receive feedback on draft goals and plan components; and to prepare the final planning document. The goals, strategies, and action items of the final strategic plan should direct the work of the Council and all City departments for the next five years.
- Strategic plan documents should be provided to the City in Microsoft Word format to facilitate use by the City Council and staff. Final documents should be provided in both Microsoft Word format as well as in PDF format suitable for posting to the City's web site.

The City of College Park will have the following responsibilities to support the consultant's work under the Agreement:

- Provide the consultant with existing City documents including the above-mentioned plans.
- Publicize the focus group sessions and conduct outreach to maximize public participation.
- Provide the facilities for the focus group sessions.
- Schedule City Council members and staff to participate in strategic planning sessions and other meetings as appropriate.
- Record the public sessions.

3. **Dates of Work.** The Consultant agrees to commence work on \_\_\_\_\_ and shall complete all contract work on or before \_\_\_\_\_. All work shall be performed pursuant to a work schedule submitted by the Consultant. It is understood by the parties hereto that time is of the essence in the completion of the services under this Agreement.

4. **Contract Price.** The City agrees to pay the Consultant, as consideration for the Consultant's satisfactory performance of all obligations under this Agreement, a sum not to exceed \_\_\_\_\_, which shall include all incidental costs including, but not limited to, travel, printing, copying, binding, telephone, drawings, diagrams and photographs.

Additional services related to this project shall be provided by the Consultant on an as-needed basis as directed by the City in writing. Such services shall be billed to the City at the hourly rates established by the bid form. Invoices for payment of services may be submitted on a monthly basis and must be accompanied by daily time sheets detailing the work done, and any other documentation required by the City. Invoices will be paid after approval. In no event shall the amount billed by the Consultant exceed that amount attributed to the work completed as of the date of the bill.

5. **Contract Documents.** This Agreement and the following enumerated documents, which are incorporated by reference as if fully set forth herein, form the Agreement and are termed the Contract Documents:

- Proposal forms submitted by Consultant and attachments thereto;
- Bid Proposal Form, and attachments thereto;
- Information Regarding the Bidder Form
- Required affidavits and certifications
- Schedule of Work

6. **Other Payments; Expenses; Taxes.** The City will not be responsible for any cost or expenses of operation of any kind associated with Consultant's provision of services pursuant to this Agreement, except as set out herein. Consultant shall be entitled to no fees, bonuses, contingent payments, or any other amount in connection with the services to be rendered hereunder except as set out herein. The parties hereto further agree that the City shall have no obligation to reimburse, pay directly or otherwise satisfy any expenses of the Consultant in connection with the performance of his obligations under this Agreement.

It is expressly understood and acknowledged by the parties hereto that the fees payable hereunder shall be paid in the gross amount, without reduction for any Federal or State withholding or other payroll taxes, or any other governmental taxes or charges. The parties hereto further recognize that Consultant, as an independent Consultant of the City, is responsible for directly assuming and remitting any applicable Federal or State withholding taxes, estimated tax payments, Social Security payments, unemployment compensation payments, and any other fees, taxes, and expenses whatsoever. In the event that Consultant is deemed not to be an independent Consultant by any local, state or federal governmental agency, Consultant agrees to indemnify and hold harmless the City for any and all fees, costs and expenses, including, but not limited to, attorneys fees incurred thereby.

7. **Insurance.** Consultant will purchase and maintain during the entire term of this Agreement, comprehensive general liability insurance, professional errors and omissions insurance, and workers' compensation insurance with limits of not less than those set forth below. On each policy, Consultant will name the City of College Park as an additional insured.

**Comprehensive General Liability Insurance**

(1) Personal injury liability insurance with a limit of \$1,000,000 each occurrence/aggregate;

(2) Property damage liability insurance with limits of \$500,000.00 each occurrence/aggregate.

All insurance shall include completed operations and contractual liability coverage.

Professional Errors and Omissions Insurance. The Consultant shall maintain a policy with limits of not less than \$1,000,000.00 each occurrence/aggregate.

Automobile Liability Coverage Automobile fleet insurance \$1,000,000.00 for each occurrence/ aggregate; property damage - \$500,000.00 for each occurrence/aggregate.)

Workers' Compensation Insurance. Consultant shall comply with the requirements and benefits established by the State of Maryland for the provision of Workers' Compensation insurance. The City will deduct a predetermined percentage of each payment to any Consultant who has failed to provide a Certificate of Insurance for Workers' Compensation, in order to defray coverage costs of the City. This percentage is subject to change. The Consultant will be provided notification of any change. All Corporations are required to provide Workers' Compensation Certificates of Insurance.

Consultant covenants to maintain insurance, in these amounts, which will insure all activities undertaken by Consultant on behalf of the City under this Agreement. The City shall receive 30 days prior notice of any amendment, reduction or elimination of the insurance coverage required herein.

Copies of the certificates of insurance for all required coverage shall be furnished to the City prior to beginning work.

Provision of any insurance required herein does not relieve consultant of any of the responsibilities or obligations assumed by the consultant in the contract awarded, or for which the Consultant may be liable by law or otherwise. Provision of such insurance is not intended in any way to waive the City's immunities or any damage limits applicable to municipal government as provided by law.

**8. Indemnification.** The Consultant shall indemnify and save harmless the City, its officers, employees and agents, from all suits, actions and damages or costs of every kind and description, including attorneys' fees, arising directly or indirectly out of the performance of the Agreement, whether caused by the negligent or willful act or omission on the part of the Consultant, its agents, servants, employees and subcontractors.

**9. Licenses, Applicable Laws.** Consultant will be responsible for obtaining any and all licenses pertaining to performance of work under the Agreement. All services and materials provided by Consultant shall conform to all applicable laws and regulations.

**10. Materials and Standard of Work.** All work performed and material provided pursuant to this Agreement shall be in conformance with standards and specifications applicable in the industry. All work shall be performed in a neat and workmanlike manner by trained and experienced personnel. Defective or unsuitable materials or workmanship shall be rejected and shall be made good by the Consultant at Consultant's expense, notwithstanding that such deficiencies have been previously accepted or were due to no fault of the Consultant.

**11. Subcontracting.** The Consultant may not subcontract any other work required under this Agreement without the consent of the City. If the Consultant wishes to subcontract any of the said work, it must provide subcontractor names, addresses, and telephone numbers and a description of the work to be done. The Consultant is not relieved of primary responsibility for full

and complete performance of any work identified to the subcontractor. There shall be no contractual relationship between the City and the subcontractor.

**12. Accurate Information.** The Consultant certifies that all information provided in response to the invitation to bid or other requests for information is true and correct. Any false or misleading information is grounds for the City to reject the bid and terminate this Agreement.

**13. Errors in Specifications.** The Consultant shall take no advantage of any error or omission in the specifications. The City shall make such corrections and interpretations as may be deemed necessary and that decision shall be final.

**14. Construction and Legal Effect.** This Agreement, including all Contract Documents, constitutes the entire understanding between the parties. No modification or addition to this Agreement shall have any effect unless made in writing and signed by both parties hereto.

**15. No Assignment.** This Agreement shall not be assigned or transferred by Consultant, whether by operation of law or in any other manner, without prior consent in writing from the City. In the event of insolvency of either party, this Agreement shall terminate immediately at the election of the other party.

**16. Relief.** The Consultant recognizes the substantial and immediate harm that a breach or threatened breach of this Agreement will impose upon the City, and further recognizes that in such event monetary damages may be available to the City. Accordingly, in the event of a breach or threatened breach of this Agreement, Consultant consents to the City's entitlement to seek ex parte, preliminary, interlocutory, temporary or permanent injunctive, or any other equitable relief, protecting and fully enforcing the City's rights hereunder and preventing the Consultant from further breaching any of its obligations set forth herein. Nothing herein shall be construed as

prohibiting the City from pursuing any other remedies available to the City at law or in equity for such breach or threatened breach, including the recovery of damages from Consultant.

**17. Termination for Default.** Notwithstanding anything to the contrary herein, this Agreement may be terminated upon the failure of the Consultant to deliver work, supplies, materials or services in a timely manner, to correct defective work or materials, to act in good faith, or to carry out the work in accordance with Contract Documents, each of which shall constitute a breach of this Agreement. In such event, the City may give notice to the Consultant to cease work until the cause for such order has been eliminated. Should the Consultant fail to correct such default within 24 hours after receipt of notification, the City may terminate this Agreement. This provision shall not limit the City in exercising any other rights or remedies it may have.

**18. Termination for Convenience.** The performance of work or delivery of services under this Agreement may be terminated in whole or in part at any time upon written notice when the City determines that such termination is in its best interest. The City will be liable only for labor, materials, goods, and services furnished prior to the effective date of such termination.

