

City of Hyattsville

Hyattsville Municipal Building
4310 Gallatin Street, 3rd Floor
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org



Agenda Regular Meeting

Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_PyTRWGQLTuuaYSSaHa_zbQ

Tuesday, January 3, 2023

7:00 PM

Virtual

City Council

Robert S. Croslin, Mayor
Joseph Solomon, Council President, Ward 5
Danny Schaible, Council Vice President, Ward 2
Sam Denes, Ward 1
Joanne Waszczak, Ward 1
Emily Strab, Ward 2
Ben Simasek, Ward 3
Jimmy McClellan, Ward 3
Edouard Haba, Ward 4
Daniel Peabody, Ward 4
Rommel Sandino, Ward 5

ADMINISTRATION

Tracey E. Douglas, City Administrator
Laura Reams, City Clerk, 301-985-5009, cityclerk@hyattsville.org

WELCOME TO THE CITY OF HYATTSVILLE CITY COUNCIL MEETING!
Your participation at this public meeting is valued and appreciated.

AGENDA/PACKET: The Agenda/Packet is available for review at the Hyattsville Municipal Building and online at www.hyattsville.org prior to the scheduled meeting (generally available no later than the Friday prior to the scheduled Monday meeting). Please note, times given for agenda items are estimates only. Matters other than those indicated on the agenda may also be considered at Council discretion.

AMERICANS WITH DISABILITY ACT: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at (301) 985-5009. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

AUDIBLE DEVICES: Please ensure all audible devices are turned off or otherwise not audible when the City Council is in session. Thank you.

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Meeting Notice:

The Hyattsville City Council will hold its meeting on Tuesday, January 3, 2023 remotely via video conference. The Council meeting will be conducted entirely remotely; there will be no in-person meeting attendance.

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- 1. Call to Order and Council Roll Call**
- 2. Pledge of Allegiance to the Flag**
- 3. Approval of Agenda**
- 4. Approval of the Minutes**

4.a. Approval of the Minutes[HCC-190-FY23](#)

I move that the Mayor and Council approve the following Council Meeting Minutes: Public Hearing of December 19, 2022, Council Meeting of December 19, 2022, Council Meeting of January 10, 2022, 6 p.m. Public Hearing of February 22, 2022, 6:30 p.m. Public Hearing of February 22, 2022, and Council Meeting of April 18, 2022.

Sponsors: City Administrator

Attachments: [MeetingMinutes December 19 2022](#)
[Public Hearing Minutes Dec 19 2022](#)
[MeetingMinutes Jan 10 2022](#)
[Public Hearing 1 Minutes Feb 22 2022](#)
[Public Hearing 2 Minutes Feb 22 2022](#)
[MeetingMinutes April 18 2022](#)

5. Public Comment (7:10 p.m. – 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker**6. Community Notices and Meetings****6.a. Main City Calendar: January 4, 2023 - January 17, 2023**[HCC-189-FY23](#)

N/A

Sponsors: City Administrator

Department: City Clerk

Attachments: [City Calendar January 4, 2023 - January 17, 2023](#)

7. City Administrator Update (7:20 p.m. - 7:50 p.m.)**8. Appointments (7:50 p.m)**

8.a. Re-appointments to Board of Supervisors of Elections [HCC-193-FY23](#)

I move the Mayor, with Council approval, re-appoint Zachary Peters, Juan Castillo, and Erin Payne to the Board of Supervisors of Elections for a term of four (4) years beginning January 4, 2023 through January 12, 2027.

Sponsors: Croslin

Department: City Clerk

Attachments: [Peters_BOSE Reappointment](#)
[Castillo_BOSE Reappointment](#)
[Payne_BOSE Reappointment](#)

9. Consent Items (7:50 p.m. - 8:00 p.m.)

Items listed on the Consent Agenda are considered routine in nature, and are approved in one motion. There will be no separate discussion of these items unless the Mayor/Council request specific items be removed from the Consent agenda for separate action.

9.a. Zoning Variance Request: V-76-22 - 6117 42nd Avenue, Hyattsville [HCC-182-FY23](#)

I move the City Council authorize the Mayor to send correspondence to the Board of Zoning Appeals in support V-76-22 for the subject property at 6117 42nd Avenue, Hyattsville, as the side yard width is an existing condition of the dwelling.

Sponsors: City Administrator

Department: Community & Economic Development

Attachments: [Memo - V-76-22](#)
[City of Hyattsville Zoning Variance Policy Statement & Variance Process_ENGLISH](#)
[V-76-22 Binder](#)

9.b. Authorization for Temporary Use Lease Agreement [HCC-187-FY23](#)

I move the Council authorize the City Administrator to execute a Temporary Lease/Use Agreement with Urban Investment Partners for temporary use of the subject property at 4508 Hamilton Street, Hyattsville, upon review by the City Attorney for legal sufficiency.

Sponsors: City Administrator

Department: Community & Economic Development

Attachments: [Memo -Temporary Use Lease Agreement](#)

9.c. **8th Amendment to Agreement with Applied Digital Solutions, Inc. (ATS) d/b/a Verra Mobility** [HCC-188-FY23](#)

I move that Mayor and Council authorize the City Administrator to sign the eighth amendment to the agreement between the City of Hyattsville and American Traffic Solutions, Inc. (ATS) to continue the Red Light Camera program for a term of one (1) year, beginning on January 1, 2023 and ending on December 31, 2023.

Sponsors: City Administrator

Department: Police Department

Attachments: [HYATTSVILLE 8th Amendment Renewal](#)

9.d. **3505 Hamilton Street Mural Restoration** [HCC-192-FY23](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$17,000 to Griffin Studios, Inc. for the restoration and repair of the Cedric Egeli mural located at 3505 Hamilton St.

Sponsors: City Administrator

Department: Public Works

Attachments: [Estimate Restoration Cost for City Council Hyattsville](#)
[3505 Mural Pictures](#)

9.e. **Pennoni On-call Transportation Projects** [HCC-195-FY23](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$100,000 to Pennoni for transportation related projects to included speed and traffic calming studies, roadway analysis and design, and transportation grant proposal preparation, writing, and management, as well as additional tasks as required under their existing contract with the City.

Sponsors: City Administrator

Department: Public Works

Attachments: [Reconnecting Communities proposal-Hyattsville](#)
[Pennoni Hyattsville- Task 24 Project Rate Sheet](#)
[Hyattsville Task 24 Emerson St Pool Excavation Investigation](#)
[Pennoni Proposal Truck Wash At Arundel Place 102122 \(1\)](#)
[Pennoni Proposal Bike Racks and Repair Station 091222 \(1\)](#)
[Pennoni Hyattsville- Task 25 Project Rate Sheet](#)
[Hyattsville Task 25 King Park Gazebo Investigation](#)

9.f. Hyattsville Ordinance 2022-06: 5G Permits [HCC-196-FY23](#)

I move the Mayor and Council adopt Hyattsville Ordinance 2022-06, an ordinance whereby the City Council amends Chapter 105, Articles VII and VIII of the Hyattsville Code (SECOND READING & ADOPTION).

Sponsors: City Administrator

Department: Public Works

Attachments: [Hyattsville Ordinance 2022-06 amending Chapter 105 - small cell - Final Memo - 5G Draft Ordinance](#)

9.g. Hyattsville Ordinance 2022-08: Updates to Ethics Code [HCC-197-FY23](#)

I move the Mayor and Council adopt Hyattsville Ordinance 2022-08, an Ordinance whereby the City of Hyattsville amends its ethics provisions to conform to recent updates to State law as to financial reporting and conflicts of interest (SECOND READING & ADOPTION).

Sponsors: City Administrator

Department: City Clerk

Attachments: [8.26.22 Letter Regarding Changes to Ethics Law Ordinance 2022-08 Amended Ethics Code - City of Hyattsville](#)

9.h. Disbursement of Mayoral Discretionary Funds [HCC-198-FY23](#)

I move that the Mayor and Council authorize the disbursement of \$500 from the Mayor's discretionary fund to Pyramid Atlantic in support of "A Collaboration of Creativity", an exhibition on the print work of David C. Driskell.

Sponsors: Croslin

Department: City Clerk

9.i. Disbursement of Ward 1 Discretionary Funds [HCC-199-FY23](#)

I move that the Mayor and Council authorize the disbursement of \$500 from the Ward 1 discretionary fund to Pyramid Atlantic in support of "A Collaboration of Creativity", an exhibition on the print work of David C. Driskell.

Sponsors: Denes and Waszczak

Department: Legislative

10. Action Items (8:00 p.m. - 8:15 p.m.)

10.a. ARPA: Non-Profit Program Reallocation to Household Emergency Relief Program [HCC-194-FY23](#)

I move that the Mayor and Council reallocate \$500,000 of American Rescue Plan Act funds from the Non-Profit Emergency Relief program to the Household Emergency Relief Program and establish and end-date for the Non-Profit Emergency Relief Programs of March 31, 2023.

Sponsors: City Administrator

Department: Finance

10.b. ARPA: Small Business Emergency Relief Program [HCC-201-FY23](#)

I move that the Mayor and Council reallocate \$100,000 of American Rescue Plan Act funds from the Permit Expediting Program to the Small Business Emergency Relief program, and to establish an end date for the Small Business Emergency Relief program of March 31, 2023.

Sponsors: City Administrator

Department: Finance

11. Discussion Items (8:15 p.m. - 9:00 p.m.)

11.a. ARPA: Household Emergency Relief Program Future Allocation [HCC-200-FY23](#)

For discussion. This item is tentatively scheduled to return to Council for action on January 17, 2023.

Sponsors: City Administrator

Department: Finance

12. Council Dialogue (9:00 p.m. - 9:10 p.m.)

13. Motion to Adjourn



City of Hyattsville

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Agenda Item Report

File #: HCC-190-FY23

1/3/2023

4.a.

Submitted by: Nate Groenendyk
Submitting Department: City Clerk
Agenda Section: Approval of the Minutes

Item Title:
Approval of the Minutes

Suggested Action:

I move that the Mayor and Council approve the following Council Meeting Minutes: Public Hearing of December 19, 2022, Council Meeting of December 19, 2022, Council Meeting of January 10, 2022, 6 p.m. Public Hearing of February 22, 2022, 6:30 p.m. Public Hearing of February 22, 2022, and Council Meeting of April 18, 2022.

Summary Background:

Action summaries for Council Meetings are posted to the City website within 48 hours of the meeting. Please see attached minutes. Staff is in the process of reviewing outstanding minutes to bring forward for Council approval.

Next Steps:

Upon approval, approved minutes will be posted on the City's website.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend approval.

Community Engagement:

N/A

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

N/A

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Meeting Minutes

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Jimmy McClellan, Ward 3
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Daniel Peabody, Ward 4
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7:0271. Call to Order and Council Roll Call

Also Present:

City Administrator-Tracey Douglas
Deputy City Administrator-Consuela Barbour
Chief of Police-Jarod Towers
Director of Public Works-Lesley Riddle
Director of Community Services-Sandra Shepherd
City Clerk-Laura Reams
Deputy Director of Public Works-Hal Metzler

Present: Mayor Robert Croslin
Council President Joseph Solomon
Council Vice-President Danny Schaible
Councilmember Emily Strab
Councilmember Sam Denes
Councilmember Joanne Waszczak
Councilmember Ben Simasek
Councilmember Jimmy McClellan (joined the meeting at 7:33 p.m.)
Councilmember Edouard Haba
Councilmember Daniel Peabody
Councilmember Rommel Sandino

2. Pledge of Allegiance to the Flag

3. Approval of Agenda

A motion was made by Council President Solomon, seconded by Councilmember Simasek, that the Agenda be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Strab, Denes, Waszczak, Simasek, Haba, Peabody, and Sandino

Absent: McClellan

4. Approval of the Minutes**4.a. Approval of the Minutes**[HCC-176-FY23](#)

I move that the Mayor and Council approve the Council Meeting Minutes of November 7, 2022, November 21, 2022, and December 5, 2022.

Sponsors: City Administrator

Attachments: [MeetingMinutes November 07 2022](#)
[MeetingMinutes November 21 2022](#)
[MeetingMinutes December 05 2022](#)

A motion was made by Council President Solomon, seconded by Councilmember Peabody, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Strab, Denes, Waszczak, Simasek, Haba, Peabody, and Sandino

Absent: McClellan

5. Public Comment (7:10 p.m. – 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker

Laura Toraldo, on behalf of MD5G Partnership, noted the importance of 5G to the community and urged the Council to reconsider the proposed legislation, advocating for the process utilized by Prince George's County.

Carly Didden, who oversees state and local government affairs for Crown Castle, spoke in opposition to the 5G ordinance as written and stated concerns that the legislation would prevent the deployment of small cells in the city.

Melissa Schweisguth submitted a written comment in support of the Bring Your Own Bags ordinance and offered suggestions to refine the ordinance.

Chuck Perry submitted written comments in opposition to the Council Chambers renovation plan, in opposition to the license agreement with St. Jeromes, in opposition to funding the Hyattsville Police Department's agreement with Lexipol, in opposition to the Hyattsville Police Department receiving the donation of a scent evidence vacuum, and questioning how much money the City and vendors get to manage ARPA funds.

David Marshall submitted a written comment in opposition to the ward boundary change and in opposition to the Bring Your Own Bags ordinance.

