

WORKSESSION MINUTES
College Park City Council
Wednesday, August 8, 2018
Council Chambers
7:30 P.M. – 11:01 P.M.

PRESENT: Councilmember Dennis, Mayor Pro Tem; Councilmembers Kabir, Kennedy, Brennan, Day, Kujawa (arrived at 7:37 p.m.) and Mitchell.

ABSENT: Mayor Wojahn and Councilmember Rigg.

ALSO PRESENT: Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Steve Beavers and Kacy Rohn, Planning Department; Alex Tobin, Student Liaison.

CITY MANAGER'S REPORT: Rain barrels for sale at DPW; review of last night's National Night Out events; Saturday's Airmail Centennial Celebration at the Aviation Museum; Back-To-School Backpack Bash.

ANNOUNCEMENT: Mayor Pro Tem Dennis read the summary of the Open Meetings Compliance Board findings against the City.

AMENDMENT TO/APPROVAL OF THE AGENDA: The agenda was approved without amendment (Kennedy/Brennan 7-0-0)

DISCUSSION ITEMS:

- 1 **Discussion of a Charter Amendment to create staggered four-year Council terms.**
Guest: Mayor Bridget Donnell Newton, City of Rockville

Mr. Somers said this discussion item was identified as a Council priority during the 2018 Retreat. The discussion about at-large seats, which was also identified as a Council priority, can happen now or later. We have drafted sample charter amendment language for Council to review regarding staggered four-year terms.

Councilmember Brennan said his research indicates that one factor in favor of four-year staggered terms is the operational efficiencies it might bring to the City. The current structure creates some level of disruption. He is not interested in pursuing at-large positions at this time. He heard about Rockville's experience at MML, so Mayor Newton was invited.

Rockville Mayor Bridget Donnell Newton said they have four-year concurrent terms. The issue came to the Rockville voters three times before they approved moving from two- to four-year terms. In 2011 they created a Charter Review Commission that did interviews and held public hearings before bringing three recommendations forward: 1) ask the voters if they wanted to go from two- to four-year terms, 2) ask the voters if they wanted to go from 4 to 6 Councilmembers, 3) ask the voters what they thought about moving their elections to even years to coincide with state/federal elections. In 2013 the voters approved the first measure. The benefits of four-year terms include greater continuity, enough time to work through more complex issues, and building teams that work together because they all come onboard together. They all serve at-large. With two-year terms, it feels like you are always running for office. Longer terms have

allowed the Council to make great strides and accomplish more than ever before. They have seen a downturn in the number of people willing to run for office but are not sure why. She does not think going to four-year terms reduces accountability; the other elected officials and the public hold us accountable.

Council discussed when to decide about putting this on the ballot as a non-binding referendum question. Council direction was to bring this back to another Worksession in October, then go out to the public. When this comes back, provide alternatives for council to consider on the process and on how to provide for public input. We should determine how the Council feels about this before we decide about putting it to referendum.

Mr. Tobin asked that the students have a chance to weigh in. Moving to four-year terms means students can only vote once, not twice, and students would not be able to run for office, because it is a bigger commitment.

2 Discussion on Bozzuto term sheet.

Mr. Somers reviewed the staff report. This came to Council last September and again in January. Council previously approved a 50% tax credit. Because of an increase in construction costs, the Bozzuto team came back and asked for something closer to 75%. Since then the County and City have discussed, and want to present to Council, a 60% abatement over 15 years for the Council to consider. Mr. Somers reviewed the revenue projections.

Jeff Kayce and Manny Egoegonwa from Bozzuto: They reviewed the features of this \$150M development. The comparables are Monroe Street Market at Brookland/CUA, Union Wharf in Fells Point, and Anthem House in the Locust Point neighborhood in Baltimore. This project includes 393 residential units, average size of 921 sq. ft., 66,868 sq. ft. of net rentable area; 675 parking spaces. They believe this will be a game-changer for College Park. They will provide an extension of Calvert Road. Construction costs are increasing but rents remain flat. They are trying to achieve a 6.5% return on investment. This is not student housing, but that does not mean no students will live there. It will be the most upscale luxury housing in the City.

Staff clarified this would be a Revitalization Tax Credit, not a TIF (Tax Increment Financing). If it moves forward, it would require a code amendment to allow this level of RTC. Council requested a list of other public financing we have provided, with the dollar amount for each. Council asked about the timing – Mr. Somers said Bozzuto has signed a non-binding term sheet with the County, conditional upon agreement with the City. He said the County may consider the request in September. Bozzuto is seeking a quick resolution so they can move the project forward. Introduce ordinance on September 11 with a Public Hearing on September 25.