**19. Notices.** All notices shall be sufficient if delivered in person or sent by certified mail to the parties at the following addresses:

FOR THE CITY:

Scott Somers, City Manager  
City of College Park  
8400 Baltimore Avenue  
College Park, MD 20740

FOR THE CONSULTANT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20. **Costs.** In the event of any breach or failure by a party to fulfill any term, covenant or provision of this Agreement, the breaching party shall be responsible for any and all costs and expenses, including reasonable attorneys' fees, incurred on account of such breach.

21. **Enforcement Provisions.** The failure of the City or Consultant, at any time, to enforce any of the provisions of this Agreement, or any right with respect thereto, will in no way be construed to be a waiver of such provisions or right, or in any way to affect the validity of this Agreement. The exercise by either party of any rights under this Agreement shall not preclude or prejudice the subsequent exercise of the same or any other rights under this Agreement.

22. **Governing Law.** This Agreement shall be governed by the laws of the State of Maryland, excluding its conflict of law rules, as if this Agreement were made and to be performed entirely within the State of Maryland.

23. **Severability.** If any term or provision of this Agreement shall be held invalid or unenforceable to any extent, the remainder of this Agreement shall not be affected thereby, and each term and provision of this Agreement shall be enforced to the fullest extent permitted by law.

24. **Set-Off.** In the event that Consultant shall owe an obligation of any type whatsoever to the City at any time during the term hereof or after termination of the relationship created hereunder, the City shall have the right to offset any amount so owed by the Consultant against any compensation due the Consultant from the City.

25. **Materials.**

A. Materials produced under this Agreement shall be considered Official Products of Work, owned by the City of College Park. With permission from the City the Consultant may share/use these Products with other existing and future clients.

B. Materials independently developed and owned by the Consultant or by other authors

and third parties, and which may be used in the fulfillment of this Agreement, remain the property of their authors or owners. Subsequent use of such materials by the City shall require written permission of the Consultant or other author(s) thereof.

C. Information contained in documents that may be given to the Consultant for review remain the property of the City and may not be duplicated or distributed or otherwise published without the express consent of the City. Material provided to the Consultant for review shall be returned to the City upon completion of the task.

D. The Consultant understands that information and records provided to or made available about participants and clients or services during the performance of this Agreement are considered confidential and shall not be used for any purpose other than to perform the required services. Regardless of the data format, the Consultant agrees that it, and any of its employees, shall not disclose or allow disclosure of any such data or derivatives of it to any third party without the written permission of the City. Any copies of such records made during performance of this Agreement shall be returned to the City upon the expiration of the Agreement.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement under seal the day and year first above written.

ATTEST:

CITY OF COLLEGE PARK

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

By: \_\_\_\_\_  
Scott Somers, City Manager

WITNESS:

CONSULTANT

\_\_\_\_\_

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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

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# Legislation

# Memorandum

**TO:** Bill Gardiner, Assistant City Manager  
City of College Park

**FROM:** Leonard L. Lucchi, Esquire  
Eddie L. Pounds, Esquire  
City Lobbyists

**DATE:** January 31, 2020

**RE:** Weekly Report #3

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Here is a listing pertinent bills of interest that we are tracking for the City:

- 1. PG 108-20** M-NCPPC – Summer Math, Reading, and Science Pilot Program – For the purpose of creating a Summer Math, Reading, and Science Pilot Program. M-NCPPC is to coordinate with the Prince George’s County public school system to integrate academic content into summer parks and recreation programs.
- 2. PG 303-20** Prince George’s County – Alcoholic Beverages – Shopping Center – Authorization of a Class B-SC (Shopping Center) 7-day beer, wine, and liquor license.
- 3. PG 308-20** Prince George’s County – Alcoholic Beverages – Licenses for Supermarkets – Authorizes Class A beer and light wine license for use in a supermarket.
- 4. PG 401-20** Prince George’s County – Authority to Impose Fees for Use of Disposable Bags – Authorizes the County to impose a fee on retail establishments for the use of disposable bags.
- 5. PG 402-20 (HB 258)** Prince George’s County – State Highways – Toll Facilities – Prohibits a State agency, including the Maryland Transportation Authority, from acquiring or constructing any toll road, toll highway, or toll bridge in Prince Georges County unless authorized by Prince George’s County by local law. **Bill passed unanimously by the Prince George’s House**

**Delegation today and moves on to the House Environment & Trans. Committee.**

6. **HB 5 (SB 161)** Crimes – Hate Crimes – Use of an Item or a Symbol to Threaten or Intimidate - Prohibits a person from placing or inscribing an item or a symbol, including an actual or depicted noose or swastika, whether temporary or permanent, on any real or person property, public or private, without the express permission of the owner or specific persons, with the intent to threaten or intimate any person or group of persons. Violators are guilty of a misdemeanor, punishable by imprisonment for up to three years and/or a \$5,000 fine. **House Bill was heard by the House Judiciary Committee on January 16, 2020. Senate Bill was heard by the Senate Judicial Proceedings Committee on January 29, 2020. Bills are supported by MML. Strong likelihood of passage.**
7. **HB 8** Illegal Dumping and Litter Control Law – Yard Waste – Bill expands illegal dumping to include “yard waste” and imposes a mandatory misdemeanor penalty and fine for violation. **Bill was heard on Jan. 29, 2020 by the House Environment & Trans. Committee. MML is supporting this bill with an amendment. Moderate likelihood of passage.**
8. **HB 42 (SB 67)** Public Information Act - Applications for Inspection – Responses and Time Limits - Decreasing the time periods within which a custodian is required to grant or deny a certain application to inspect a public record and produce a public record in response to an approved application; altering the circumstances under which and the time period within which a custodian is required to indicate certain information in writing or by e-mail; decreasing from 10 to 5 working days. **Senate Bill hearing was cancelled. House Bill will be heard by the House Health & Government Operations Committee on February 11, 2020. Bills are opposed by MML. Low likelihood of passage.**
9. **HB 52** Local Government – Lemonade Stands – Prohibition on Regulation by Local Law - Prohibiting a municipality, a county, or any other political subdivision from adopting or enforcing a local law prohibiting or regulating the sale of lemonade or other nonalcoholic beverages by individuals under the age of 18 from a stand on private property. **Bill was heard by the House Environ & Tran. Committee on Jan. 28, 2020.**
10. **HB 70** Vehicle Laws – Intersections – Prohibited Acts - Prohibiting a vehicle facing a circular green signal, a green arrow signal, or a steady yellow signal from entering an intersection if the vehicle is unable to safely and completely proceed through the intersection. **Bill was heard by the House Environ & Trans. Committee on January 30, 2020.**
11. **HB 78 (SB 172)** Bay Restoration Fund – Authorized Uses - This bill expands the criteria used to determine how to allocate funding from the Bay Restoration Fund (BRF) Wastewater Account by including climate resiliency and flood control as issues for the Maryland Department of the Environment

(MDE) to consider when determining the priority of funding for specified projects. The bill also adds “volume or quality control” to the types of stormwater control measures that a local government can receive BRF funding for if the local government has implemented a system of charges to fully fund a stormwater management program. The bill takes effect July 1, 2020. **House Bill was heard by the House Environ & Trans. Committee on January 29, 2020. Senate Bill was heard by Senate Education, Health & Environ. Affairs Committee on January 29, 2020. Bills are supported by MML.**

12. **HB 125 (SB 148)** Board of Public Works – Land Acquisition – Requirements - This bill prohibits the Board of Public Works (BPW) from approving the acquisition of specified real property worth at least \$500,000 unless (1) BPW provides the Legislative Policy Committee (LPC) with specified information and (2) in some circumstances, a study is done regarding the ongoing fiscal effect of the acquisition on the State. The bill does not apply to specified acquisitions of (1) property for land preservation and conservation purposes, primarily by the Department of Natural Resources (DNR); (2) property at the Port of Baltimore or Baltimore/Washington International Thurgood Marshall Airport; or (3) federally owned military property. The bill takes effect June 1, 2020. **House Bill will be heard by the House Health & Government Operations Committee on February 4, 2020. Senate Bill was heard by the Senate Education, Health and Environmental Affairs Committee on January 29, 2020. Bill is supported by MML and has a high likelihood of passage.**
13. **HB 127 (SB 287)** Maryland Arts and Culture Capital Grant Program - This bill establishes the Maryland Arts and Culture Capital Grant Program. The Maryland State Arts Council (MSAC) must administer the program and hire at least one full-time coordinator for the program. From fiscal 2022 through 2027, the Governor must appropriate \$10.0 million annually to the program. The council must award the total amount each year, split evenly between two types of eligible recipients, subject to specified requirements. The bill takes effect July 1, 2020. **House Bill was heard by the House Appropriations Comm on January 28, 2020. Senate Bill was heard by the Senate Budget & Taxation Committee on January 29, 2020. Bills are supported by MML.**
14. **HB 130 (SB 319)** Vehicle Laws – Move Over Safety Monitoring System – Authorization – Bill would authorize certain first responder vehicles, including police, fire and ambulance, to have video monitoring systems installed for the purpose of recording those vehicle operators who fail to move over on the approach of an emergency vehicle. **House Bill will be heard by the House Environment & Trans. Committee on February 6, 2020. Senate Bill will be heard by the Senate Judicial Proceedings Committee on February 6, 2020. Bills are supported by MML. High likelihood of passage.**