6. Community Notices and Meetings**6.a. Main City Calendar: December 20, 2022 - January 3, 2023**[HCC-174-FY23](#)

N/A

Sponsors: City AdministratorAttachments: [City Calendar December 20, 2022 - January 3, 2023](#)**7. City Administrator Update (7:20 p.m - 7:45 p.m.)**

City Administrator Tracey Douglas provided updates about City related news and events.

8. Presentations (7:45 p.m. - 8:45 p.m.)

8.a. American Rescue Plan 2022 Year-End Update[HCC-185-FY23](#)

Presentation Only

Sponsors: City Administrator

Attachments: [ARPA Expense Plans v12.13.2022](#)
[Additional ARPA Summaries 12.13.2022](#)
[HVL - ARPA 2022 Update Presentation 12.13.2022 v2](#)

American Rescue Plan Program Manager Patrick Paschall presented an update for the City's ARPA programs, summarizing the funding objectives, planned expenses to date, remaining funds available for expenditure and timeline for allocation.

Council President Solomon noted his appreciation for the presentation and asked to discuss the vision for a comprehensive plan prior to June 30, 2023. He said he would like to see participatory budgeting as a part of the plan and asked for specifics on how the plan would be developed.

Mr. Paschall noted that the Hello Hyattsville Platform had been purchased for community engagement, and it was intended to use the tool for engaging the community on the spending plan. He said staff was open to feedback on how to use the participatory budgeting tools which exist in the platform. He indicated the timeline for public feedback was intended to be done in the first three months of 2023.

Council President Solomon said the reliance on Hello Hyattsville (or other online tools) may be prohibitive for some areas of the City, stating that his residents preferred in person meetings. He also asked for a clear delineation between the general budgeting priorities and the ARPA requests, noting that they are falling on a similar timeline. He asked if there was a separate calendar for ARPA meetings.

Mr. Paschall said they were parallel processes stating that the budget was an annual occurrence while ARPA was a one time expenditure. City Treasurer Ron Brooks added that he hoped the Council could focus on their budget priorities. City Administrator Douglas cited the City's Action Ready Plans as a starting place for staff evaluation for budget and ARPA expenditures.

Councilmember Waszczak agreed with Council President Solomon that there is a need to have a comprehensive plan developed however, she said that it was great that the City has addressed emergency needs of the community first. She also requested a council work session in early 2023. She asked for information on how many payments have been sent out by the City and for clarification as to why ARPA allows expenditures such as replacement of police vehicles and trash trucks.

Mr. Paschall reported that the City has received 354 applications for the household emergency relief program, and the average award amount is \$4350.97. He also stated that \$340K has been awarded to date, and the remaining applications are currently in the three stage review process. He provided details on the overall expenditures and proposed additions and the eligibility evaluation process for expenditures.

Councilmember Simasek stated his agreement for a Council work session. He thinks Hello Hyattsville is a good tool but has heard concerns about individuals being required to register an account and not able to comment anonymously. He expressed his desire to see expenditures for police and DPW capital expenditures to be reflected in a transparent way to the public.

Council Vice-President Schaible also agreed with scheduling a Council work session to discuss priorities for unallocated funds. He asked for clarification of a retention bonus for the police department stating his earlier understanding that the City Administrator had approved increased salaries and not a bonus.

City Administrator Douglas replied that the city had done both, and the increases were in response to the compensation study and the bonuses were done in response to police officers leaving or threatening to leave and the expense to hire new officers. A one time bonus of \$7K was given to those officers who would sign a two year commitment letter to the City.

Council Vice-President Schaible clarified that the bonus amount was shown in the slide and asked if the future amount was included in the presentation to support the increased salaries. Treasurer Brooks responded that the item would come forward to the Council in early January.

Council Vice-President Schaible said he was surprised to not see the salary allocation included in future expenses, he reiterated his request to hear more information regarding the compensation study. Ms. Douglas said that the compensation item would come forward for ARPA reimbursement shortly.

Council Vice-President Schaible asked if the compensation study was finalized. Ms. Douglas replied the study was still in draft and staff was providing feedback to the consultant.

Council Vice-President Schaible stated that he had submitted budget requests for the future year which included expenses which are ARPA eligible but did not see them included in the planning. Mr. Paschall responded that he has received the Council requests and Ms. Douglas added that the requests will be addressed as part of the upcoming work session with Council.

Council Vice-President Schaible expressed his support for the 14 requested police vehicles to be electric. Treasurer Brooks said staff would provide an update on the availability and process for purchasing vehicles. Ms. Douglas noted that electric vehicles were difficult to find for police operations, and the issues around the capacity of electric vehicles to carry the required equipment for police.

8.b. Council Chambers Renovation Concept[HCC-164-FY23](#)

Presentation only.

Sponsors: City Administrator

Attachments: [TO 68 Proposal Design Phase signed 11.23.22](#)
[221205 - council chambers renovation](#)

Deputy Director of Public Works Hal Metzler presented the renovation concept for Council Chambers including an overview of the existing conditions, concept parameters, and next steps. He reviewed the plan showing the creation of a flexible meeting space with improved audio and video, ADA accessibility, and added storage. He noted that there will be separate costs for audio and visual upgrades as well as the furnishings.

Councilmember Waszczak asked about the multi-functional space. City Clerk Laura Reams provided details on the various uses of the room. Councilmember Waszczak suggested that there could be space for media use. Ms. Reams and Mr. Metzler provided additional information regarding the proposed studio space.

Councilmember McClellan offered suggestions for how the room could be configured with a different style dais to make it a more inviting environment and improve accessibility. He added his preference to make sure that the City thinks about the symbols and imagery which paint the picture of what Hyattsville is. Specifically something that shows this is "the people's space". He noted the upcoming rebranding for the City, and cautioned against spending a significant amount of money on design elements that may change soon as a result of that process. Deputy Director Metzler noted the elevated seating was easier for the audience to see and for the cameras, and he listed some of the challenges and space limitations with moving the dais.

Council President Solomon recalled feedback from Council that there was concern regarding the space between the councilmembers, and that he didn't see an improvement in the presented design. Deputy Director Metzler said the dais would remain in the same configuration with a slight elongation and lower profile furniture. Council President Solomon requested more space on the sides for Council. Mr. Metzler said it was not yet determined how wide the dais would be. Council President Solomon reiterated his request for a wider dais.

Council President Solomon added that he supports the multifunction of the space but not at the expense of comfort and security. He cited security concerns and advocated for furniture and elements of the design to help protect councilmembers and City staff. He recommended that staff look at the example in Laurel citing a bulletproof dais and providing an exit point for Council. He suggested that the doorway to the Mayor's Office could be a walkway. Mr. Metzler said staff will take the feedback and the safety concerns into consideration for the final design. Council President Solomon also recommended having space for childcare in the Council Chambers.

Council Vice-President Schaible said he hoped the costs of the project could be lessened while still meeting the needs of the City. He didn't see the need for configurable furniture and suggested there were other areas for meeting space in the City particularly with the police relocating out of the building.

Councilmember Sandino expressed his preference for the screens to be large enough to see content from the back of the room for the visually impaired. He asked if the City is considering an electronic sign up for public comment. City Clerk Laura Reams replied in the negative citing a lack of use for the online request to speak option that is currently available.

9. Proclamations

9.a. Proclamation Recognizing December 21, 2022 as National Homeless Persons' Memorial Day [HCC-177-FY23](#)

I move that the Mayor and Council adopt a proclamation recognizing December 21, 2022, as National Homeless Persons' Memorial Day in the City of Hyattsville.

Sponsors: City Administrator

Attachments: [CM 1219 National Homeless Persons Memorial Day 2022](#)

A motion was made by Council President Solomon, seconded by Councilmember Peabody, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Strab, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, and Sandino

10. Appointments

10.a. Council of Governments Policy Committee Appointments [HCC-181-FY23](#)

I move that the Mayor and Council make the following appointments to the Council of Governments (COG) Policy Committees for a term of one (1) year, beginning on January 1, 2023:

- Region Forward Coalition: Mayor Robert Croslin, with staff alternate Jim Chandler
- Human Services and Public Safety Policy Committee: Mayor Robert Croslin, with staff alternate Police Chief Jarod Towers and Sandra Shephard
- Climate Energy and Environment Policy Committee: Mayor Robert Croslin, with staff alternate Lesley Riddle
- Chesapeake Bay and Water Resources Policy Committee: Mayor Robert Croslin, with staff alternate Lesley Riddle

Sponsors: City Administrator

Attachments: [MWCOG Policy Committees](#)

A motion was made by Council President Solomon, seconded by Councilmember Simasek, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Strab, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, and Sandino

11. Consent Items (8:45 p.m. - 8:50 p.m.)

Items listed on the Consent Agenda are considered routine in nature, and are approved in one motion. There will be no separate discussion of these items unless the Mayor/Council request specific items be removed from the Consent agenda for separate action.

A motion was made by Council President Solomon, seconded by Councilmember Sandino, to approve the Consent Agenda. The motion carried unanimously.

Aye: Croslin, Solomon, Schaible, Strab, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, and Sandino

11.a. License Agreement w/St. Jerome Academy

[HCC-167-FY23](#)

I move that the Mayor and Council authorize the City Administrator to enter into a license agreement between the City of Hyattsville and St. Jerome Academy to allow the Hyattsville Police Department access to St. Jerome Academy's remote camera system.

Sponsors: City Administrator

Attachments: [St. Jerome Academy- License agreement](#)

11.b. Agreement with Lexipol/PoliceOne Academy

[HCC-168-FY23](#)

Sponsors: City Administrator

Attachments: [PoliceOne Agmt](#)

11.c. Purchase of Memory and Storage Installation - Dataprise

[HCC-170-FY23](#)

I move that Mayor and Council authorize the purchase of memory and storage installation for the Police Department's new body worn and in-camera video system with Dataprise, not to exceed \$25,000.

Sponsors: City Administrator

Attachments: [2022-CQK-P42 - Memory and Storage Installation](#)

11.d. Acceptance of Donation of a Scent Evidence Vacuum from the Chesapeake K9 Foundation

[HCC-172-FY23](#)

I move that Mayor and Council accept the donation of a Scent Evidence Vacuum from the Chesapeake K9 Foundation for our Bloodhound Program.

Sponsors: City Administrator

11.e. Trip Hazard Mitigation[HCC-173-FY23](#)

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with Precision Concrete Cutting for the evaluation and removal of trip hazards along various sidewalk throughout the City. An expenditure not to exceed \$35,000 is authorized.

Sponsors: City Administrator

Attachments: [BID #3378-Rhode Island Baltimore Avenue-City of Hyattsville](#)
[Revised #3381-Adelphi Road BID #3318-City of Hyattsville](#)
[Revised BID #3379-E West Highway City of Hyattsville](#)
[BID #3380-Hamilton Street-City of Hyattsville](#)

11.f. 4310 Gallatin Street Access Control System[HCC-175-FY23](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$100,000 to Skyline Technology Solutions for the design and installation of a digital access control system at the City Administration Building under their existing contract with the City.

Sponsors: City Administrator

Attachments: [Updated Quote QUO-02017-V5M2R1 City Hall City of Hyattsville](#)

11.g. Auditing Services[HCC-184-FY23](#)

I move the Mayor and Council authorize the City Administrator to execute a contract for professional auditing services with Lindsey & Associates LLC, Certified Public Accountants located at 110 West Road, Suite 220, Towson, MD to review and complete the analysis of the City's FY21, FY22 and FY23 financial statements and provide the Independent Auditor's Report on the City's financial statements for all governmental activities for each major fund at the end of each fiscal and to complete the City's Single Audit as required by the Department of Treasury for federal funds reimbursed from the Cares Act in FY21 and the American Rescue Plan Act Funds expensed in FY22 and FY23. The contract cost for these auditing services will not exceed \$29,180 for FY21, \$29,940 for FY22 and \$30,420 for FY23, upon legal review and approval of the City Attorney.

Sponsors: City Administrator

12. Action Items (8:50 p.m. - 9:40 p.m.)

12.a. Hyattsville Ordinance 2022-08: Updates to Ethics Code[HCC-163-FY23](#)

I move the Mayor and Council introduce Hyattsville Ordinance 2022-08, an Ordinance whereby the City of Hyattsville amends its ethics provisions to conform to recent updates to State law as to financial reporting and conflicts of interest (INTRODUCTION & FIRST READING).

Sponsors: City Administrator

Attachments: [8.26.22 Letter Regarding Changes to Ethics Law](#)
[Amended Ethics Code - City of Hyattsville](#)

City Clerk Laura Reams presented the changes in the Ethic's Code and its effect on the City's review process.

Councilmember Waszczak asked for clarity around the changes specific to MML (Maryland Municipal League). Ms. Reams provided the details specific to the MML language in the ordinance.

Councilmember Waszczak asked if widely attended events hosted by MML are subject to the new code. City Administrator Douglas clarified that an open event would not be subject to the new code, but being gifted a ticket to a private event would be.

A motion was made by Council President Solomon, seconded by Councilmember Simasek, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Strab, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, and Sandino

12.b. Charter Amendment Resolution 2022-02: Adjusting the City's Five Ward Boundaries[HCC-178-FY23](#)

I move the Mayor and Council introduce and adopt Hyattsville Charter Amendment Resolution 2022-02, a resolution amending the Charter to adjust the City's five ward boundaries based on the most recent census data and the relevant legal requirements (INTRODUCTION & ADOPTION).