3 Discussion of amendments to Chapter 38, Ethics and Chapter 34, Elections

Ken Sigman, Legal Counsel to the City's Ethics Commission, presented the proposed revisions to Chapter 38 that were approved by the Ethics Commission at their July 18 meeting. Most of the changes are required by the State, and others are non-substantive revisions recommended by the Commission to help clarify the Code. He reviewed the state-mandated requirements:

1. Update the definition of "interest" to exclude exchange-traded funds for the purpose of the annual financial disclosure statement.

2. Prohibit a former lobbyist who becomes a City official from participating in a matter in which they previously participated, for one year after they stopped lobbying.
3. Restrict a former Councilmember from engaging in lobbying activities for one year after leaving office. Formerly it was until the end of the next session.

The optional recommendations by the Ethics Commission include:

1. Explaining that the prohibited use of the prestige of office includes influencing the award of a gov't contract;
2. Prohibits steering people to specific lobbyists;
3. Prohibits appointed officials and city employees from using public resources or their City title to solicit campaign contributions;
4. Prohibits elected officials from using public resources -- including City email or staff time -- to solicit campaign contributions.
5. An elected official whose spouse is a registered lobbyist must disclose the spouse's lobbying clients.
6. Home addresses can be redacted from Financial Disclosure Statements before they are provided to the public.

There were no questions from Council.

Ms. Ferguson reviewed the proposed changes to Chapter 34, Elections, which are the result of the 2017 election debrief that was conducted with the Supervisors of Elections at the February 6 Worksession. An additional change is required due to the new Maryland law requiring no-excuse absentee voting. Further conforming changes and updates to references to State law have been made. Specifically, the Ordinance:

1. Provides for early voting upon approval of the Mayor and Council
2. Requires that individuals independently making expenditures register and file a report after spending \$100 or more in an election cycle for campaign material that is a public communication
3. Provides for no-excuse absentee voting
4. Clarifies the no-electioneering area as encompassing the adjacent parking lots and 100 feet from the entrance to the polling place, and requires an electioneering area to be established within the 100 feet
5. Adds several sections from the State Election Article to §34-9 to prohibit disobeying the lawful command of an election official, interfering with election officials, and tampering with electronic voting system.

There were no questions from Council. Both Ordinances will be introduced next week.

4 Discussion of a Student Advisory Committee

Mr. Tobin and Jonathan Allen, SGA President, reviewed their proposal. Council suggested starting as a one-year pilot, then assess. Asked for examples of how other Big Ten cities do this. Remarked on the timing of adding another committee since our "Committee on Committees" is meeting now re: consolidation of committees, and this request is to add one. The Committee structure is missing property owners, multi-cultural Greek organizations. Asked how they would get the residents involved. Messrs. Tobin and Allen will incorporate the Council's suggestions and return future W/S.

5 Discussion of IFC proposal

No one present from IFC. Councilmember Day agrees with the principle of the proposal but questioned whether an MOU is needed. Just move forward with what we do now and collaborate where possible. The Knock & Talks start in two weeks. Bob Ryan/DPS to proceed.

6 Discussion of conclusion of the Neighborhood Quality of Life Committee

Proceed with staff recommendation and resolution to discharge the committee and thank the members. Councilmember Brennan wants to discuss an annual check-in meeting to make sure items aren't getting lost. The annual meeting was a parting commitment to the NQOL Committee. Schedule discussion at a future W/S.

At 10:30 p.m., a motion was made by Councilmember Brennan and seconded by Councilmember Kujawa to extend the meeting until 11:00 p.m. Passed 7-0-0.

7 Discussion of a Complete Count Committee for the 2020 Census

Ms. Rohn reviewed the staff report and recommendation to form a Complete Count Committee in advance of the 2020 Census. Council agreed and asked staff to bring forward a resolution to establish the CCC.

8 Discussion of Permit Parking around The Boulevard development (formerly Metropolitan)

Schedule a public hearing in September. The question of whether to keep Delaware in the zone is unresolved. PH notice should include all proposed parameters and invite public input on all aspects. Motion next week to set parameters and schedule PH.

9 Appointments to Board and Committees - None.

10 Requests For/Status of Future Agenda items – None.

11 Mayor and Councilmember Comments

- Mr. Tobin away next week; Jonathan Allen will substitute
- Review of National Night Out events
- CPCF Grant deadline is August 20
- District 4 Back-To-School supply drive
- Coffee Club schedule

12 City Manager's Comments - Aviation Museum event on Saturday from 10-4

ADJOURN: A motion was made by Councilmember Brennan and seconded by Councilmember Day to adjourn the Worksession, and with a vote of 7-0-0, Mayor Pro Tem Dennis adjourned the Worksession at 11:01 p.m.

Janeen S. Miller
City Clerk

Date
Approved