15. **HB 166** Criminal Procedure – Law Enforcement Procedures – Use of Force - This bill establishes circumstances under which a police officer is justified in using force and deadly force. It also establishes what a trier of fact must consider when assessing whether the police officer’s beliefs and actions were reasonable. **Bill is opposed by MML. Bill hearing has been cancelled.**
16. **HB 185 (SB 223)** Commission on Tax Policy, Reform, and Fairness –This bill establishes the Commission on Tax Policy, Reform, and Fairness to be staffed by the Department of Legislative Services (DLS). The commission must report its preliminary findings and recommendations to the Governor and General Assembly by December 1, 2020, and its findings and recommendations to the Governor and General Assembly by December 1, 2021. The bill takes effect June 1, 2020, and terminates June 30, 2022. **House Bill will be heard by the House Ways & Means Committee on February 4, 2020. Senate Bill was heard by the Senate Budget & Taxation Committee on January 29, 2020. Bill is supported by MML and has a high likelihood of passage.**
17. **HB 223** End Ineffective Business Subsidies Act of 2020 – This bill prohibits the Secretary of Commerce from designating or expanding certain enterprise zones and focus areas on or after June 1, 2020; provides for the termination of the One Maryland Economic Development Tax Credit Program on January 1, 2022; applies the Opportunity Zone Enhancement Program to taxable years 2019 through 2021; and prohibits the Department of Commerce from issuing tax credit certificates to certain investors in certain biotechnology companies on or after January 1, 2022. **Bill will be heard by the House Ways & Means Committee on February 12, 2020. Bill is opposed by MML and is likely to fail.**
18. **HB 280 (SB 234)** Vehicle Laws - Suspension of Driver's License or Registration - Unpaid Citations or Judgments – This bill alters the requirements and procedures governing certain programs that authorize installment payments for certain motor vehicle traffic citations or judgment debts under certain circumstances; repeals the requirement that the Motor Vehicle Administration suspend a person's driver's license and vehicle registration for failure to pay a traffic citation or request a trial; and authorizes the Administration to initiate an action for a certain civil judgment for an unpaid traffic citation under certain circumstances. **House Bill will be heard by the House Environment & Transportation Committee on February 6, 2020. Senate Bill will be heard by the Senate Judicial Proceedings Committee on February 4, 2020. Bill is opposed by MML and is likely to fail.**
19. **HB 292 (SB 229)** Toll Roads, Highways, and Bridges - County Government Consent Requirement – Expansion - This bill expands the requirement that a State agency receive the express consent of a majority of the affected Eastern Shore county governments before it constructs a toll road, toll highway, or toll bridge in those counties. Under the bill, this requirement is expanded to apply to all counties in the State (including Baltimore City)

if they are affected by any such toll road, toll highway, or toll bridge. **House Bill will be heard by the House Environment & Trans. Committee on February 13, 2020. Senate Bill hearing has been cancelled.**

20. **HB 299** Public-Private Partnership Projects - Real Property Acquisition – Prohibition - Prohibiting a State agency or its designee from acquiring residential real property for a public-private partnership project that includes the addition of toll lanes to I-495 or I-270. **Bill will be heard by the House Environment & Trans. Committee on February 11, 2020.**
21. **HB 301** Public Safety – Task Force on Missing Persons - This bill establishes a Task Force on Missing Persons. The State agencies represented on the task force must provide staff for the task force. The task force must report its findings and recommendations to the Governor and the General Assembly by December 31, 2021. The bill takes effect July 1, 2020, and terminates June 30, 2022. **Bill will be heard by the House Judiciary Committee on February 4, 2020. Bill is supported by MML and has a high chance of passage.**
22. **HB 351** Land Use and Vehicle Miles Traveled Workgroup - This bill establishes a Land Use and Vehicle Miles Traveled Workgroup to develop a State strategy that identifies State and local land use policies, business incentives, and transportation policies, investments, and programs to reduce vehicle miles traveled (VMT) in the State and meet other related goals. The Department of Legislative Services (DLS) must provide staff for the workgroup. By December 15, 2020, the workgroup must report its interim findings and recommendations to the Governor and the General Assembly; its final findings and recommendations must be submitted by December 31, 2021. The bill takes effect July 1, 2020, and terminates June 30, 2022. **Bill will be heard by the House Environment & Transportation Committee on February 12, 2020. Bill is supported by MML and has a high likelihood of passage.**
23. **HB 359 (SB 277)** Clean Cars Act of 2020 – Extension, Funding and Reporting – This bill extends and alters, for certain fiscal years, the Electric Vehicle Recharging Equipment Rebate Program and vehicle excise tax credit for the purchase of certain electric vehicles; repeals the limitation on the maximum total purchase price of certain vehicles; requires the Maryland Zero Emission Electric Vehicle Infrastructure Council to issue certain reports on or before certain dates; and alters the amount required to be transferred each year from the Maryland Strategic Energy Investment Fund to the Transportation Trust Fund. **House Bill will be heard by the House Environment and Transportation Committee on February 13, 2020. Senate Bill will be heard by the Senate Finance Committee on February 11, 2020.**
24. **HB 401** Public Information Act - Remote Access, Fee Complaints, Fee Waivers, and Inspection of Judicial Records (Open Government, Better

Government Act) – This bill establishes the intent of the General Assembly that each official custodian adopt an internet use policy and other technological advances to expand remote access to public records and increase the transparency of government; requires the Public Information Act Compliance Board to receive, review, and resolve certain complaints alleging that a custodian unreasonably failed to waive a fee under certain circumstances; and alters the minimum fee charged under which the Board has authority to review a complaint. **Bill will be heard by the House Judiciary Committee on February 12, 2020. Bill is opposed by MML and has a low likelihood of passage.**

25. **HB 502**

Public Information Act – Revisions – This bill requires each official custodian to adopt a certain policy of proactive disclosure; requires each official custodian to publish annual reports online, to the extent practicable; requires the Public Information Act Compliance Board to receive, review, and resolve certain complaints from applicants and applicants' designated representatives; and requires the Board to receive and review complaints from any custodian alleging that an applicant's request or pattern of requests is frivolous or vexatious. **Bill will be heard by the House Health & Government Operations Committee on February 11, 2020. Bill is supported with amendments by MML. Bill has a moderate likelihood of passage.**

26. **HB 561 (SB 315)**

Electric Industry – Community Choice Energy – This bill applies certain laws regarding net energy metering and community solar generating systems to customers served by a community choice aggregator; repeals a provision that prohibits a county or municipal corporation from acting as an aggregator under certain circumstances; and establishes a process by which, beginning on October 1, 2021, a county or municipal corporation or group of counties or municipal corporations may form or join a community choice aggregator. **House Bill will be heard by the House Economic Matters Committee on February 13, 2020. Senate Bill will be heard by the Senate Finance Committee on February 25, 2020. Bill is supported by MML and has a high likelihood of passage.**

27. **HB 607 (SB 305)**

Public Safety – Crisis Intervention Team Center of Excellence – This bill establishes the Crisis Intervention Team Center of Excellence in the Governor's Office of Crime Control and Prevention to provide technical support to local governments, law enforcement, public safety agencies, behavioral health agencies, and crisis service providers and develops and implements a crisis intervention model program; requires the Office to appoint certain coordinators to the Center; requires the Center to take certain actions; and requires annual reporting. **House Bill will be heard by the House Judiciary Committee on February 18, 2020. Senate Bill will be heard by the Senate Judicial Proceedings Committee on February 11, 2020. Bill is supported by MML and has a high likelihood of passage.**