Sponsors: City Administrator

Attachments: [Resolution - Charter Amendment 2022-02 Redistricting FINAL 121322](#)
[Council Requests Map \(Option B\)](#)
[hyattsville_redistricting_public_hearing_2022_12_19](#)

Council President Solomon thanked the commission and the Council for the work done to select the map.

Councilmember Waszczak expressed her preference for an after action review that could be referenced by the next commission tasked with redistricting.

City Clerk Reams commended the commission on the job they have done documenting their work with multiple written reports that will be archived by the City for reference. She added that she welcomes any additional comments from the Council to be included in the City's file in reference to this process.

A motion was made by Council President Solomon, seconded by Councilmember Simasek, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Strab, Waszczak, Simasek, McClellan, Haba, Peabody, and Sandino

Nay: Denes

12.c. Hyattsville Ordinance 2022-06: 5G Permits

[HCC-135-FY23](#)

I move the Mayor and Council introduce Hyattsville Ordinance 2022-06, an ordinance whereby the City Council amends Chapter 105, Articles VII and VIII of the Hyattsville Code (INTRODUCTION & FIRST READING).

Sponsors: City Administrator

Attachments: [Hyattsville Ordinance 2022-06 amending Chapter 105 - small cell - Final Memo - 5G Draft Ordinance](#)

A motion was made by Council President Solomon, seconded by Councilmember Simasek, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Strab, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, and Sandino

13. Discussion Items (9:40 p.m. - 10:20 p.m.)

13.a. Authorization for Temporary Use Lease Agreement

[HCC-180-FY23](#)

For discussion.

Sponsors: City Administrator

Attachments: [Memo - Temporary Use Lease Agreement](#)

City Administrator Tracey Douglas provided an overview of the temporary use lease agreement for the staging of construction equipment at 4508 Hamilton St.

Councilmember Waszczak raised her concern about the storage and transportation of materials to the area. She inquired about the hours of use and the anticipated impact to users of the trail.

Director of Public Works Lesley Riddle responded that the City had not progressed to that level of detail of negotiations, and that safety regulations would be included as the process moves forward. Deputy Director Hal Metzler clarified that the area would not be used for building materials but for pre-fabricated units. He also provided information about the probable time restrictions for moving materials as required by the State Highway Administration.

Councilmember Denes expressed his preference to see the leasee support SOHY and community events. He also wants to ensure that the existing trees are protected.

Ms. Riddle responded that protection of the area, including the trees, is a priority for the City.

13.b. Bring Your Own Bags[HCC-179-FY23](#)

I move that the Mayor and Council authorize the City Attorney to draft an ordinance regulating carryout bags from retail and food service establishments in the City of Hyattsville. The ordinance shall prohibit the provision of plastic bags at the point of sale for customers. Businesses shall be required to charge customers a minimum 10 cent fee for paper or other reusable carryout bags in order to incentivize customers to bring their own bags.

Sponsors: Simasek, Schaible and Haba

Attachments: [Bring Your Own Bag Ordinance - Draft](#)

Councilmember Simasek introduce the proposal for "Bring Your Own Bags" legislation. He highlighted the environmental impact of plastic bag use and reviewed the three approaches to reducing plastic bag use. He provided a brief overview of plastic bag laws in Maryland.

Councilmember Denes expressed his support for the proposal. He also noted that while plastic bags are not recyclable through the County, several grocery stores do collect clean plastic bags which are recyclable. He added that the participation and recovery rate is very low for grocery store plastic bag recycling.

Councilmember Peabody asked about the ban impact on businesses and users. He asked if there was a difference between restaurant delivery and grocery pick up. He also asked if the business community has been engaged in conversation on the legislation and if so, what has the input been. He also asked if the ban in other communities has impacted consumer prices.

Councilmember Simasek said he did not have data on the effect on prices. He cited the Washington DC ban and the associated flat five cent fee. Regarding business community input, he has spoken with a few small business owners and one of the big takeaways is that the City needs a formal mechanism to provide information to the community and businesses as well as a clear communications strategy. He said that additional engagement with the business community was needed.

Councilmember Peabody asked for clarification on the Point of Sale definition as it relates to different services like delivery. Councilmember Simasek suggested that the Point of Sale would have to be defined by the business location.

Councilmember Strab asked about the revenue stream from the bag fee. Councilmember Simasek clarified that the businesses would keep the revenue and it would not go to the City or County. Councilmember Strab expressed her support for engaging the business community and cited the potential financial impact on small businesses and the consumers who may be impacted by higher costs.

Council Vice-President Schaible thanked Councilmember Simasek for the proposal and said he was in support. He went on to cite the environmental damage caused by plastic bags. He finished by proposing a grace period for a business that have been issued a warning prior to receiving a citation.

Councilmember Haba stated his support for the proposal, and said he believed it would eventually be standard practice. He proposed a Citywide distribution of reusable bags to residents.

Councilmember Waszczak cited the law recently passed by the County for disposable food serviceware, requiring customers to ask for utensils. She suggested the City align their ordinance with the County's start date of June 30, 2023. She agreed with Councilmember Haba's suggestion to provide reusable bags and brand them for the different shopping zones.

Council President Solomon said he was interested in the City Attorney's opinion regarding fees and believes the City should explore the possibility of collecting some or part of the bag fees. He asked about the order of passed legislation in Montgomery County and Takoma Park regarding plastic bags.

Councilmember Simasek replied that Montgomery County acted prior to Takoma Park. He added that the City Attorney has not yet provided input.

14. Council Dialogue (10:20 p.m. - 10:30 p.m.)

15. Motion to Adjourn

The meeting was adjourned at 10:22 p.m.

A motion was made by Council President Solomon, seconded by Councilmember Sandino, that the meeting be adjourned. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Strab, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, and Sandino

City of Hyattsville

*Hyattsville Municipal Building
4310 Gallatin Street, 3rd Floor
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org*



Meeting Minutes

Monday, December 19, 2022

6:00 PM

Public Hearing for Charter Amendment 2022-02: Adjusting Ward Boundaries

Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_m7mYyyZIR9uTORXVk-x7cQ

Virtual

City Council Public Hearing

Robert S. Croslin, Mayor
Joseph Solomon, Council President, Ward 5
Danny Schaible, Council Vice President, Ward 2
Sam Denes, Ward 1
Joanne Waszczak, Ward 1
Jimmy McClellan, Ward 3
Ben Simasek, Ward 3
Edouard Haba, Ward 4
Daniel Peabody, Ward 4
Rommel Sandino, Ward 5

ADMINISTRATION

Tracey E. Douglas, City Administrator
Laura Reams, City Clerk, 301-985-5009, cityclerk@hyattsville.org

WELCOME TO THE CITY OF HYATTSVILLE CITY COUNCIL MEETING!
Your participation at this public meeting is valued and appreciated.

AGENDA/PACKET: The Agenda/Packet is available for review at the Hyattsville Municipal Building and online at www.hyattsville.org prior to the scheduled meeting (generally available no later than the Friday prior to the scheduled Monday meeting). Please note, times given for agenda items are estimates only. Matters other than those indicated on the agenda may also be considered at Council discretion.

AMERICANS WITH DISABILITY ACT: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at (301) 985-5009. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

AUDIBLE DEVICES: Please ensure all audible devices are turned off or otherwise not audible when the City Council is in session. Thank you.

PUBLIC INPUT: If you wish to address the Council during the Public Comment period, please use the "Raise Hand" feature in the virtual meeting interface. Participants may also submit statements electronically using the eComment feature at www.hyattsville.org/meetings or via email to cityclerk@hyattsville.org no later than two (2) hours prior to the start of the meeting. All participants shall remain respectful in their contributions and associated functions of the virtual meeting interface are not intended for public dialogue or discussion.

WAYS TO WATCH THE MEETING LIVE: City Council meetings are broadcast live on cable television channel 71 (Comcast) and channel 12 (Verizon). You may also view meetings live online at hyattsville-md.granicus.com/MediaPlayer.php?camera_id=2

REPLAY SCHEDULE: The meetings will be re-broadcast on cable television, channel 71 (Comcast) and channel 12 (Verizon) daily at 7:00 a.m., 1 p.m., and 8 p.m. Meetings are also able for replay online at www.hyattsville.org/meetings.

CITY INFORMATION: Sign up to receive text and email notifications about Hyattsville events, government, police and programs at www.hyattsville.org/list.aspx

INCLEMENT WEATHER: In the event of inclement weather, please call 301-985-5000 to confirm the status of the Council meeting.

Meeting Notice:

The City of Hyattsville Mayor and Council will conduct a virtual Public Hearing on Monday, December 19, 2022 at 6:00 p.m. (prior to the City Council Meeting). The Public Hearing will be conducted entirely remotely; there will be no in-person meeting attendance. The purpose of the Public Hearing is to allow residents to comment on the Ward boundary changes.

The Public Hearing will be held virtually and can be accessed through the following link:
https://us06web.zoom.us/webinar/register/WN_m7mYyyZIR9uTORXVx-x7cQ

The meeting will be broadcast live on cable television channel 71 (Comcast), channel 12 (Verizon), and available via live stream at www.hyattsville.org/meetings.

PUBLIC PARTICIPATION:

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Members of the public who wish to comment during the virtual Council meeting must register in advance using the link below.

https://us06web.zoom.us/webinar/register/WN_m7mYyyZIR9uTORXVx-x7cQ

1. Call to Order

The meeting was called to order at 6:00 p.m.

Present:	Mayor Robert Croslin Council Vice-President Danny Schaible Councilmember Sam Denes Councilmember Joanne Waszczak Councilmember Rommel Sandino Council President Joseph Solomon Councilmember Ben Simasek
Absent:	Councilmember Jimmy McClellan Councilmember Daniel Peabody Councilmember Edouard Haba

2. Presentations (6:00 p.m. - 6:20 p.m.)

Charter Amendment Resolution 2022-02: Adjusting the City's Five Ward Boundaries [HCC-183-FY23](#)

Sponsors: City Administrator

Attachments: [Resolution - Charter Amendment 2022-02 Redistricting FINAL 121322](#)
[Council Requests Map \(Option B\)](#)
[hyattsville_redistricting_public_hearing_2022_12_19](#)
[143205 City of Hyattsville Ntc of Public Hearing](#)

Redistricting Chair Andy Sayer presented the proposed Charter Amendment for updating the City Ward Boundaries. He provided background information on the need for redistricting, the process the Commission followed to develop their recommendation, and a summary of the map selection.

Staff Liaison to the Commission Cindy Zork gave an overview of the communication plan to residents whose ward is changing.

City Clerk Laura Reams stated that the City and County are working together adjust the voter rolls to reflect the ward boundary changes. She also shared an error in the original draft of the Charter Amendment that has been since corrected. The correction changed the old name of Prince Georges Plaza Metro Station to Hyattsville Crossing Metro Station.

3. Public Comment (6:20 p.m. – 6:40 p.m.) Complete Speaker Card, Limit 2 minutes per speaker

David Marshall provided a written comment expressing his opinion that the public hearing is being held only to comply with law and that it has no effect on the Council voting.

4. Motion to Adjourn

The meeting adjourned at 6:29 p.m.

A motion was made by Councilmember Simasek, seconded by Councilmember Sandino, that the meeting be Adjourned. The motion carried by the following vote:

Aye: Croslin, Schaible, Denes, Waszczak, Sandino, Solomon, and Simasek

Absent: McClellan, Peabody, and Haba

City of Hyattsville

*Hyattsville Municipal Building
4310 Gallatin Street, 3rd Floor
Hyattsville, MD 20781
(301) 985-5000
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Meeting Minutes

Monday, January 10, 2022

7:00 PM

Agenda Revised - January 7, 2022

Register for the webinar in advance:

**https://us06web.zoom.us/webinar/register/WN_w1sHoWcZS0qx_mZAWH6pDQ
Council Chambers**

City Council

Kevin Ward, Mayor

Robert S. Croslin, Council President, Ward 2

Danny Schaible, Council Vice President, Ward 2

Sam Denes, Ward 1

Joanne Waszczak, Ward 1

Ben Simasek, Ward 3

Jimmy McClellan, Ward 3

Edouard Haba, Ward 4

Daniel Peabody, Ward 4

Rommel Sandino, Ward 5

Joseph Solomon, Ward 5

ADMINISTRATION

Tracey E. Douglas, City Administrator

Laura Reams, City Clerk, 301-985-5009, cityclerk@hyattsville.org

WELCOME TO THE CITY OF HYATTSVILLE CITY COUNCIL MEETING!
Your participation at this public meeting is valued and appreciated.

Present: Mayor Kevin Ward
Mayor Robert Croslin
Council Vice-President Danny Schaible
Councilmember Sam Denes
Councilmember Joanne Waszczak
Councilmember Ben Simasek
Councilmember Jimmy McClellan
Councilmember Edouard Haba
Councilmember Daniel Peabody
Council President Joseph Solomon
Councilmember Rommel Sandino

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INCLEMENT WEATHER: In the event of inclement weather, please call 301-985-5000 to confirm the status of the Council meeting.

Meeting Notice:

As we continue to take precautions due to the COVID-19 (Coronavirus) pandemic, the Hyattsville City Council will hold its meeting on Monday, January 10, 2022 remotely via video conference. The Council meeting will be conducted entirely remotely; there will be no in-person meeting attendance.

The meeting will be broadcast live on cable television channel 71 (Comcast), channel 12 (Verizon), and available via live stream at www.hyattsville.org/meetings.

PUBLIC PARTICIPATION:

If you wish to address the Council during the Public Comment period, please use the "Raise Hand" feature in the virtual meeting interface. Participants may also submit statements electronically using the eComment feature at www.hyattsville.org/meetings or via email to cityclerk@hyattsville.org no later than two (2) hours prior to the start of the meeting. All participants shall remain respectful in their contributions and associated functions of the virtual meeting interface are not intended for public dialogue or discussion.

Members of the public who wish to comment during the virtual Council meeting must register in advance using the link below.

https://us06web.zoom.us/webinar/register/WN_w1sHoWcZS0qx_mZAWH6pDQ

1. Call to Order and Council Roll Call

The meeting was called to order at 7:05 p.m.

Also present:

City Administrator Douglas

Assistant City Administrator/Director of Community & Economic Development Chandler

Chief of Police Towers

Treasurer Brooks

Director of Public Works Riddle

Deputy Director of Public Works Metzler

Director of Community Services Shephard

City Clerk Reams

2. Pledge of Allegiance to the Flag**3. Approval of Agenda**

This agenda item was Approved.

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

4. Public Comment (7:10 p.m. – 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker

Stephen Price submitted comment in opposition to the Adelphi Road Sector Plan.

Amy Sapkota submitted comment in opposition to the Adelphi Road Sector Plan.

Elisabeth H. submitted comment in opposition to the Adelphi Road Sector Plan.

Louliqa Raschid submitted comment in opposition to the Adelphi Road Sector Plan.

Helen Kaiser submitted comment in opposition to the Adelphi Road Sector Plan.

Nancy Barrett submitted comment in opposition to the Adelphi Road Sector Plan.

Chuck Perry submitted comment regarding the proposed Civilian Oversight Committee. While he supported the committee, he recommended that the County have the authority to override findings of the local committee.

Caitlin Fitzpatrick submitted comment regarding the proposed Civilian Oversight Committee. She recommended that the committee should have independence from HPD, ensure the structure of the board include representative from a racial justice organization, and provide allocation of sufficient resources to support the committee.

Cliff Mayo submitted comment in favor of Item 10.b. (Letter to Maryland Department of Environment opposing Suffrage Pointe Nontidal Wetlands Permit).

A joint letter submitted by 30 residents and Sustainable Hyattsville stated support for Item 10.b. (Letter to Maryland Department of Environment opposing Suffrage Pointe Nontidal Wetlands Permit) and made recommendations to provide additional opportunities for public comment.

Daniel Muth submitted comment in favor of Item 10.b. (Letter to Maryland Department of Environment opposing Suffrage Pointe Nontidal Wetlands Permit).

Brian Banks spoke in support of the proposed Civilian Oversight Committee.

Sarah Harper spoke in regard to the proposed Civilian Oversight Committee, and questioned how transparent the Police Department would be with findings from the committee. She advocated for increased transparency from the department.

Ellen Royce spoke in regard to the proposed Civilian Oversight Committee and advocated for changes to the motion including ensuring that public finding reports came from the committee as opposed to the police department, the inclusion of a non-voting member of the committee from a racial justice organization, and ensuring that the findings from the committee were independent of the police department.

Dan Broder spoke in support of Item 10.b. and the proposed Civilian Oversight Committee. In regard to the committee, he advocated for funding and operations to be independent from the police department and for the police to remove the response of armed officers to certain calls for service which may be better served by other agencies.

Amy Sapkota spoke in opposition to the Adelphi Road Sector Plan, reiterating her written comments.

Greg Smith spoke in support of Item 10.b. and expressed concerns regarding the Werrelin Development and the notice for public comment on the permit.

Nancy Barrett spoke in opposition to the Adelphi Road Sector Plan, reiterating her written comments.

David Marshall submitted a comment via the Q&A in opposition to Item 10.a. (David C. Driskell Community Park Re-imagination: Phase 1), and in support of the Civilian Oversight Committee, noting that it would need to be well balanced to ensure fairness.

Dale Crowell submitted a comment regarding the proposed Civilian Oversight Committee, stating support and citing his past experience on a civilian oversight committee for the County.

5. Community Notices and Meetings

This agenda item was Read into the Record.

5.a) Main City Calendar: January 11 - January 18, 2022

[HCC-212-FY22](#)

Sponsors: City Administrator

Attachments: [Main City Calendar January 11 - January 18, 2022](#)

This agenda item was Read into the Record.

6. City Administrator Update (7:20 p.m. - 7:30 p.m.)

City Administrator Douglas provided updates on City programs and events. Deputy Director of Community Services Cheri Everhart presented the Claus Applause Holiday Decorating contest awards.

7. Presentations (7:30 p.m. - 7:55 p.m.)

7.a) Preliminary Adelphi Roads Sector Plan[HCC-213-FY22](#)

Sponsors: City Administrator

Attachments: [Presentation Memo - Preliminary Adelphi Road Sector Plan FINAL](#)
[ARSP Boundary Map](#)
[Adelphi Road Sector Plan Briefing to Hyattsville City Council](#)

Council was presented with the proposed Adelphi Road Sector Plan and Sectional Map Amendment. The presentation included an overview of the project goals, timeline, opportunities for public engagement, and next steps.

Councilmember McClellan asked for clarification on the boundary lines for the sector plan and the reasoning for why they were drawn and why the parking lot adjacent to the boundary was not included, highlighting its proximity to the purple line. It was noted that the boundary lines were determined by the Prince George's County Council in November 2021.

Councilmember Sandino advocated for the plan to provide a better link to the surrounding community and not just the University of Maryland. He also advocated for affordable housing to be included in the plan.

Councilmember Simasek expressed agreement with his colleagues comments and advocated for the inclusion of protected bike lanes on Adelphi Road.

Councilmember Waszczak said she appreciated the attention to pedestrian safety for those who walk and roll in the plan and the plan for complete streets. She advocated for forward thinking of potential safety risks and how the built environment could be used to help manage interactions between vehicles, the purple line, and pedestrians. She encouraged the inclusion of universal design standards.

Council Vice President Schaible advocated for the preservation of green spaces and cited concern with the allowable density in the underlying zoning leading to loss of green spaces.

Councilmember Denes agreed with the comments of his colleagues regarding street safety, affordable housing, and preservation of green space. He noted the number of religious institutions within the sector plan and asked if outreach had been conducted to prevent displacement. He also encouraged the Planning Board to take a close look at the impact of the sector plan on neighborhood schools.

Councilmember Solomon also advocated for the inclusion of affordable housing in the sector plan and for the consideration of a circulator service between the purple line and the Prince George's Plaza metro as well as wayfinding signage from both vehicular and pedestrian pathways.

Mayor Ward concluded the discussion by advocating for the Planning Board to consider additional opportunities to solicit public input on the sector plan.

8. Appointments (7:55 p.m. - 8:00 p.m.)

8.a) Council of Governments Policy Committee Appointments [HCC-202-FY22](#)

Sponsors: City Administrator

Attachments: [MWCOG Policy Committees](#)

A motion was made that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

8.b) Appointments to Board of Supervisors of Elections [HCC-203-FY22](#)

Sponsors: Ward

Attachments: [Castillo BOSE Application](#)
[Payne BOSE Application](#)

A motion was made that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

8.c) Re-appointment to the Ethics Commission [HCC-208-FY22](#)

Sponsors: Ward

Attachments: [T. Carter Ross redac](#)

A motion was made that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

9. Consent Items (7:55 p.m. - 8:00 p.m.)

Items listed on the Consent Agenda are considered routine in nature, and are approved in one motion. There will be no separate discussion of these items unless the Mayor/Council request specific items be removed from the Consent agenda for separate action.

A motion was made by Mayor Croslin, seconded by Councilmember Denes, that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

9.a) Casey Trees Residential Tree Plantings [HCC-204-FY22](#)

Sponsors: City Administrator

Attachments: [Hyattsville 20211007- Invoice #764](#)

This agenda item was Approved.

9.b) Purchase of EnergiPlant System [HCC-205-FY22](#)

Sponsors: City Administrator

Attachments: [SpecSheet-EnergiPlant-2021](#)
[Estimate 1141 from Primo Energy Inc](#)
[terms and conditions 2021](#)
[Sole Source Letter 11-22-21 \(1\)](#)

This agenda item was Approved.

9.c) FY22 Budget Amendment: Special Revenues Budget and Appropriation of Remaining FY21 Grant Funds [HCC-209-FY22](#)

Sponsors: City Administrator

This agenda item was Approved.

9.d) FY22 Budget Appropriation Amendment: FEMA COVID-19 Reimbursement Grant for COVID-19 Home Test Kits [HCC-215-FY22](#)

Sponsors: City Administrator

This agenda item was Approved.

10. Action Items (8:00 p.m. - 8:20 p.m.)**10.a)** David C. Driskell Community Park Re-imagination: Phase 1 [HCC-207-FY22](#)

Sponsors: City Administrator

Attachments: [David C Driskell Community Park - NDC - Phase 1](#)

There was no Council discussion on this item.

A motion was made by Council President Croslin, seconded by Council Member Simasek, that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

10.b) Letter to Maryland Department of Environment opposing Suffrage Pointe Nontidal Wetlands Permit [HCC-214-FY22](#)

Sponsors: Simasek, Schaible and Ward

Councilmember Waszczak stated her support for the motion.

A motion was made by Council President Croslin, seconded by Council Member Denes, that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, Solomon, and Sandino

11. Discussion Items (8:20 p.m. - 8:50 p.m.)

11.a) Civilian Oversight Committee[HCC-206-FY22](#)

Sponsors: Schaible, Peabody, Solomon, McClellan, Croslin and Simasek

Attachments: [Civilian Oversight Committee Worksheet, Final for Council Consideration](#)
[Civilian Oversight, Memo of Support from PPSAC](#)

Council Vice President Schaible introduced the proposal for a Civilian Oversight Committee and provided background on the motion, and the collaborative process by which the motion had been brought forth. He also noted that the Council had heard the feedback during public comment and that there was time to address concerns on the motion. Council Vice President Schaible highlighted other similar committees which had been created and the potential benefits to the community.

Council President Croslin inquired how the City's committee would interact with the oversight committee enacted by the County and State.

Council Vice President Schaible acknowledged the reform measures occurring at the State and County level, noting they were in various stages of readiness. He advocated for the City to retain local oversight and find ways to work with the State and County and establish parameters for interaction.

Council President Croslin inquired how investigatory information may be passed along to the committee, noting that the material may be required to be routed through the State or County first.

Councilmember Solomon said the committee was not set up to be investigatory and acknowledged that it was likely that investigations would be procedurally required to be sent initially to the State or County.

Councilmember Sandino asked what enforcement mechanisms would be available to the committee. He noted that the committee may be able to handle independent complaints from residents. He also spoke to the need for balancing finding reports to ensure they came directly from the committee. Councilmember Sandino additionally advocated for lowering the age requirement for membership on the committee to 18.

Council Vice President Schaible responded to the question regarding enforcement mechanisms, noting that the Chief of Police would be required to weigh the committee's findings equally with any findings from an internal affairs investigation. He also noted the soft power of transparency and increased accountability. Regarding the proposal for independent complaints coming directly to the committee, Council Vice President Schaible said that while the committee may meet in closed session at times, it would be subject to the Open Meetings Act law and the proceedings would be largely public providing one venue for direct interaction. Regarding the findings letter, he acknowledged that the motion makers would need to review the proposed process, consider the public feedback and internal operational needs, and make changes as appropriate. He also spoke to the need for timely findings by the oversight committee. In regard to the age limit, he indicated a willingness to review the proposal and make changes to the age requirement. He noted that the proposed age limit of 21 came from discussions with the Police and Public Safety Advisory Committee and was an effort to align with the age requirement to serve as a police officer.

Councilmember Solomon said he believed the strongest enforcement mechanism of the committee may be their accountability to the City Council.

Councilmember Simasek noted limitations of the committee, stating that the committee would not receive matters for criminal investigation and that the Chief of Police would retain authority to make determination on potential personnel actions. He acknowledged the concerns regarding the independence of the committee but said it was also important to recognize that the committee will need to work with the police department particularly to provide clarity in cases which may involve police general orders. He advocated for including the scope of the committee the ability of the committee to hear whistleblower complaints from officers. Councilmember Simasek also expressed concern for ensuring personal information be redacted from investigatory reports to protect witnesses or victims.

Councilmember Waszczak advocated for including the City's Race and Equity Task Force in the motion as a consulting body and for the inclusion of an advising expert on racial justice on the committee. She also suggested that the City's Equity Officer could be assigned as the staff liaison. On the committee worksheet, Councilmember Waszczak recommended including the requirement of disclosure of potential conflict of interests. She also asked for clarification of the role of the proposed committee in making policy recommendations to the police department.

Council President Croslin inquired about how the committee would work within the requirements of the Open Meetings Act while handling confidential materials, the term for committee members, and what type of cases would come before the committee. He made recommendations for ensuring balance during the appointment process, and suggested the Council reconsider the provision for membership to not include individuals who worked in law enforcement or had immediate family members who worked in law enforcement.