28. **HB 709 (SB 490)** Human Services - Youth Services Bureaus – Funding – This bill repeals a requirement that the Department of Human Services identify eligible youth services bureaus and estimate the amount of State funds to allocate to each youth services bureau; requires State matching funds for a youth services bureau to be paid directly to its private sponsor; requires the Governor to include at least \$1,800,000 in the annual budget bill for youth services bureaus; and provides for the allocation of the required funds. **Senate Bill will be heard by the Senate Budget & Taxation Committee on February 12, 2020.**
29. **SB 03** Electronic Smoking Devices, Other Tobacco Products, and Cigarettes – Taxation and Regulation - Applying certain provisions of tax law regulating the sale, manufacture, distribution, possession, and use of cigarettes and other tobacco products to certain electronic smoking devices; altering the definition of "other tobacco products" to include certain consumable products and the components or parts of those products and to exclude certain other products. **Bill was heard by the Senate Budget & Taxation Committee on January 29, 2020.**
30. **SB 109** Disabled Active Duty Service Members, Disabled Veterans and Surviving Spouses – Exemption from Property Tax and Other Charges and Refunds - This bill exempts a dwelling house owned by a disabled active duty service member, disabled veteran, or surviving spouse from specified governmental charges. The bill requires the State, a county, or a municipality to pay property tax refunds to a disabled active duty service member, disabled veteran, or surviving spouse under specified circumstances. The State, a county, or a municipality must pay interest on the refund under specified circumstances. The bill takes effect June 1, 2020, and applies retroactively to taxable years beginning after June 30, 2015. **Bill was heard by the Senate Budget & Taxation Committee on January 22, 2020.**
31. **SB 128** Local Government Animal Control Facilities – Adoption Fee Waiver for Veterans (Pets for Vets Act of 2020) - Requiring an animal control facility operated by a county or municipality to waive the adoption fee for a dog or cat for a veteran who presents a valid driver's license or identification card that includes a notation of veteran status; authorizing an animal control facility to limit the number of adoption fee waivers granted to an individual under the Act to one dog and one cat within a 6-month period. **Bill was heard by the Senate Education, Health and Environ. Affairs Committee on January 29, 2020.**
32. **SB 209** Criminal Law – Unruly Social Gatherings – Civil Penalties – This bill prohibits a person responsible for a private premise from conducting, causing, permitting, or aiding in the maintaining of any “unruly social gathering” on or in those premises. Violators are subject to the issuance of a civil citation and maximum penalties of \$500 (for a first violation) and \$1,000 (for a second or subsequent violation). A court may also order a violator to perform 20 hours of community service. Nothing in the bill prohibits a law enforcement officer from issuing a criminal

citation or other civil citation under State or local law for violations arising out of the same circumstances. The bill may not be construed to preempt or prevail over any ordinance, resolution, law, or rule that is more stringent. **Bill was heard by the Senate Judicial Proceedings Committee on January 29, 2020.**

**33. SB 223 (HB 185)**

Commission on Tax Policy, Reform and Fairness – This bill establishes the Commission on Tax Policy, Reform, and Fairness to be staffed by the Department of Legislative Services (DLS). The commission must report its preliminary findings and recommendations to the Governor and General Assembly by December 1, 2020, and its findings and recommendations to the Governor and General Assembly by December 1, 2021. The bill takes effect June 1, 2020, and terminates June 30, 2022. **Senate bill was heard by the Senate Budget & Taxation Committee on January 29, 2020. House bill will be heard by the House Ways & Means Committee on February 4, 2020.**

**34. SB 253**

State Finance and Procurement - Prohibited Appropriations - Magnetic Levitation Transportation System –This bill prohibits the State (or any unit or instrumentality of the State) from using any appropriation for a magnetic levitation (Maglev) transportation system located or to be located in the State. The bill also prohibits a public or private entity that receives money from the State from authorizing a permit or giving any other form of approval for a Maglev system. Finally, the bill prohibits a proposal for a Maglev system from including the use of any Amtrak or CSX Transportation right-of-way. The bill takes effect June 1, 2020. **Bill will be heard by the Senate Budget & Taxation Committee on February 5, 2020.**

# HOUSE BILL 368

R2

0lr1432  
CF 0lr2807

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By: **Delegates Lierman, Acevero, Anderson, Attar, Bagnall, B. Barnes, Boyce, Bridges, Carey, Carr, Chang, Conaway, Feldmark, Fennell, Gilchrist, Guyton, Healey, Hettleman, Hornberger, Ivey, Kerr, Korman, Lehman, R. Lewis, Love, McIntosh, Moon, Mosby, Palakovich Carr, Proctor, Shetty, Smith, Solomon, Stein, Stewart, Terrasa, Wells, Wilkins, and P. Young**

Introduced and read first time: January 22, 2020

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transit Administration – Funding**  
3 **(Transit Safety and Investment Act)**

4 FOR the purpose of requiring the Governor to include certain appropriations in the State  
5 budget from the Transportation Trust Fund to the Maryland Transit Administration  
6 for the operating and capital needs of the Administration in certain fiscal years;  
7 requiring that certain capital appropriations to the Administration be in addition to  
8 any funds appropriated for the capital needs of a certain transit project; requiring  
9 the Administration to submit a report each year on the planning and use of capital  
10 funds for certain capital projects in the prior fiscal year; altering the termination  
11 date for certain provisions of law concerning funding for the Administration; making  
12 conforming changes; and generally relating to funding for the Maryland Transit  
13 Administration.

14 BY repealing and reenacting, with amendments,  
15 Article – Transportation  
16 Section 7–205 and 7–309  
17 Annotated Code of Maryland  
18 (2015 Replacement Volume and 2019 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Chapter 351 of the Acts of the General Assembly of 2018  
21 Section 9

22 BY repealing and reenacting, with amendments,  
23 Chapter 352 of the Acts of the General Assembly of 2018  
24 Section 9

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## Preamble

WHEREAS, Section 7–309 of the Transportation Article of the Annotated Code of Maryland requires the Maryland Transit Administration (Administration) to assess its ongoing, unconstrained capital needs; and

WHEREAS, The Administration released the Capital Needs Inventory in July 2019, which captured and quantified the capital investment needs over a 10–year period for the assets of the following modes: (1) Local Bus, including CityLink, LocalLink, and Express BusLink; (2) Commuter Bus; (3) Maryland Area Regional Commuter trains; (4) Baltimore Metro SubwayLink; (5) Light RailLink; and (6) MobilityLink; and

WHEREAS, These services provide nearly 320,000 rides a day for residents in Baltimore City and Anne Arundel, Baltimore, Calvert, Charles, Frederick, Harford, Howard, Montgomery, Prince George’s, Queen Anne’s, and St. Mary’s counties; and

WHEREAS, The Capital Needs Inventory identified that in order to provide safe, reliable transit services the Administration would need, on average, \$462 million per year in capital funding for state of good repair needs during the 10–year period identified in the report; and

WHEREAS, In addition to its state of good repair needs, the Capital Needs Inventory identified a need of more than \$100 million per year over the same period for capital enhancement needs; and

WHEREAS, Section 7–301.1 of the Transportation Article requires the Administration to prepare the Central Maryland Regional Transit Plan, a long–range transit plan for Maryland transit service growth in Baltimore City and Anne Arundel, Baltimore, Harford, and Howard counties; and

WHEREAS, The Central Maryland Regional Transit Plan is to be completed by October 1, 2020, but early findings suggest that the existing public transportation system does not provide adequate service to meet existing demand; and

WHEREAS, The Maryland Department of Transportation’s draft FY 2020–2025 Consolidated Transportation Program (CTP) provides the Administration only \$326 million on average per year for the Capital Needs Inventory during this period; and

WHEREAS, The funding levels identified in the CTP for the Administration will increase the agency’s Capital Needs Inventory and delay the implementation of the Central Maryland Regional Transit Plan, including the growth of the transit system; and

WHEREAS, Infrastructure becomes more expensive to operate and maintain if maintenance is deferred; and

WHEREAS, Emergency shutdowns, such as the 2018 shutdown of the Baltimore

1 subway system, and equipment failures impact the reliability of Administration services;  
2 and

3 WHEREAS, Riders and the public at large expect the State to maintain its public  
4 transit infrastructure at a level of reasonable reliability and the utmost safety; now,  
5 therefore,

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
7 That the Laws of Maryland read as follows:

8 **Article – Transportation**

9 7–205.

10 (a) For fiscal year 2020, the Governor shall include in the State budget an  
11 appropriation from the Transportation Trust Fund for the operation of the Administration  
12 that is equal to the appropriation for the operation of the Administration in the fiscal year  
13 2019 State budget as introduced, increased by at least 4.4%.

14 (b) For each of fiscal years 2021 and 2022, the Governor shall include in the State  
15 budget an appropriation from the Transportation Trust Fund for the operation of the  
16 Administration that is equal to the appropriation for the operation of the Administration  
17 in the State budget for the immediately preceding fiscal year, increased by at least 4.4%.

18 **(C) FOR EACH OF FISCAL YEARS 2023 THROUGH 2027, THE GOVERNOR**  
19 **SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FROM THE**  
20 **TRANSPORTATION TRUST FUND FOR THE OPERATION OF THE ADMINISTRATION**  
21 **THAT MAY NOT BE LESS THAN THE FISCAL YEAR 2022 APPROPRIATION FOR THE**  
22 **OPERATION OF THE ADMINISTRATION.**

23 **[(c)] (D)** (1) For each of fiscal years 2020 [through 2022] **AND 2021**, the  
24 Governor shall include in the State budget an appropriation for the capital needs of the  
25 Administration of at least \$29,100,000 from the revenues available for the State capital  
26 program in the Transportation Trust Fund.