Council Vice President Schaible responded that the committee would work with staff and the City Attorney to ensure compliance with the Open Meetings Act when holding closed sessions. He said the committee would deal with external complaints regarding the police department and noted that longer terms were initially conceived due to the required time investment in training committee members but there was flexibility for Council to make changes. Regarding the provision for membership to not include individuals who worked in law enforcement or immediate family members was that the intent was to remove potential bias issues but there was also flexibility to consider making changes to the membership requirements.

Councilmember Denes said he was in support of four year terms for committee members given the investment in training from the City. He asked if any thought had been given to providing compensation to committee members.

Council Vice President Schaible said he was supportive of considering compensation for committee members and wondered about how the City would balance prioritizing the compensation of one committee over another while preserving the volunteer nature of city committees.

Council President Croslin inquired about the process by which the motion was drafted. Council Vice President Schaible said an informal police reform group was formed with five (5) councilmembers to discuss the proposal along with other possible police reforms. Council President Croslin advocated for additional collaboration on the motion to include input from Chief Towers.

Councilmember Haba said he was supportive of lowering the age for participation on the committee to 18. He asked for clarification on the process and timeline by which the committee would receive

investigatory materials and a findings memo from internal affairs. Council Vice President Schaible said he believed the materials would be provided at the same time, when internal affairs findings were complete. Councilmember Haba expressed concern that if the committee's review was based on the findings from internal affairs, and the committee was without investigative authority that the committee's independent evaluation may be limited. Council Vice President Schaible noted the difficult task of balancing the committee to suit the needs of the City. He also noted that the review boards at the County level would be empowered with investigative authority. Councilmember Simasek said he thought the committee could serve as a quality check of the internal process as well as identifying gaps in information or opportunities for policy changes. Councilmember Haba experienced technical difficulties and exited the meeting.

There was a brief discussion regarding how the committee's findings would be defined and if there were opportunities for edits in the motion to provide clarity to the process.

Chief Towers thanked Council for the proposal and robust discussion. He asked that the Council consider the complexities and often lengthy timeline of investigations particularly when outside or independent agencies were involved.

12. Council Dialogue (8:50 p.m. - 9:00 p.m.)

12. Council Dialogue (8:50 p.m. - 9:00 p.m.)

13. Motion to Adjourn

The meeting was adjourned at 11:27 p.m.

A motion was made that this agenda item be Approved. The motion carried by the following vote:

Aye: Ward, Croslin, Schaible, Denes, Waszczak, Simasek, McClellan, Peabody, Solomon, and Sandino

Absent: Haba

City of Hyattsville

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(301) 985-5000
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Meeting Minutes

Tuesday, February 22, 2022

6:00 PM

Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_s3a43KaOTc248A8TNsHchw

Virtual

City Council Public Hearing

**Robert S. Croslin, Interim Mayor
Danny Schaible, Council Vice President, Ward 2**

Sam Denes, Ward 1

Joanne Waszczak, Ward 1

Jimmy McClellan, Ward 3

Ben Simasek, Ward 3

Edouard Haba, Ward 4

Daniel Peabody, Ward 4

Rommel Sandino, Ward 5

Joseph Solomon, Ward 5

ADMINISTRATION

**Tracey E. Douglas, City Administrator
Laura Reams, City Clerk, 301-985-5009, cityclerk@hyattsville.org**

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Meeting Notice:

As we continue to take precautions due to the COVID-19 (Coronavirus) pandemic, the Hyattsville City Council will hold its Public Hearing on Tuesday, February 22, 2022 remotely via video conference. The Public Hearing will be conducted entirely remotely; there will be no in-person meeting attendance.

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1. Call to Order

The meeting was called to order at 6:02 p.m.

Also present:

City Administrator Douglas

City Attorney Cornbrooks

City Clerk Reams

2. Presentation

- 2.a)** Hyattsville Charter Amendment Resolution 2022-01: Adjusting the Time Requirements for a Special Election due to a Vacancy in Office of Mayor or Councilmember [HCC-248-FY22](#)

Sponsors: City Administrator

Attachments: [Resolution - Charter Amendment Extending Time to Conduct Special Election 2.16.22](#)
[BOSE Letter to City Council Feb 1 2022](#)
[Notice Public Hearing - Special Mayoral Election 2.1.22](#)
[Resolution - Special Mayoral Vote by Mail Election 1.31.22 signed](#)

City Clerk Reams presented an overview of the proposed Charter Amendment Resolution. Clerk Reams provided background information on the charter change, noting the timeline challenges related to filling a vacancy and the timeline required to conduct a Vote-by-Mail election. The change will extend the timeline for holding a special election from 75 days to 140 days. Board of Supervisors of Elections Chair Zachary Peters addressed the Council on behalf of the Board in support of the proposed Charter Amendment.

3. Public Comment

David Marshall said he was opposed to the Charter Amendment as well as a Vote-by-Mail only election.

Clerk Reams provided clarification on the election structure and noted that a polling location would be available on election day.

David Marshall asked a procedural question regarding the next public hearing. Clerk Reams responded that the next public hearing would begin at 6:30 p.m. and would be a separate zoom link.

Council Vice President Schaible asked about the implications of the proposed timeline on future elections and how vacancies would be handled.

City Attorney Cornbrooks suggested that the question would be better addressed during Council discussion at the 7 p.m. Council meeting. Council Vice President Schaible said he was agreeable with the suggestion.

David Marshall said that although he was opposed to the Charter Amendment he was thankful for everyone who worked on the proposal.

4. Motion to Adjourn

The public hearing was adjourned at 6:16 p.m.

City of Hyattsville

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6:30 PM

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1. Call to Order

The public hearing was called to order at 6:33 p.m.

Also present:

City Administrator Douglas

Assistant City Administrator & Director of Community and Economic Development Chandler

City Clerk Reams

8. Presentations

Public Hearing: Sale of Jefferson Street Parking Lot Property

[HCC-254-FY22](#)

Sponsors: City Administrator

Attachments: [Memo - Public Hearing - Jefferson Street Parking Lot](#)
[Exhibit A - Jefferson Street Parking Lot Property](#)
[Exhibit B - Charter Chapter C Article IX - City Property](#)
[Exhibit C - SDAT Data - Unit 2](#)

Assistant City Administrator Chandler presented the proposal for the sale of the Jefferson Street Parking lot to Urban Investment Partners for \$1.3 million dollars for use as part of the Canvas development project. He provided an overview of the site and parameters of the proposed sale.

Claire Panak submitted comment stating that she was not in favor of the sale unless the development included affordable housing.

David Marshall said he was opposed to the proposal and questioned the utility of the public hearing stating that the issue was already decided. He also inquired about how the proceeds from the sale would be utilized and if the adjacent parking lot would be sold to

Assistant Administrator Chandler said the City would retain a separate lot which is under the use of Renaissance Square per their use and occupancy agreement. He added that the proceeds would be placed in a special revenue fund. City Administrator Douglas said that expenditures from the special revenue fund would come forward to Council at a future date.

David Marshall asked if the parking lot used for Renaissance Square would be prevented from being developed in the future. Mr. Chandler responded that the lot was a constricted space and it was unlikely to be developed alone but could potentially be developed as part of a larger project using adjacent land.

5. Public Comment

14. Motion to Adjourn

The public hearing was adjourned at 6:43 p.m.

City of Hyattsville

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Meeting Minutes

Monday, April 18, 2022

7:00 PM

Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_BSIP9n_hS6iJkk4KRiOENg

Virtual

City Council

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Danny Schaible, Council Vice President, Ward 2
Sam Denes, Ward 1
Joanne Waszczak, Ward 1
Ben Simasek, Ward 3
Jimmy McClellan, Ward 3
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Present: Mayor Robert Croslin
Council President Joseph Solomon
Council Vice-President Danny Schaible
Councilmember Sam Denes
Councilmember Ben Simasek
Councilmember Jimmy McClellan
Councilmember Edouard Haba
Councilmember Daniel Peabody
Councilmember Rommel Sandino

Absent: Councilmember Joanne Waszczak

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1. Call to Order and Council Roll Call

The meeting was called to order at 7:04 p.m.

Also present:

City Administrator Douglas

Assistant City Administrator & Director of Community and Economic Development Chandler

Treasurer Ron Brooks

Chief of Police Towers

Director of Public Works Riddle

Deputy Director of Public Works Metzler

City Clerk Reams

ARPA Program Manager Paschall

Present: Mayor Robert Croslin
Council President Joseph Solomon
Council Vice-President Danny Schaible
Councilmember Sam Denes
Councilmember Ben Simasek
Councilmember Jimmy McClellan
Councilmember Edouard Haba
Councilmember Daniel Peabody
Councilmember Rommel Sandino

Absent: Councilmember Joanne Waszczak

2. Pledge of Allegiance to the Flag**3. Approval of Agenda**

4. Public Comment (7:10 p.m. – 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker

Melissa Schweisguth addressed the Council in support of using the lower tax rate as opposed to a timely and potentially labor-intensive process for receiving tax credits.

David Marshall said he was concerned about items on the agenda for ARPA which did not have previous Council discussion. He also spoke in support of a lower tax rate and suggested \$0.60 cents per \$100 of assessed value.

5. Community Notices and Meetings

This agenda item was Read into the Record.

5.a. Main City Calendar: April 19 - May 2, 2022

[HCC-337-FY22](#)

Sponsors: City Administrator

Attachments: [City Calendar Apr 18 - May 2 2022](#)

6. City Administrator Update (7:20 p.m. - 7:35 p.m.)

City Administrator Douglas provided an update on several items and upcoming events. She recognized National Volunteer week and National Public Safety Telecommunications Week and noted the ongoing Prince George's County Zoning Ordinance update. Ms. Douglas also highlighted recent City events including the Egg Hunt, senior events, and the recent youth college tour of Old Dominion University. Upcoming events included the Anniversary Festival, HY-Swap, and Arbor Day. Administrator Douglas also provided a brief update on the upcoming Special Mayoral Election stating that ballots will be mailed to all voters in early May.

Councilmember Haba inquired about the communications tools on the consent agenda for approval.

Communications Manager Zork provided a brief description of the tools which included an improved email and text communication tool, a citizen engagement website, and an AI communications platform for surveying and providing information to residents via a QR code. Ms. Zork provided information on how the tools would be utilized for ARPA outreach and noted that there was potential for the Citizen Lab platform to integrate with the Hello Lampost tool. Communications Director Reams noted that the platforms were complementary to each other and part of a multi-pronged approach to share and receive information from residents.

7. Presentations (7:35 p.m. - 8:15 p.m.)

7.a. Presentation of the 2022 Special Mayoral Election Candidates[HCC-330-FY22](#)

Sponsors: City Administrator

Clerk Reams introduced Board of Supervisors of Elections Chair Zachary Peters. Mr. Peters announced the certified candidates for the Special Mayoral Elections as Vish Bhatt, Danny Schaible, and Robert Croslin. Mr. Peters provided information on the ways in which voters could participate in the election on June 7 and opportunities to learn more about the candidates.

7.b. Environmental Depot Concept[HCC-296-FY22](#)

Sponsors: City Administrator

Attachments: [Enviro Depot Presentation 041822](#)

Director of Public Works Riddle introduced Emily Clifton and Blair Daniels from the Low Impact Development Center to present the conceptual design for an Environmental Depot. The needs identified for the depot included oil, antifreeze, and household paint recycling drop off, electric charging stations, and general recycling for general recyclables, food scraps and electronics. As conceptualized the depot would be open to all City residents and located in a building just outside of the existing DPW facility. Ms. Clifton cited the desire for the building to be multifunctional and be able to serve as a place to hold City events, and potentially include an outdoor classroom meeting space. Ms. Clifton presented the conceptual design, highlighting various key functionalities throughout the design.

Councilmember Haba expressed his support for the project and said he looked forward to seeing it come to fruition.

Councilmember Denes asked if the facility could support bulk trash recycling including the disposal of mattresses. Director Riddle noted that a great deal of bulk trash pickups was for mattresses and said the City was looking for a firm to assist in the recycling of mattresses.

Council Vice President Schaible noted the current long lead time for bulk trash pickup and said the depot could be a good resource for residents. He also suggested that the facility be able to support the recycling of florescent tube lights and batteries and said a facility that could support a large variety of recycling needs would be a great asset to the community.

City Administrator Douglas said the City planned to pursue grants to support the development of the Environmental Depot.

7.c. Hyattsville Volunteer Fire Department (HVFD) Introduction & Overview[HCC-334-FY22](#)

Sponsors: City Administrator

City Administrator Douglas introduced the presentation stating that the intent was to provide information to the Council and residents on the operations and needs of the Hyattsville Volunteer Fire Department.

Emergency Operations Manager Reggie Bagley presented an overview of the Fire Department operations and their history and their funding sources. He stated that the Fire Department operated as its own independent corporate entity and relied in part on fundraisers to support operations. Mr. Bagley reviewed the operational needs of the department and stated that a large financial deficit existed between the County provided funding and the funding requirement to support the operations of the Fire Department. He said the County paid station utilities and a stipend for operations and apparatus maintenance. He noted that Fire Chief Ryan Pidgeon was present at the meeting and available to answer questions from Council.

City Administrator Douglas said the City provided \$50,000 in funding annually and had provided vehicle loans in the past. She noted that that City has a very good relationship with the Fire Department, and they had provided training for City employees. Ms. Douglas said the Fire Department would present to the Council at an upcoming meeting.

There was a brief discussion regarding the department's vehicle needs and maintenance of those vehicles.

Councilmember Simasek asked if the City had assisted with the purchase of a vehicle for the Fire Department in recent years and if the funds were part of the annual \$50,000 allocated to the Department.

Mr. Bagley said the City had made a loan for the vehicle purchase and the loan had been repaid.

Council Vice President Schaible asked if the Fire Department received revenue from ambulance transportation.

Mr. Bagley and Fire Chief Pidgeon responded that the department did receive revenue from ambulance billing, but it was not a guaranteed source of income.

Council Vice President Schaible spoke in favor of transparent accounting for the Fire Department operations should there be an ask of greater financial support from the City.

Councilmember Solomon asked how the City's funding support compared to other communities. Mr. Bagley spoke to his experience in the Town of Brentwood and said the town was limited in the amount of financial support they could offer. Councilmember Solomon asked what other funding options the Fire Department had available. Mr. Bagley said additional funding came from various fundraisers and from asking for financial support from the communities served by the department.

8. Proclamations (8:15 p.m. - 8:20 p.m.)**8.a. Arbor Day Proclamation**[HCC-327-FY22](#)

Sponsors: City Administrator

Attachments: [CM 0418 Arbor Day 2022](#)

This agenda item was Adopted.

Aye: Croslin, Solomon, Schaible, Denes, Simasek, McClellan, Haba, Peabody, and Sandino

Absent: Waszczak

9. Appointments (8:15 p.m. - 8:20 p.m.)**9.a. Appointments to the Hyattsville Environment Committee**[HCC-333-FY22](#)

Sponsors: Haba and Simasek

Attachments: [Daisy Bett_HEC_redacted](#)
[Melissa Schweisguth_HEC_redacted](#)

A motion was made by Council Vice-President Schaible, seconded by Councilmember Simasek, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Denes, Simasek, McClellan, Haba, Peabody, and Sandino

Absent: Waszczak

9.b. Appointment to the Police and Public Safety Citizens' Advisory Committee[HCC-336-FY22](#)

Sponsors: Sandino

Attachments: [PPSCAC Julio Gomez_redacted](#)

A motion was made by Council Vice-President Schaible, seconded by Councilmember Simasek, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Denes, Simasek, McClellan, Haba, Peabody, and Sandino

Absent: Waszczak

10. Consent Items (8:20 p.m. - 8:25 p.m.)

Items listed on the Consent Agenda are considered routine in nature, and are approved in one motion. There will be no separate discussion of these items unless the Mayor/Council request specific items be removed from the Consent agenda for separate action.

A motion was made by Council Vice-President Schaible, seconded by Councilmember Peabody, that the consent agenda items be Approved. The motion carried by the following vote:

-
- Aye:** Croslin, Solomon, Schaible, Denes, Simasek, McClellan, Haba, Peabody, and Sandino
- Absent:** Waszczak
- 10.a.** MOU Between the City of Hyattsville, Town of Brentwood, and the City of Mt. Rainier Concerning Hyattsville’s Joint Crisis Response Program [HCC-315-FY22](#)
- Sponsors: City Administrator
- Attachments: [MOU Cit Final](#)
- 10.b.** Change Order to the On-call Transportation and Stormwater/Environmental Design and Engineering Contracts [HCC-321-FY22](#)
- Sponsors: City Administrator
- 10.c.** Decommissioning and Surplus of Public Works Equipment [HCC-326-FY22](#)
- Sponsors: Douglas
- Attachments: [220408 - memo - surplus items](#)
- 10.d.** Reschedule Public Hearing for Traffic Calming Petition - Lancer Drive, Longfellow Street and 41st Place [HCC-328-FY22](#)
- Sponsors: City Administrator
- Attachments: [Lancer Drive Petition](#)
[3500 block Longfellow Street Traffic Calming Petition_map_redacted](#)
[41St Place Between Decatur & Emerson St Petition_Redacted_with map](#)
[Traffic Calming Flowchart](#)
[114-8 Traffic Calming Devices](#)
- 10.e.** Selection of GovDelivery as the City’s new e-mail and text notice provider [HCC-331-FY22](#)
- Sponsors: City Administrator
- Attachments: [Hyattsville, MD_govDelivery](#)
- 10.f.** Selection of Hello Lampost as a new Community Engagement Tool [HCC-332-FY22](#)
- Sponsors: City Administrator
- Attachments: [Hello Hyattsville! Proposal](#)
[Hello Hyattsville! service agreement 4.11](#)
[Sole Source Justification .docx](#)
-

10.g. Selection of CitizenLab as the City's Online Engagement Platform[HCC-335-FY22](#)

Sponsors: City Administrator

Attachments: [CitizenLab Proposal - Hyattsville, MD](#)
[CitizenLab Demo Slides - Hyattsville, MD](#)

11. Action Items (8:25 p.m. - 8:45 p.m.)**11.a.** Awarding of the Contract for the 3505 Hamilton Street Public Safety Building Adaptive Reuse Project[HCC-317-FY22](#)

Sponsors: City Administrator

Attachments: [220329 - memo - 3505 contractor selection](#)
[Whiting-Turner Submission City of Hyattsville March 11, 2022 - council motion](#)
[220131 - RFP - DPW21-005 - Public Safety Building Adaptive Reuse](#)

Council Vice President Schaible requested staff provide an overview of the purpose and need of the Public Safety facility and the increase in cost for the project.

City Administrator Douglas and Director Riddle provided background information. She noted that the project began approximately eight (8) years ago with recognition of deficiencies in the existing police department regarding lack of space and security concerns. Ms. Douglas highlighted specific needs including additional office space, a sally port, training, and fitness facilities. She also noted that the City owned the vacant building at 3505 Hamilton Street and annually incurred costs to maintain the vacant property. The location of the building was also advantageous for the location of a public safety building due to its proximity to arterial roads of the City. Director Riddle and Deputy Director Metzler provided additional information on the proposed facility and the needs of the department, stating that the new Public Safety building would accommodate the needs of the Police Department in the near term but also allow for long term growth.

A motion was made by Council Vice-President Schaible, seconded by Councilmember Simasek, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Denes, Simasek, McClellan, Haba, Peabody, and Sandino

Absent: Waszczak

- 11.b.** 3505 Hamilton Street Construction Administration, Construction Management, Third Party Inspection, and Commissioning

[HCC-320-FY22](#)

Sponsors: City Administrator

Attachments: [TO 01E CM Services](#)
[TO 01G Commissioning Services \(1\)](#)
[TO 01F - CA Services](#)
[TO 01H Third Party Inspectors](#)

Councilmember Solomon thanked City staff for their work said the community was thankful for the project and anxious to see it get started.

This agenda item was Approved.

Aye: Croslin, Solomon, Schaible, Denes, Simasek, McClellan, Haba, Peabody, and Sandino

Absent: Waszczak

- 12. Discussion Items (8:45 p.m. - 10:00 p.m.)**

12.a. Individual Emergency Relief Programs - ARPA[HCC-322-FY22](#)

Sponsors: City Administrator

ARPA Program Manager Paschall provided an overview of the four (4) programs on the Council's discussion agenda. He noted that some programs discussion previously such as public wifi and affordable housing support were not included in the programs on the agenda that evening but would be revisited at a later time in the ARPA process. He also noted that the Council would soon see additional ARPA allocations related to the renovation of Council Chambers and the installation of the Portland Loos. He opened the floor for questions on the proposed programs.

Councilmember Denes asked for additional information on the medical bill relief program and if the intention was not to require the residents to demonstrate need to receive the payment assistance. Manager Paschall confirmed that medical bill assistance was allowable and he would be working with the City's ARPA advisor to make sure the program structure adhered to requirements of ARPA funding. He said the program as proposed would serve up to 20 individuals and if needed exceeded that amount, staff would request additional funding from Council.

Councilmember Haba requested details on eligibility. Manager Paschall responded that the City would work with its ARPA advisor to ensure the criteria met the legal definition for individuals who experienced negative impact from the COVID-19 pandemic. Councilmember Haba requested a list of the eligibility criteria when it was developed. Councilmember Haba also inquired about auditing requirements and documentation.

There was a brief discussion regarding the proposed structure of the medical reimbursement program.

12.b. Food Assistance Relief Program - ARPA[HCC-325-FY22](#)

Sponsors: City Administrator

Councilmember Haba asked how many food assistance programs were currently operating in the City. ARPA Manager Paschall responded that the City was aware of four programs and provided details regarding program eligibility.

12.c. Business Emergency Relief - ARPA[HCC-323-FY22](#)

Sponsors: City Administrator

ARPA Manager Paschall provided an overview of the proposed business relief program stating that the award would be up to \$25,000 to those business which could show they suffered harm during the pandemic. Councilmember Simasek asked how franchise business would be treated under the relief program. Mr. Paschall responded that if the business is located in the City, it would be eligible for relief but the goal was to focus on locally owned businesses. Councilmember Solomon asked several questions regarding how the relief fund would handle 1099 employees. Mr. Paschall provided information on the program parameters noting that businesses applying for relief must be licensed and in good standing with the City.

12.d. Non-Profit Emergency Relief - ARPA[HCC-324-FY22](#)

Sponsors: City Administrator

ARPA Manager Paschall provided an overview of the non-profit relief fund. Councilmember Simasek asked if child care businesses would be eligible under the non-profit fund to which Mr. Paschall responded in the affirmative. Councilmember Haba inquired about the differences between the non-profit relief fund and the food assistance relief fund and noted that it was not desirable to have overlap between the two programs.

At the close of the discussion, Interim Mayor Croslin asked if the Council wanted to move the programs to action that evening. Council stated a preference for bringing the items back at the next meeting for a vote.

12.e. Open FY23 Budget Discussion - Real Property Tax Rate[HCC-329-FY22](#)

Sponsors: City Administrator

Attachments: [FY23 Real Property Tax Rate Slide](#)

City Treasurer Brooks provided an overview of the proposed real property tax rate for Fiscal Year 2023, noting the rate was proposed at \$0.63 cents per \$100 of assessed value. He reviewed a spreadsheet showing differences in the revenue generated from different rates and information regarding the process for setting the tax rate.

Councilmember Haba stated a preference for the City to utilize the constant yield rate for FY23 of \$0.59 cents or at rate of \$0.60 cents, citing the difficult economic times.

Councilmember Denes stated his preference for maintaining the \$0.63 cents rate noting that the individuals who would see the largest benefit from a reduction in property taxes were those whose houses were of the highest value. He advocated for targeted property tax relief programs for individuals. Councilmember Simasek agreed with Councilmember Denes, adding that the biggest benefit of cutting property tax would be owners of commercial properties that were likely not City residents.

Councilmember Schaible also advocated for the City to review its homeowner tax relief programs as a priority in the next year.

Councilmember Solomon stated his agreement with reviewing available programs but also advocated for lowering the rate.

City Treasurer Brooks stated that the City planned to hire a consultant to review the available tax relief programs.

13. Council Dialogue (10:00 p.m. - 10:10 p.m.)**14. Motion to Adjourn**

The meeting was adjourned at 10:56 p.m.

A motion was made by Councilmember Denes, seconded by Councilmember Simasek, that this agenda item be Approved. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, Denes, Simasek, McClellan, Haba, Peabody, and Sandino

Absent: Waszczak



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-189-FY23

1/3/2023

6.a.

Submitted by: Nate Groenendyk
Submitting Department: City Clerk
Agenda Section: Community Notices and Meetings

Item Title:

Main City Calendar: January 4, 2023 - January 17, 2023

Suggested Action:

N/A

Summary Background:

N/A

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

N/A

Community Engagement:

N/A

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

N/A

For further information regarding City programming, events, or meetings please visit hyattsville.org/meetings or call 301-985-5000.

All committee meetings are virtual unless otherwise indicated below.

1. [Ageless Grace Seated Exercise Class](#)

January 4, 2023, 10:00 AM - 11:30 AM

@the first floor of the City Building

Hyattsville seniors are invited to this free weekly, hour-long, seated exercise class that uses simple exercises to improve motor skills and brain function. Pre-registration and face coverings are required. To register, please contact (301) 985-5000 or email seniors@hyattsville.org.

2. [Shade Tree Board Meeting](#)

January 4, 2023, 7:30 PM

3. [Education Advisory Committee Meeting](#)

January 5, 2023, 6:30 PM

4. [Compensation Review Committee Meeting](#)

January 5, 2023, 7:00 PM

5. [Ageless Grace Seated Exercise Class](#)

January 11, 2023, 10:00 AM - 11:30 AM

@the first floor of the City Building

6. [CITY OFFICES CLOSED: Martin Luther King Jr. Day](#)

January 16, 2023, All Day

7. [Hyattsville Fresh Produce Distribution](#)

January 17, 2023, 12:00 PM

@First United Methodist Church, 6201 Belcrest Road

The City of Hyattsville is hosting a fresh produce distribution at the First United Methodist Church, 6201 Belcrest Road. No registration or City residency is required. The bagged produce is served on a first-come, first-served basis. Questions? Call (301) 985-5000.



City of Hyattsville

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Agenda Item Report

File #: HCC-193-FY23

1/3/2023

8.a.

Submitted by: Laura Reams
Submitting Department: City Clerk
Agenda Section: Consent

Item Title:

Re-appointments to Board of Supervisors of Elections

Suggested Action:

I move the Mayor, with Council approval, re-appoint Zachary Peters, Juan Castillo, and Erin Payne to the Board of Supervisors of Elections for a term of four (4) years beginning January 4, 2023 through January 12, 2027.