27 **(2) (I) FOR EACH OF FISCAL YEARS 2022 THROUGH 2027, THE**  
28 **GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE**  
29 **CAPITAL NEEDS OF THE ADMINISTRATION OF AT LEAST \$500,000,000 FROM THE**  
30 **REVENUES AVAILABLE FOR THE STATE CAPITAL PROGRAM IN THE**  
31 **TRANSPORTATION TRUST FUND.**

32 **(II) IN ADDITION TO THE APPROPRIATION REQUIRED UNDER**  
33 **SUBPARAGRAPH (I) OF THIS PARAGRAPH, FOR FISCAL YEAR 2022, THE GOVERNOR**  
34 **SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE CAPITAL**  
35 **NEEDS OF THE ADMINISTRATION OF \$29,100,000 FROM THE REVENUES AVAILABLE**  
36 **FOR THE STATE CAPITAL PROGRAM IN THE TRANSPORTATION TRUST FUND.**

1            ~~[(2)]~~ **(3)**        **(I)**    The appropriation required under paragraph (1) of this  
 2 subsection may not supplant any other capital funding otherwise available for the  
 3 Administration.

4                            **(II)    THE APPROPRIATIONS REQUIRED UNDER PARAGRAPH (2)**  
 5 **OF THIS SUBSECTION SHALL BE IN ADDITION TO ANY FUNDS APPROPRIATED FOR**  
 6 **THE CAPITAL PLANNING, ENGINEERING, RIGHT-OF-WAY ACQUISITION, OR**  
 7 **CONSTRUCTION OF THE PURPLE LINE IN MONTGOMERY COUNTY AND PRINCE**  
 8 **GEORGE'S COUNTY.**

9 7-309.

10            (a)    The Administration shall, at least every 3 years, assess the ongoing,  
 11 unconstrained capital needs of the Administration.

12            (b)    In undertaking the assessment required under subsection (a) of this section,  
 13 the Administration shall:

14                    (1)    Compile and prioritize capital needs without regard to cost;

15                    (2)    Identify the backlog of repairs and replacements needed to achieve a  
 16 state of good repair for all Administration assets, including a separate analysis of these  
 17 needs over the following 10 years; and

18                    (3)    Identify the needs to be met in order to enhance service and achieve  
 19 system performance goals.

20            (c)    On or before July 1, 2019, and on or before July 1 every 3 years thereafter, the  
 21 Administration shall, in accordance with § 2-1257 of the State Government Article, submit  
 22 the assessment required under subsection (a) of this section to the Senate Budget and  
 23 Taxation Committee, the House Appropriations Committee, and the House Environment  
 24 and Transportation Committee.

25            **(D)    ON OR BEFORE JANUARY 20, 2021, AND ON OR BEFORE JANUARY 20**  
 26 **EACH YEAR THEREAFTER, THE ADMINISTRATION SHALL, IN ACCORDANCE WITH §**  
 27 **2-1257 OF THE STATE GOVERNMENT ARTICLE, SUBMIT AN ACCOUNTING OF THE**  
 28 **CAPITAL FUNDS PROGRAMMED, APPROPRIATED, AND EXPENDED ON EACH OF THE**  
 29 **PROJECTS IDENTIFIED IN THE ASSESSMENT REQUIRED UNDER SUBSECTION (A) OF**  
 30 **THIS SECTION FOR THE PRIOR FISCAL YEAR TO THE SENATE BUDGET AND**  
 31 **TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE**  
 32 **HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE.**

33                            **Chapter 351 of the Acts of 2018**

34            SECTION 9. AND BE IT FURTHER ENACTED, That, subject to Section 4 of this

1 Act, this Act shall take effect June 1, 2018. Section 2 of this Act shall remain effective for a  
2 period of [4] 9 years and 1 month and, at the end of June 30, [2022] 2027, Section 2 of this  
3 Act, with no further action required by the General Assembly, shall be abrogated and of no  
4 further force and effect.

5 **Chapter 352 of the Acts of 2018**

6 SECTION 9. AND BE IT FURTHER ENACTED, That, subject to Section 4 of this  
7 Act, this Act shall take effect June 1, 2018. Section 2 of this Act shall remain effective for a  
8 period of [4] 9 years and 1 month and, at the end of June 30, [2022] 2027, Section 2 of this  
9 Act, with no further action required by the General Assembly, shall be abrogated and of no  
10 further force and effect.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
12 1, 2020.



## Fund Maryland's Transit System!

HB 368 | SB 424

Healthy public transit systems are essential for our state's economy and the environment. However, Maryland's transit system, MTA, is facing a large funding cliff. We need to properly fund MTA so Marylanders can safely and reliably travel to their essential destinations each day.



### Did You Know?

- **Marylanders throughout the state rely on the MTA to get to work, go to school, visit their doctors, and enjoy recreation.** MTA operates local buses, commuter buses, light rail, MARC, and paratransit, and provides funding to locally operated transit systems in every Maryland county, Baltimore City, Annapolis, and Ocean City.
- The MTA system is not working properly now. Only 60% to 70% of buses arrive on time since BaltimoreLink. Communities of color, persons with disabilities, and low-income communities have disproportionately less access to reach their critical destinations each day. The MTA's 2019 Capital Needs Inventory identifies over \$2 billion in unfunded essential system maintenance and critical enhancements over the next decade.
- Transportation is the #1 contributor to climate pollution in Maryland and the U.S. The miles being driven in gas and diesel-powered vehicles is increasing. **Robust public transit systems reduce traffic congestion and cut climate and other air pollution.** Public transit (including electric buses), and electric cars and walkable/bikeable communities, are key to addressing the climate crisis.

## What is the cost of doing nothing?

- Even later and **less reliable** buses and trains – MTA buses **break down twice as much** as buses in other major Northeast cities, and the Metro subway and Central Light Rail recently have undergone emergency shutdowns lasting weeks. In the last two years MARC riders have experienced more disruptions and delays. Some months trains only arrive 74% on time. This results in riders arriving late to work, which costs their employers money and can lead to loss of jobs. Riders can miss dialysis or health appointments or may be stranded.
- **Unsafe and unhealthy** conditions for transit workers and riders.
- Years of delay in the ability to expand the system.
- More **health and climate impacts** from pollution.

## What does the bill do?

**The Transit Safety and Investment Act** will avert MTA's funding cliff by providing an average annual increase of **\$100 million** for MTA capital needs for the next six years.

### How will funding help keep the system running?

It will help maintain MARC safety systems, bus shelters, buses, light rail and subway tracks, MARC switches, and more.

### What will the funding help improve?

It will improve access to MARC and bus stations, expand bus shelters, and promote sustainability efforts such as including EV charging at Baltimore metro and MARC stations, and adding rooftop solar at bus depots.

The Central Maryland region is developing a 25-year plan for more and better public transit. To do this, we first must fix the existing system now!



### For More Information:

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Transportation Staffer, MD Sierra Club  
Lindsey.mendelson@mdsierra.org  
240-706-7901

**#FundMDTransit**

# 8

## Appointments to Boards and Committees

**City of College Park**  
**Board and Committee Appointments**

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

<b>Advisory Planning Commission</b>			
Appointee	Represents	Appointed by	Term Expires
Larry Bleau 7/9/02	District 1	Mayor	02/22
Llatetra Brown Esters 06/18	District 2	Mayor	06/21
Christopher Gill 09/24/13	District 1	Mayor	10/22
James E. McFadden 2/14/99	District 3	Mayor	01/20
Ben Flamm 01/02/18	District 2	Mayor	08/21
Santosh Chelliah 01/02/18	District 4	Mayor	09/22
Stephanie Stulich 01/02/18	District 3	Mayor	02/22
<p>City Code Chapter 15 Article IV: The APC shall be composed of 7 members appointed by the Mayor with the approval of Council, shall seek to give priority to the appointment of residents of the City and assure that there shall be representation from each of the City's four Council districts. Vacancies shall be filled by the Mayor with the approval of the Council for the unexpired portion of the term. Terms are three years. The Chairperson is elected by the majority of the Commission. Members are compensated. Liaison: Planning.</p>			