Summary Background:

The Board of Supervisors of Elections was established by City Charter to manage all conduct pertaining to City elections. The five (5) members are appointed to four (4) year terms by the Mayor and approved by the Council.

Mr. Peters was appointed to the Board in October 2020 and Mr. Castillo and Ms. Payne were appointed in January 2022, to fill vacancies on the Board from members who retired from service. Mr. Peters, Mr. Castillo, and Ms. Payne have served the Board admirably during their tenure and are interested in continuing their roles on the Board.

Next Steps:

Reappoint members.

Fiscal Impact:

Board members are paid \$1,000 annually, funds are included in the Elections budget.

City Administrator Comments:

Recommend support.

Community Engagement:

Meetings of the Board are open to the public. Additionally, the Board conducts various outreach events for voters and candidates throughout the year.

Strategic Goals:

Goal 4 - Foster Excellence in all City Operations

Legal Review Required?

N/A

Board, Committee, and Commission Application

Profile

Zachary

First Name

Peters

Last Name

Preferred Pronouns

He, him, his

[Redacted]

Email Address

Committee members receive a stipend of \$40 per meeting attended. Upon appointment to a committee, you are automatically enrolled into the stipend program. You must complete and submit a W-9 form to receive your payment. The W-9 form will be emailed to committee members upon confirmation of your appointment.

Please enter your address below.

Many, but not all, of our committees require residency within the incorporated City limits of Hyattsville. To check your residency status, please visit the map: [City Residency Map](#)

Committees that accept applications from individuals residing outside of the incorporated City limits are listed below:

- Education Advisory Committee (at least 50% + 1 of sitting committee members must be residents of the City)
- Educational Facilities Task Force (up to one non-City resident appointment)
- Race and Equity Task Force (up to one non-City resident appointment)

[Redacted]

Street Address

[Redacted]

Suite or Apt

[Redacted]

City

[Redacted]

State

[Redacted]

Postal Code

Which Boards would you like to apply for?

Board of Supervisors of Elections: Submitted

Do you currently serve on this committee and are applying for re-appointment?

Yes No

If you selected more than one Board/Committee of interest, please indicate your first choice below.

To find your City Ward, click on this link! [City Residency Map](#)

Please select your ward from the drop down list below. *

Ward 2

Primary Phone

Referred By:

Greta Mosher and Anne Frankle

Please provide a brief background statement including why you want to serve on the committee/s for which you are applying. This statement may be posted on the City's website.

My name is Zach Peters, and my partner Whitney and I have lived in Hyattsville since June 2016. Professionally, I am a health statistician, and I currently work for the National Center for Health Statistics. Personally, I love Hyattsville and feel very lucky and proud to be a part of such a diverse, vibrant, passionate, and kind community. It takes a robust and trustworthy public infrastructure to ensure that Hyattsville continues to grow and thrive, which includes fair and representative elections. I want to serve on the Board of Supervisors of Elections to ensure faith in our election process, to enhance its reach among the Hyattsville electorate, and to continue to meet my neighbors through service to this community.

Question applies to Board of Supervisors of Elections

Do you have experience working in elections?

I have worked on the Board of Supervisors of Elections since 2020, and have helped administer four elections during my tenure. I currently serve as Chair of BOSE.

Question applies to Board of Supervisors of Elections

What specifically interests you in the election process?

I am a public health professional, and I have dedicated my career (and life) to connecting people to the resources they need, studying the best ways to deliver services, and thinking of ways to promote and preserve the health of populations. But health is connected to so many other fundamental needs...housing, education, economic opportunity, social supports. Our elected officials are tasked with promoting, preserving, and improving all of these areas, and through our elections, we give residents the ability to help shape their community to fit their needs. We want all voices heard for this process to fully succeed in meeting the community's needs, and I hope to help the elections board maintain the integrity of the voting process while expanding its reach to all residents in the community.

Question applies to Board of Supervisors of Elections

Are you a registered voter in the City of Hyattsville

Yes

Please answer the following demographic questions. The City of Hyattsville is committed to appointing dedicated, diverse, individuals to these Committees to achieve membership with residents of all ages, interests, and backgrounds. Although these questions are not required for the completion of this application and the data collected is not factored into acceptance to advisory boards and committees, it is useful for the city for the purpose of measuring outcomes. This information is for internal use only and the data is not shared publicly.

Please indicate your age range.



Please indicate your gender(s). Select all that apply.

Please indicate your race-ethnicity(ies). Select all that apply.

Do you speak a language other than English at home?



If you speak a language other than English at home, what language do you speak?



Do you identify as having a disability as defined under the ADA [Americans with Disabilities Act]?



Please check which of the following best describe your household income last year:



Which of the best describes your housing status:



Board, Committee, and Commission Application

Profile

Juan
First Name

Castillo
Last Name

Preferred Pronouns

None Selected

[Redacted]

Email Address

Committee members receive a stipend of \$40 per meeting attended. Upon appointment to a committee, you are automatically enrolled into the stipend program. You must complete and submit a W-9 form to receive your payment. The W-9 form will be emailed to committee members upon confirmation of your appointment.

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- Race and Equity Task Force (up to one-non City resident appointment)

[Redacted]

Street Address

[Redacted]

Suite or Apt

[Redacted]

City

[Redacted]

State

[Redacted]

Postal Code

Which Boards would you like to apply for?

Board of Supervisors of Elections: Submitted

Do you currently serve on this committee and are applying for re-appointment?

Yes No

If you selected more than one Board/Committee of interest, please indicate your first choice below.

To find your City Ward, click on this link! [City Residency Map](#)

Please select your ward from the drop down list below. *

Ward 1


Primary Phone

Referred By:

Please provide a brief background statement including why you want to serve on the committee/s for which you are applying. This statement may be posted on the City's website.

Electing our city officials through a democratic process is important to ensure an equitable and inclusive community that is responsive to and advocates for programs that matter to constituents. I would be honored to continue to participate on the Board of Supervisors of Elections to keep supporting the City of Hyattsville's citizens to ensure their voice is heard and they receive the government they want and need.

Question applies to Board of Supervisors of Elections

Do you have experience working in elections?

Yes, I have supported the city in support of prior elections. For example, I volunteered as a Judge of Elections in 2021 for different City Council and Mayor (this was prior to my current role on BOSE). I have also recently completed a full year as a member of the Board of Supervisors of Elections.

Question applies to Board of Supervisors of Elections

What specifically interests you in the election process?

Participation by and engagement from constituents is one of the main things that interests me in the election process. Hyattsville is a highly diverse community, and its demographics continue to change. In order to ensure that the community's voices are heard, citizens need to feel like their voice matters. This increases engagement in the political process. It also ensures that the elected members are representative in demographics and thought as the individuals that they represent in the community.

Question applies to Board of Supervisors of Elections

Are you a registered voter in the City of Hyattsville

yes

Please answer the following demographic questions. The City of Hyattsville is committed to appointing dedicated, diverse, individuals to these Committees to achieve membership with residents of all ages, interests, and backgrounds. Although these questions are not required for the completion of this application and the data collected is not factored into acceptance to advisory boards and committees, it is useful for the city for the purpose of measuring outcomes. This information is for internal use only and the data is not shared publicly.

Please indicate your age range.



Please indicate your gender(s). Select all that apply.

Please indicate your race-ethnicity(ies). Select all that apply.

Do you speak a language other than English at home?

If you speak a language other than English at home, what language do you speak?

Do you identify as having a disability as defined under the ADA [Americans with Disabilities Act]?

Please check which of the following best describe your household income last year:

Which of the best describes your housing status:

Board, Committee, and Commission Application

Profile

Erin
First Name

Payne
Last Name

Preferred Pronouns

She, her, hers

[Redacted]

Email Address

Committee members receive a stipend of \$40 per meeting attended. Upon appointment to a committee, you are automatically enrolled into the stipend program. You must complete and submit a W-9 form to receive your payment. The W-9 form will be emailed to committee members upon confirmation of your appointment.

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- Race and Equity Task Force (up to one non-City resident appointment)

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

Which Boards would you like to apply for?

Board of Supervisors of Elections: Submitted

Do you currently serve on this committee and are applying for re-appointment?

Yes No

If you selected more than one Board/Committee of interest, please indicate your first choice below.

To find your City Ward, click on this link! [City Residency Map](#)

Please select your ward from the drop down list below. *

Ward 1



Primary Phone

Referred By:

Zach Peters

Please provide a brief background statement including why you want to serve on the committee/s for which you are applying. This statement may be posted on the City's website.

I believe in the importance of good governance at all levels and have seen how decisions made at the local level can impact a community. I also want to be a part of ensuring that the residents of Hyattsville have free and fair access to voting for their leaders and are equipped with the tools they need to make those decisions. I have served as an election judge in three city elections and as a BOSE member for one year and two elections, seeing the process firsthand. I am interested in continuing as a member of the board that ensures access and equity in the democratic process in Hyattsville.

Question applies to Board of Supervisors of Elections

Do you have experience working in elections?

Yes. I've worked as an election judge in three city elections and in one national election as well as one year as a BOSE member (2 elections).

Question applies to Board of Supervisors of Elections

What specifically interests you in the election process?

As I mentioned in my background statement , I want to continue to be a part of ensuring that the residents of Hyattsville have free and fair access to voting for their leaders and are equipped with the tools they need to make those decisions. I am interested in continuing as a member of the board that ensures access and equity in the democratic process in the city of Hyattsville. My professional project management and strategy planning background in addition to my experience with previous elections makes me a good fit as a member of the Board of Supervisors of Elections for Hyattsville.

Question applies to Board of Supervisors of Elections

Are you a registered voter in the City of Hyattsville

Yes

Please answer the following demographic questions. The City of Hyattsville is committed to appointing dedicated, diverse, individuals to these Committees to achieve membership with residents of all ages, interests, and backgrounds. Although these questions are not required for the completion of this application and the data collected is not factored into acceptance to advisory boards and committees, it is useful for the city for the purpose of measuring outcomes. This information is for internal use only and the data is not shared publicly.

Please indicate your age range.



Please indicate your gender(s). Select all that apply.

Please indicate your race-ethnicity(ies). Select all that apply.

Do you speak a language other than English at home?



If you speak a language other than English at home, what language do you speak?



Do you identify as having a disability as defined under the ADA [Americans with Disabilities Act]?



Please check which of the following best describe your household income last year:



Which of the best describes your housing status:





City of Hyattsville

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(301) 985-5000
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Agenda Item Report

File #: HCC-182-FY23

1/3/2023

9.a.

Submitted by: At the Request of the City Administrator
Submitting Department: Community & Economic Development
Agenda Section: Consent

Item Title:

Zoning Variance Request: V-76-22 - 6117 42nd Avenue, Hyattsville

Suggested Action:

I move the City Council authorize the Mayor to send correspondence to the Board of Zoning Appeals in support V-76-22 for the subject property at 6117 42nd Avenue, Hyattsville, as the side yard width is an existing condition of the dwelling.

Summary Background:

The applicant, Felix Rivas, has applied to the Prince George's County Board of Zoning Appeals (BZA) for a zoning variance of 5-feet from the side yard setback requirements in order to obtain a building permit for the construction of a second story addition on an existing dwelling.

The subject property includes an existing single-family detached residential structure and one shed structure. This is further illustrated in the aerial photo shown in Exhibit A below. The property is split-zoned RMF-20 (Residential, Multi-Family - 20) and RSF-65 (Residential, Single-Family - 65). While the majority of the existing dwelling is located in the RSF-65 zone, the Board of Zoning Appeals has determined that the appropriate zone for review of the variance is RMF-20. The subject property is located in City Council Ward 3 and is not located within a Residential Parking Zone.

The City's Variance Policy states that "the City shall as a matter of policy provide letters of support for residents to document a 'non-conforming lot' as part of the normal permitting process for projects complying with all other aspects of zoning regulations, unless the matter at hand is the certification of a non-conforming use on a non-conforming lot."

Based upon the application and the City's Variance Policy, City Staff recommends the City Council support V-76-22 for the subject property at 6117 42nd Avenue, Hyattsville, as the side yard width is an existing condition of the dwelling. In addition, the applicant is proposing the second story addition maintain the existing side yard width, which is a logical configuration for the site.

Next Steps:

No additional action is required.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend approval.

Community Engagement:

The BZA hearing for the matter was held on Wednesday, December 14th. The City requested that the BZA hold the record open in order to provide the City Council with an opportunity to review the matter.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Memo

To: Jim Chandler, Assistant City Administrator and Director, Com. & Econ. Development
From: Holly Simmons, City Planner
CC: Tracey Douglas, City Administrator
Date: December 12, 2022
Re: Zoning Variance Request V-76-22 – 6117 42nd Avenue, Hyattsville
Attachments: Application for Variance (Appeal No. V-76-22)
City of Hyattsville Variance Policy

The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request V-76-22, for the subject property located at 6117 42nd Avenue, Hyattsville.

Summary of Variance Conditions:

The applicant, Felix Rivas, has applied to the Prince George’s County Board of Zoning Appeals (BZA) for a zoning variance to obtain a building permit for the construction of a second story addition on an existing dwelling.