<b>Airport Authority</b>			
Appointee	Resides in	Appointed by	Term Expires
James Garvin 11/9/04	District 3	M&C	02/22
Jack Robson 5/11/04	District 3	M&C	10/20
Anna Sandberg 2/26/85	District 3	M&C	09/22
Gabriel Iriarte 1/10/06	District 3	M&C	01/20
Christopher Dullnig 6/12/07	District 2	M&C	02/20
David Kolesar 04/28/15	District 1	M&C	12/21
Dave Dorsch 08/11/15	District 3	M&C	12/21
<p>City Code Chapter 11 Article II: 7 members, must be residents and qualified voters of the City, appointed by Mayor and City Council, for three-year terms. Vacancies shall be filled by M&amp;C for an unexpired portion of a term. Authority shall elect Chairperson from membership. Not a compensated committee. Liaison: City Clerk's Office.</p>			

<b>Animal Welfare Committee</b>			
Appointee	Resides in	Appointed by	Term Expires
Dave Turley 3/23/10	District 1	M&C	04/22
Patti Stange 6/8/10	Nonresident	M&C	04/21
Taimi Anderson 6/8/10	Nonresident	M&C	09/22
Suzie Bellamy 9/28/10	District 4	M&C	04/21
Kathy Rodeffer 11/24/15	Nonresident	M&C	03/23
Kennis Termini 03/26/19	District 1	M&C	03/23
Bram Turner 04/09/19	District 1	M&C	04/23

Christine Nagle 10/22/19	District 1	M&C	10/22
Lisa Ealley 10/22/19	District 1	M&C	10/22
Marcia Booth 11/12/19	District 1	M&C	11/22
Stephanie Butler 12/10/19	District 1	M&C	12/22
Resolution 15-R-26, 10-R-20: Up to fifteen members appointed by the Mayor and Council for three-year terms. Not a compensated committee. Liaison: Public Services.			

<b>Board of Election Supervisors</b>			
Appointee	Represents	Appointed by	Term Expires
John Robson (Chief) 5/24/94	Mayoral appt	M&C	03/21
Lisa Williams 10/23/18	District 1	M&C	03/21
Diane Ligon 02/26/19	District 2	M&C	03/21
John Payne 04/25/17	District 3	M&C	03/21
Yousuf Jaleel 10/01/19	District 4	M&C	03/21
Cameron Thurston 03/26/19	Mayoral appt	M&C	03/21
City Charter C4-3: The Mayor and Council shall, not later than the first regular meeting in March of each year in which there is a general election, appoint and fix the compensation for six qualified voters as Supervisors of Elections, one of whom shall be appointed from the qualified voters of each of the four election districts and two of whom shall be appointed by the Mayor with the consent of the Council. The Mayor and Council shall designate one of the six Supervisors as the Chief of Elections. This is a compensated committee; compensation is based on a fiscal year. Per Council action (item 19-G-46) effective July 1, 2019: For each of the next two years, the Chief Election Supervisor will receive \$960/fiscal year and the Supervisors will receive \$720/fiscal year. Liaison: City Clerk's office.			

<b>College Park City-University Partnership</b>			
Appointee	Represents	Appointed by	Term Expires
Carlo Colella	Class A Director	UMD President	06/30/21
Edward Maginnis	Class A Director	UMD President	06/30/21
Ken Ulman	Class A Director	UMD President	06/30/22
Brian Darmody	Class A Director	UMD President	06/30/20
Patrick L. Wojahn (01/12/16)	Class B Director	M&C	06/30/20
Maxine Gross	Class B Director	M&C	06/30/21
Senator James Rosapepe	Class B Director	M&C	06/30/22
Stephen Brayman	Class B Director	M&C	06/30/20
David Iannucci (07/15/14)	Class C Director	City and University	06/30/20
Dr. Richard Wagner (Chair)	Class C Director	City and University	06/30/22
The CPCUP is a 501(c)(3) corporation whose mission is to promote and support commercial revitalization, economic development and quality housing opportunities consistent with the interests of the City of College Park and the University of Maryland. The CPCUP is not a City committee but the City makes appointments to the Partnership. Class B Directors are appointed by the Mayor and City Council; Class C Directors are jointly appointed by the Mayor and City Council and the President of the University of Maryland.			

<b>College Park Seniors Committee</b>			
<b>Appointee:</b>	<b>Represents:</b>	<b>Appointed by:</b>	<b>Term Expires</b>
Arelis Pérez 11/14/17	Resident, District 1	M&C	12/21
Manuel Guevara-Cordova 03/28/17	Resident, District 3	M&C	11/21
Rosemary Peticari 04/11/17	Resident, District 1	M&C	04/21
Mary Anne Hakes 04/11/17	Resident, District 3	M&C	04/21
Jackie Kelly 05/23/17	Resident, District 1	M&C	05/19
Darlene Nowlin 08/08/17	Resident, District 4	M&C	08/21
Bonnie McClellan	Resident, District 4	M&C	06/20
Victoria Evans 01/15/19	Resident, District 2	M&C	01/21
Robert Thurston 03/12/19	Resident, District 2	M&C	03/21
Lynn Topp 04/23/19	Non-Resident	M&C	04/21
Ann Bolduc 09/10/19	Resident, District 1	M&C	09/21
Resolution 16-R-33 adopted December 13, 2016. Resolution 17-R-29 adopted November 28, 2017 increased membership. Resolution 19-R-07 adopted April 9, 2019 removed the Councilmember designation and increased membership. Up to 11 members, with the goal of at least one resident per Council district. Two-year terms. The Committee shall appoint a Chair and Vice Chair each with a term of one year from among the members of the committee. Not a compensated committee. Liaison: Youth, Family and Senior Services.			

<b>Committee For A Better Environment</b>			
<b>Appointee</b>	<b>Resides in</b>	<b>Appointed by</b>	<b>Term Expires</b>
Suchitra Balachandran 10/9/07	District 4	M&C	06/20
Alan Hew 01/12/16	District 4	M&C	02/22
Daniel Walfield 02/23/16	District 1	M&C	02/19
Todd Larsen 03/22/16	District 2	M&C	03/22
Caroline Wick 02/12/19	District 3	M&C	02/22
Alexa Bely 02/12/19	District 3	M&C	02/22
Oscar Gregory 02/26/19	District 2	M&C	02/22
Cameron Thurston 02/26/19	District 2	M&C	02/22
Pablo Regis de Oliveria 03/12/19	District 3	M&C	03/22
Andrea McNamara 03/12/19	District 3	M&C	03/22
Matt Dernoga 03/26/19	District 1	M&C	03/22
Chunyang Ding 01/14/20	District 1	M&C	06/20
Nikeshia Pancho 01/28/20	District 4	M&C	06/20
City Code Chapter 15 Article VIII: No more than 25 members, appointed by the Mayor and Council, three year terms, members shall elect the chair. Not a compensated committee. Liaison: Planning.			

<b>Complete Count Committee</b>	
<b>Appointee:</b>	<b>Suggested Composition / Slot filled:</b>
Robert Day 12/11/18	Councilmember – Liaison to full Council
Denise Mitchell 12/11/18	Councilmember – Liaison to full Council

Heidi Biffl 12/11/18	UMD Dept of Fraternity & Sorority Life
Gloria Aparicio-Blackwell 12/11/18	UMD Office of Community Engagement
Michael Glowacki 12/11/18	UMD Dept of Resident Life
Jim Nealis 02/12/19	Resident
John Payne 02/12/19	Neighbors Helping Neighbors
Lupi Quinteros-Grady 02/26/19	Latino community liaison
Melissa Sites 12/11/18	Community Association – CPAE
Andy Miller 02/12/19	PGPOA / landlord representative
Branson Cameron 04/23/19	UMD Student
Areliis Perez 08/13/19	Resident
Resolution 18-R-14 adopted 10-09-2018; Resolution 19-R-06 adopted 04-09-2019: Composed of up to 12 members appointed by the Mayor and Council. Target representation shown above. Members shall be representative of a cross-section of residents willing to serve until the completion of the 2020 Census. Committee will be discharged after a report summarizing their goals and achievements is presented to Council at the conclusion of the 2020 Census. The committee shall select a Chair from among the members. A quorum for purposes of conducting business shall be a majority of appointed members. Not a compensated committee. Liaison: Planning.	

<b>Education Advisory Committee</b>			
Appointee	Represents	Appointed by	Term Expires
Melissa Day 9/15/10	District 3	M&C	05/21
Carolyn Bernache 2/9/10	District 4	M&C	02/21
Stacy Currie 01/29/19	UMCP	UMCP	01/21
Dawn Powers 1/26/16	District 2	M&C	05/21
David Toledo 04/25/16	District 1	M&C	04/21
Rose Greene Colby	District 3	M&C	02/21
Doris Ellis 08/08/17	District 4	M&C	08/21
Tessie Aikara 05/14/19	District 4	M&C	05/21
Resolutions 97-R-17, 99-R-4, 10-R-13, 15-R-25, and 17-R-09: At least 9 members who shall be appointed by the Mayor and Council: at least two from each Council District and one nominated by the University of Maryland. All except the UMCP appointee shall be City residents. Two year terms. The Committee shall appoint the Chair and Vice-Chair of the Committee from among the members of the Committee. Not a compensated committee. Liaison: Youth and Family Services.			

<b>Ethics Commission</b>			
Appointee	Represents	Appointed by	Term Expires
Nora Eidelman 11/24/15	District 1	Mayor	11/21
Joe Theis 05/12/15	District 2	Mayor	09/21
Rachel Gregory	District 3	Mayor	05/20
Gail Kushner 09/13/11	District 4	Mayor	05/20
Robert Thurston 9/13/05	At Large	Mayor	05/20
Alan C. Bradford 1/23/96	At-Large	Mayor	11/21

Frank Rose 05/08/12	At-Large	Mayor	05/20
City Code Chapter 38 Article II: Composed of seven members appointed by the Mayor and approved by the Council. Of the seven members, one shall be appointed from each of the City's four election districts and three from the City at large. 2 year terms. Commission members shall elect one member as Chair for a renewable one-year term. Commission members sign an Oath of Office. Not a compensated committee. Liaison: City Clerk's office.			

<b>Housing Authority of the City of College Park</b>			
Bob Catlin 05/13/14		Mayor	05/01/24
James McFadden 10/09/18		Mayor	05/01/23
Theresa Keeler 09/17/19		Mayor	05/01/24
Arelis Perez 04/10/18		Mayor	05/01/20
VACANT	Attick Towers resident	Mayor	05/01/22
The College Park Housing Authority was established in City Code Chapter 11 Article I, but it operates independently under Division II of the Housing and Community Development section of the Annotated Code of Maryland. The Housing Authority administers low income housing at Attick Towers. The Mayor appoints five commissioners to the Authority; each serves a five year term; appointments expire May 1. Mayor administers oath of office. One member is a resident of Attick Towers. The Authority selects a chairman from among its commissioners. The Housing Authority is funded through HUD and rent collection, administers their own budget, and has their own employees. The City supplements some of their services.			

<b>Martin Luther King, Jr. Tribute Committee</b>			
Appointee	Represents	Appointed by	Term Expires
Lilla Sutton 09/27/16	District 2	M&C	05/22
Dottie Chicquelo	Non-resident	M&C	10/22
Jordan Schakner 10/10/17	District 1	M&C	10/20
Anita Wolley 11/14/17	District 2	M&C	11/20
VACANT		M&C	
Resolution 16-R-11 adopted 06-14-2016. Purpose is to plan, organize and execute an annual event in honor of Dr. King. Between five and nine members, appointed by the Mayor and Council for three-year terms. The Committee shall appoint the Chair and Vice-Chair from among their membership annually. A quorum will consist of a majority of the appointed members. The Committee may work with partners such as the University of Maryland, the Maryland National Capital Park and Planning Commission, local schools and faith communities, and others as appropriate, in planning the event. Liaison: Communications / Event Planner			

<b>Noise Control Board</b>			
Appointee	Represents	Appointed by	Term Expires
Mark Shroder 11/23/10	District 1	Council, for District 1	09/23
Harry Pitt, Jr. 9/26/95	District 2	Council, for District 2	04/20
Alan Stillwell 6/10/97	District 3	Council, for District 3	09/20
Suzie Bellamy	District 4	Council, for District 4	12/20

Adele Ellis 04/24/12	Mayoral Appt	Mayor	08/20
Larry Wenzel 3/9/99	Alternate	Council - At large	02/18
Aaron Springer 10/09/18	Alternate	Council – At large	10/22
City Code Chapter 138-3: The Noise Control Board shall consist of five members, four of whom shall be appointed by the Council members, one from each of the four election districts, and one of whom shall be appointed by the Mayor. In addition, there shall be two alternate members appointed at large by the City Council. The members of the Noise Control Board shall select from among themselves a Chairperson. Four year terms. This is a compensated committee. Liaison: Public Services.			

<b>Recreation Board</b>			
Appointee	Lives In	Appointed by	Term Expires
Sarah Araghi 7/14/09	District 1	M&C	06/22
Barbara Pianowski 3/23/10	District 4	M&C	11/20
Judith Oarr 05/14/13	District 4	M&C	08/22
Christina Toy 01/09/18	District 1	M&C	01/21
Jane Hopkins 1/23/18	District 4	M&C	01/21
Janice Bernache 02/13/18	District 3	M&C	02/21
Santosh Chelliah 10/09/18	District 4	M&C	10/21
Jane Miller	District 3	M&C	08/22
Domini Artis 10/08/19	District 4	M&C	10/22
Mark Mullauer 11/12/19	District 3	M&C	11/22
City Code Chapter 15 Article II: Effective 2/2/16: 10 members appointed by the Mayor and Council for three-year terms with a goal of representation from each district. The Chairperson will be chosen from among and by the district appointees. Not a compensated committee. Additional participants include the University of Maryland liaison and the M-NCPPC liaison. Liaison: Communications / Events Coordinator.			

<b>Tree and Landscape Board</b>			
Member	Represents	Appointed by	Term Expires
Christine O'Brien 08/11/15	Citizen	M&C	04/21
James Meyer 10/24/17	Citizen	M&C	10/19
Todd Reitzel 04/09/19	Citizen	M&C	04/21
Rashawna Alfred 04/09/19	Citizen	M&C	04/21
Janet Wagner 04/09/19	Citizen	M&C	04/21
Todd Larsen (or an alternate)	CBE Chair Liaison		
John Lea-Cox 1/13/98	City Forester	M&C	04/21
Planning Representative	Planning Director		
Brenda Alexander	Public Works Director		
City Code Chapter 179-5: The Board shall have 9 voting members: 5 residents appointed by M&C, the CBE Chair or designee, the City Forester or designee, the Planning Director or designee and the Public Works Director or designee. Two-year terms. Members choose their own officers. Not a compensated committee. Liaison: City Clerk's office.			

<b>Veterans Memorial Committee</b>			
Appointee	Represents	Appointed by	Term Expires
Joseph Ruth 11/7/01	VFW	M&C	01/19
Blaine Davis 10/28/03	American Legion	M&C	01/19
Rita Zito 11/7/01		M&C	12/18
Seth Gomoljak 11/6/14		M&C	11/17
Mary Cook 02/12/19		M&C	02/22
Lisa Fischer 02/26/19		M&C	02/22
VACANT			
VACANT			
VACANT			
<p>Resolution 15-R-27, 01-G-57: Board comprised of 9 to 13 members including at least one member from American Legion College Park Post 217 and one member from Veterans of Foreign Wars Phillips-Kleiner Post 5627. Appointed by Mayor and Council. Three year terms. Chair shall be elected each year by the members of the Committee. Not a compensated committee. Liaison: Public Works.</p>			

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# Future Agenda Items



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

FROM: Janeen S. Miller, City Clerk

DATE: January 29, 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, FEBRUARY 11, 2020 REGULAR MEETING**

Public Hearing on traffic calming in the 9700 block of Narragansett Parkway between Laguna Road and Muskogee Street

Public Hearing on the petition request for traffic calming on Muskogee Street between 48<sup>th</sup> Place and 49<sup>th</sup> Avenue

Public Hearing on the petition request to install residential permit restricted parking for the 9600 block of 51<sup>st</sup> Place

Presentation: State of the City report – Scott Somers, City Manager

Presentation: Results of the 2019 Community Survey – Ryna Quinones, Communication Coordinator

Council Action on traffic calming in the 9700 block of Narragansett Parkway between Laguna Road and Muskogee Street

Council Action on the petition request for traffic calming on Muskogee Street between 48<sup>th</sup> Place and 49<sup>th</sup> Avenue

Council Action on the petition request to install residential permit restricted parking for the 9600 block of 51<sup>st</sup> Place

Introduction of Ordinances and adoption of Resolutions required to implement the Committee on Committees recommendations – Suellen Ferguson, City Attorney

Proposed Consent: Annual review of liquor licenses for City establishments prior to County renewal

Proposed Consent: Approval of an HR&A Task Order – Bill Gardiner, Assistant City Manager

## **TUESDAY, FEBRUARY 18, 2020 WORKSESSION**

12-6-19: Discussion on installing “No Unpermitted Solicitation” signs strategically in our neighborhoods – Bob Ryan, Director of Public Services (15)

12-11-19: Complete Streets Proposed CIP presentation – AMT (60)

Discussion of a City rebate program for installation of residential security technology – Bob Ryan, Director of Public Services (30)

Review of Legislation

**2:10**

## **TUESDAY, FEBRUARY 25, 2020 REGULAR MEETING**

Presentations of ceremonial checks for public school education grants to Hollywood Elementary, Paint Branch Elementary and Greenbelt Middle – Education Advisory Committee

Presentation from Miss College Park 2019, Arcadia Ewell

Proposed Consent: Approval of FY '20 Community Services Grants

Proposed Consent: Approval of EAC Recommendation for public school grant award to Buck Lodge Middle School

Award of task order to RK&K for Rhode Island Avenue buffered bike lanes – Terry Schum, Director of Planning

## **TUESDAY, MARCH 3, 2020 WORKSESSION**

01-28-20: Presentation from the Complete Count Committee on 2020 Census (30)

Discussion of County proposed Comprehensive Map Amendment – Terry Schum, Director of Planning (60)

07-02-19: Review standards for review/appeal of parking tickets – request of Mayor Wojahn (20)

10-01-19: Discussion of special event/party permit/registration (30)

10-15-19: Discussion of the City's security camera program and vendor (30)

Review of Legislation

**3:15**

## **TUESDAY, MARCH 10, 2020 REGULAR MEETING**

Annual Review/Renewal of Insurance Contracts

## **TUESDAY, MARCH 17, 2020 WORKSESSION**

08-08-19: Discussion of establishing a Youth Advisory Council – Kiaisha Barber, Director of Youth, Family and Senior Services (15)

Discussion of government alliance on race and equity policy and project – Bill Gardiner, Assistant City Manager and Kiaisha Barber, Director of Youth, Family and Senior Services (30)

11-06-19: Discussion of a Trash to Treasure pilot program

Discussion of MOU with UMPD for live-monitoring of certain security cameras in the City – Bob Ryan, Director of Public Services (30)

Review of Legislation

**2:35**

## **TUESDAY, MARCH 24, 2020 REGULAR MEETING**

Proposed Consent: Approval of a three-year contract for city-wide grass cutting – Robert Marsili, Director of Public Works

## **TUESDAY, APRIL 7, 2020 WORKSESSION**

## **TUESDAY, APRIL 14, 2020 REGULAR MEETING**

Lakeland S.T.A.R.S. and College Park Scholars

## **TUESDAY, APRIL 21, 2020 WORKSESSION**

## **TUESDAY, APRIL 28, 2020 REGULAR MEETING**

03-20-19: Award of contract for construction for Hollywood Dog Park – Scott Somers, City Manager

## **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

March: Annual Economic Development Report

April and September: Comments on the M-NCPPC budget

September 2020: Review of nuisance ordinance 19-O-13 adopted in September of 2019

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, October 27

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

08-14-18: Discussion of City-wide parking (45)

02-05-19: Council approval of any decisions relating to reducing the speed limit, removing traffic calming or removing stop signs on Calvert Road relating to Purple Line construction impacts

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

Future Worksessions requested at the FY20 Budget Worksession:

- 1) Performance Measures – how we use them and how we set them
- 2) Update on the Sustainability Plan

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)

Discussion and approval of a contract for a new phone system – Bill Gardiner, Assistant City Manager

Approval of a Joint Development Agreement with the University of Maryland for the City Hall project – Scott Somers, City Manager

Discussion with Park and Planning and Riverdale Park about bicycle and pedestrian safety on Old Calvert Road and the increased cut-through traffic

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

10-15-19: Greater utilization of APC to review projects that are coming to Council and discussion of self-imposed “no ex-parte communications” rules

10-22-19: Discussion with VeoRide representatives about program start-up concerns

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

11-20-19: Update to the City Manager’s contract

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

01-21-20: Proposed Charter amendment to provide alternate means of proving residency besides voter registration to satisfy the one year residency requirement to run for office

07-02-19: Discussion of an ordinance for City trails addressing eScooters and eBikes (45)

01-28-20: Discussion of Cherokee Lane Permit Parking Zone 4A

01-29-20: Discussion of the decennial redistricting and of establishing a redistricting commission

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Information  
Report:  
Feasibility of a  
City tax credit for  
purchase of  
flood insurance

## INFORMATION REPORT

**To:** Mayor and Council  
**From:** Suellen M. Ferguson  
**CC:** Scott Somers, City Manager  
**Date:** January 31, 2020

### Re: City Tax Credit for Residents to Purchase Flood Insurance

#### ISSUE:

Various parts of the City continue to flood, or at risk of flooding, during unusual storm events. A question has been raised as to whether the City may grant a tax credit to those residents who purchase flood insurance.

The City's ability to adopt a tax credit is subject to the limits placed by State law. The State must enable or require a municipality to adopt a tax credit before that credit can be granted. The mandatory and option tax credits against the real property tax are generally found in the Tax-Property Article, Annotated Code of Maryland, in Title 9. There is no authority for a tax credit, under either mandatory or optional credit law, for buying flood insurance that I can identify. Under the mandatory tax credit law there is the following:

#### *§ 9-109. Repaired or reconstructed dwelling*

*(a) In general. -- The Mayor and the City Council of Baltimore City and the governing body of each county and of each municipal corporation shall grant a property tax credit under this section against the county or municipal corporation property tax imposed on real property if:*

*(1) the homeowner is otherwise eligible for the credit allowed under § 9-105 (Homestead property tax credit) of this subtitle;*

*(2) (i) the dwelling is:*

*1. damaged or destroyed due to a natural disaster; and*

*2. subsequently repaired or reconstructed;*

*(ii) the dwelling is revalued after the dwelling is repaired or reconstructed; and*

*(iii) as a result of the revaluation, the assessment of the dwelling exceeds the last assessment of the dwelling; and*

*(3) the homeowner claiming the credit had a legal interest in the dwelling at the time the dwelling was damaged or destroyed as described under item (2) of this subsection.*

*(b) Amount of tax credit. -- The amount of the property tax credit allowed under this section shall equal 100% of the property tax attributable to an increase in the assessment of the dwelling upon revaluation under § 8-104(c)(1)(iii) of this article, including improvements, over the last assessment of the dwelling before the natural disaster, less the amount of any assessment on which a property tax credit under § 9-105 of this subtitle has been authorized.*

*(c) Time period. -- A credit under this section may not be granted for more than 5 years.*

- (d) Procedures or requirements. -- The Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation shall:*
- (1) establish procedures or requirements for the application, review, and approval of tax credits under this section; and*
  - (2) notify the Department of any credits that have been granted under this section.*
- (e) Exceptions. -- The credit under this section may not be claimed for a dwelling for which repair or reconstruction is completed before September 18, 2003.*

Also, in the optional section, the City may grant the following:

*§ 9-211. Damage from natural disaster.*

*The Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation may grant, by law, a property tax credit under this section against the county or municipal corporation property tax imposed on residential real property that the Mayor and City Council of Baltimore City or the appropriate governing body determines has suffered damage caused by a natural disaster.*

So, if there is a natural disaster, such as flooding, repairs can receive tax credits. However, there is no credit for buying flood insurance.

If determined to be in the public interest, there is no prohibition against providing a grant to a person who purchases flood insurance.

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Information  
Report:  
Building Permit  
for 4619 College

## **INFORMATION REPORT**

**To:** Mayor and Council  
**From:** Suellen M. Ferguson  
**CC:** Scott Somers, City Manager  
**Date:** January 31, 2020

### **Re: 4619 College Avenue Building Permit**

#### **ISSUE:**

The building located at 4619 College Avenue (“Property”) was purchased by ZS 4619 LLC in 2018. Ilya Zusin represents the owner. The Property has remained vacant for several years due to the failure of a prior owner, Tom Chen, to obtain permits for interior construction. The Property then went into foreclosure.

#### **RECOMMENDATION:**

A Declaration of Covenants and an Agreement between the City and Mr. Chen, his successors and assigns, applies to the Property. The Declaration allows a certain floor plan for the interior, and limits occupancy to 16 persons. A copy is attached.

Mr. Zusin has recently provided a new floor plan to City staff for review prior to filing for a building permit. Planning and Public Services staff has reviewed the floor plan and have found it to be reasonable. Occupancy remains at 16 persons, with six units, and 2 or 3 bedrooms in each unit. Mr. Zusin has agreed that the following will be part of the permit issued by the City:

1. Each of the rooms on the floor plan will be labeled for use, so that all bedrooms, living rooms, etc. will be marked.
2. Tenants will not have access to the attic or basement of the Property for any purpose. Access to the basement and attic will be locked.
3. The occupancy limit of 16 persons will be maintained.
4. Prior to occupancy, all required landscaping and parking lot striping will be completed.
5. All doors to rooms in the attic will be removed.

After review of the proposed floor plan, staff finds that it is in substantial compliance with the Declaration of Covenants and Agreement. Unless there is an objection by the Mayor or a Councilmember, the staff will proceed to receive and approve a building permit for the Property with the above-stated conditions, subject to any other applicable requirements, such as a valid County Use and Occupancy permit.