The requested variance is outlined in the table below:

Residential Zone Use Table	Description	Variance Requested
Section 27-4202 (h)(3)	Requires each lot shall have a side yard at least 8 feet in width.	Variance of 5 feet side yard width.

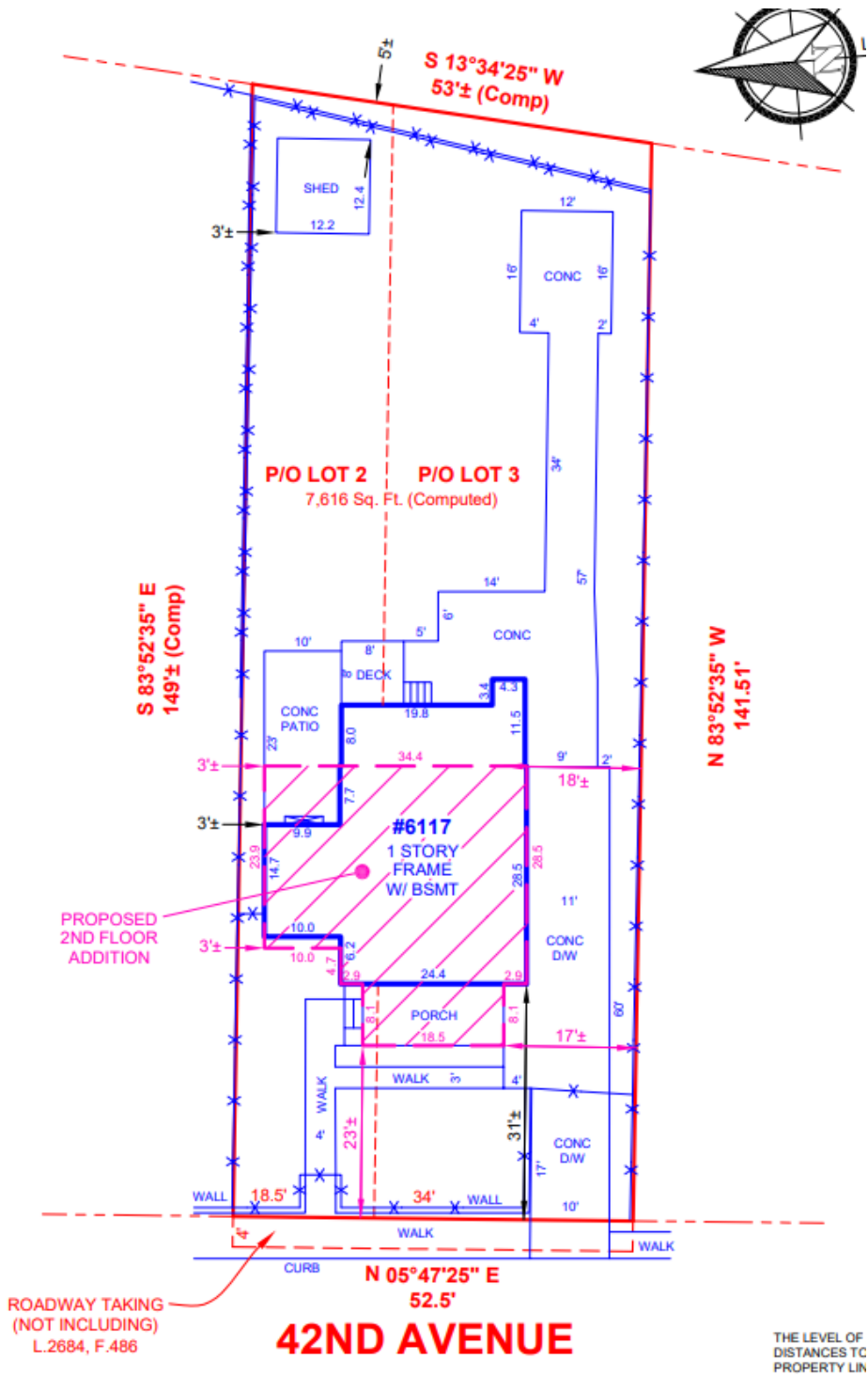
The subject property includes an existing single-family detached residential structure and one shed structure. This is further illustrated in the aerial photo shown in Exhibit A below. The property is split-zoned RMF-20 (Residential, Multi-Family - 20) and RSF-65 (Residential, Single-Family – 65). While the majority of the existing dwelling is located in the RSF-65 zone, the Board of Zoning Appeals has determined that the appropriate zone for review of the variance is RMF-20. The subject property is located in City Council Ward 3 and is not located within a Residential Parking Zone.

Exhibit A. Aerial Imagery of 6117 42nd Avenue, Hyattsville



The existing dwelling was built prior to modern zoning standards and is located as close as 3 feet to the existing lot side yard lot line. The second story addition is proposed to be built primarily in the footprint of the existing dwelling and would not be located closer to the side yard lot line than the existing dwelling. The existing dwelling is shown on Exhibit B in bolded blue, and the proposed second story addition is shown in pink.

Exhibit A. Proposed addition at 6117 42nd Avenue, Hyattsville



The BZA has not indicated that a lot coverage variance is required and has provided no calculations pertaining to lot coverage. As such, City Staff expects that the BZA will ensure the proposal conforms to applicable lot coverage requirements.

Recommendation:

The City's Variance Policy states that "the City shall as a matter of policy provide letters of support for residents to document a 'non-conforming lot' as part of the normal permitting process for projects complying with all other aspects of zoning regulations, unless the matter at hand is the certification of a non-conforming use on a non-conforming lot."

Based upon the application and the City's Variance Policy, City Staff recommends the City Council support V-76-22 for the subject property at 6117 42nd Avenue, Hyattsville, as the side yard width is an existing condition of the dwelling. In addition, the applicant is proposing the second story addition maintain the existing side yard width, which is a logical configuration for the site.



City of Hyattsville

Zoning Variance Policy Statement and Variance Process

The Mayor and Council adopted the following City of Hyattsville Policy and Process for Zoning Variance Requests: City of Hyattsville Zoning Variance Policy Statement:

The City of Hyattsville affirms the role of the Prince George's County Planning Board zoning authority and "the purposes, intent, standards and design criteria set forth in the Zoning Ordinance and appropriate County policies."

The City of Hyattsville affirms the current zoning policy within the City limits and as a matter of policy does not support zoning variances as a normal business practice.

The City's support of a zoning variance ordinarily be granted only after the Mayor and City Council acknowledge that the granting of a variance:

1. remedies a unique situation that zoning did not anticipate;
2. remedies that which creates a significant hardship on the property-owner that can be documented and clearly demonstrated;
3. will result in benefits to the residents and improve the quality of the environment of the City.

Citizens requesting such support shall submit:

1. current plat of site with all existing conditions;
2. photos of all existing site conditions;
3. scale plans and elevations of existing conditions and proposed changes;
4. narrative description of the proposed changes, specifics of the zoning variance requirements and an explanation of how the zoning variance request responds to:
 - a. a unique situation that zoning did not anticipate;
 - b. a significant hardship on the property owner;
 - c. benefits to the residents and improve the environment of the City

The City shall as a matter of policy provide letters of support for residents to document a "non-conforming lot" as part of the normal permitting process for projects complying with all other aspects of zoning regulations, unless the matter at hand is the certification of a non-conforming use on a non-conforming lot. The standard for the support of the certification of a non-conforming use on a non-conforming lot would revert to the instant aforementioned requirements for City support of a zoning variance.

The City will not support variance requests for additional lot coverage when the intention of the request is to add off-street parking on the lot, except in extraordinary circumstances.

City of Hyattsville Zoning Variance Process

Requests for zoning variances shall be processed by the Office of Code Enforcement and reviewed by the staff for technical issues. The Office of Code Enforcement shall determine if the request complies with all of the requirements of City of Hyattsville Zoning Variance Policy or to document a "non-conforming lot". The Supervisor shall then issue a report for the City Administrator citing one of the following "Actions":

- A. The request for the City's support of the zoning variance does not comply with City's policy, Do Not Recommend Approval
- B. The request for the City's support of the zoning variance does comply with City's policy, Recommend Approval - Zoning Variance
- C. The request for the City's support of the zoning variance does comply with City's policy for "non-conforming lots", Recommend Approval - Non Conforming Lot

The City Administrator shall review the Office of Code Enforcement Supervisor's Report and determine which of the following actions is applicable and execute accordingly:

- A. Do Not Recommend Approval - The City Administrator shall draft a letter detailing the City's opposition for the proposed request for a zoning variance for the Mayor's consideration and signature. The City letter opposing the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.
- B. Recommend Approval - Zoning Variance - The City Administrator shall forward the Office of Code Enforcement Supervisor's Report for the proposed request for a zoning variance to the (Planning Committee for review and comment along with any other City staff comments) the Mayor and City Council for action.
- C. Recommend Approval - Non Conforming Lot - The City Administrator shall draft a letter detailing the City's support for the proposed request for a zoning variance for a "non-conforming lot" to the Mayor for his review and signature. The City letter supporting the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.

Adopted by the Mayor and Council on February 13, 2006

Amended by the Mayor and Council on October 3, 2011

BOARD OF APPEALS
EXHIBIT SHEET
VARIANCES

APPLICATION NO. V-76-22

PETITIONER: Felix Rivas

No. Description

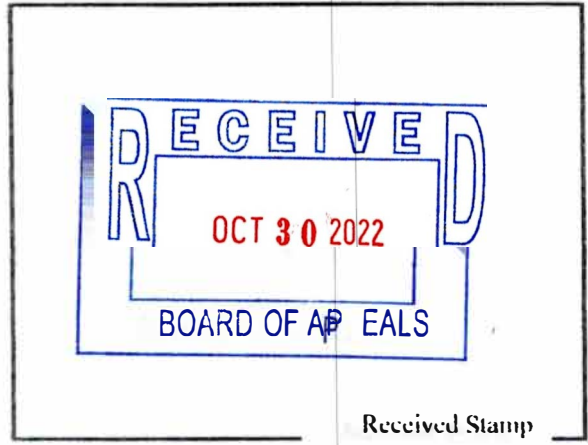
1. Application
2. Site Plan
3. Elevation Plans, (a thru d)
 - 3(A) Left Front View
 - 3(B) New Left Rear View
 - 3(C) New Right Front View
 - 3(D) New Right Rear View
4. Subdivision Plat
5. Color Photos, A thru J
 - 5(A) Front View from Street
 - 5(B) Another Front View from Street
 - 5(C) Left Side from Next Door House
 - 5(D) Left Rear Side from Next Door
 - 5(E) Rear Left Side of the House
 - 5(F) Rear Side of the House
 - 5(G) Right View from Next Lot
 - 5(H) Front Right View from Next Lot
 - 5(J) Front Wall – 41” Tall
 - 5(J) Rear Shed-11’ Tall
6. SDAT Property Printout
7. PGAtlas Printout
8. Aerial Photos, A thru F
 - 8(A-B) Photos
 - 8(C-D) Photos
 - 8(E-F) Photos
9. Neighboring Properties, A thru C
 - 9(A-B) Photos
 - 9(C) Phot
10. Notice of Virtual Hearing, 11/29/2022

11. Persons of Record List, 11/29/2022
12. Certified Mail Receipts
13. Certification of Posting, w/photos, 11/30/22
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.



Zoning and Administrative

County Administration Building, Room 1-200
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
(301) 952-3220



Received Stamp

(USE BLACK INK ONLY)
PLEASE READ ALL INSTRUCTIONS
BEFORE FILLING OUT APPLICATION

HEARING DATE _____

APPLICATION FOR A VARIANCE

(If variance is being applied for due to receipt of a Violation Notice, a copy of the notice is required.)

For assistance in completing questions below, see corresponding paragraphs on *Instructions to Applicants*, which is designed to help you fill out this form.

Owner(s) of Property SELIX RIVAS
Address of Owner(s) 6117 42ND AVE
City HYATTSVILLE State MD Zip Code 20781
Telephone Number (home) 202 876-4216 (cell) 0-876-4216 (work)
E-mail address: RIVASMARITZA2019@GMAIL.COM

Location and Legal Description of the Property involved:

Street Address 6117 42ND AVE
City HYATTSVILLE
Lot(s) _____ Block 2 Parcel _____
Subdivision Name NICHOLS ADDN TO HYATTSVILLE

Professional Service:

▸ Engineer ▸ Contractor ▸ Architect (if different from above): (circle one)
Name: REN PARSONS Phone Number: 301-3517004
Address: 2614 GARSTLYNCH NEW WINDSOR MD 21776 Email Address: PARSONSREN@AOL.COM

Attorney representing applicant: (If applicable)

Name: NA Phone Number: _____
Address: _____ Email Address: _____



Association Name(s) & Address(es) (Homeowners/Citizens/Civic and/or Community):

Name: _____

Address: _____

Municipality (Incorporated City/Town)

Name Hyattsville

What will be or has been constructed on the property which has required a variance? _____

A proposed 2nd Floor Addition over existing house which is currently to close (3') to side property

Has a Violation Notice / Stop Work Order /Correction Notice been issued to the Property Owner regarding this property?

No Yes _____ Date Issued: _____ Violation Notice No. # _____

Inspector's Name: _____

Do you need the services of a foreign language interpreter at your hearing? (\$30.00 fee required)

Yes _____ No Foreign Language: _____

FELIX RIVAS

Signature of Owner/Attorney

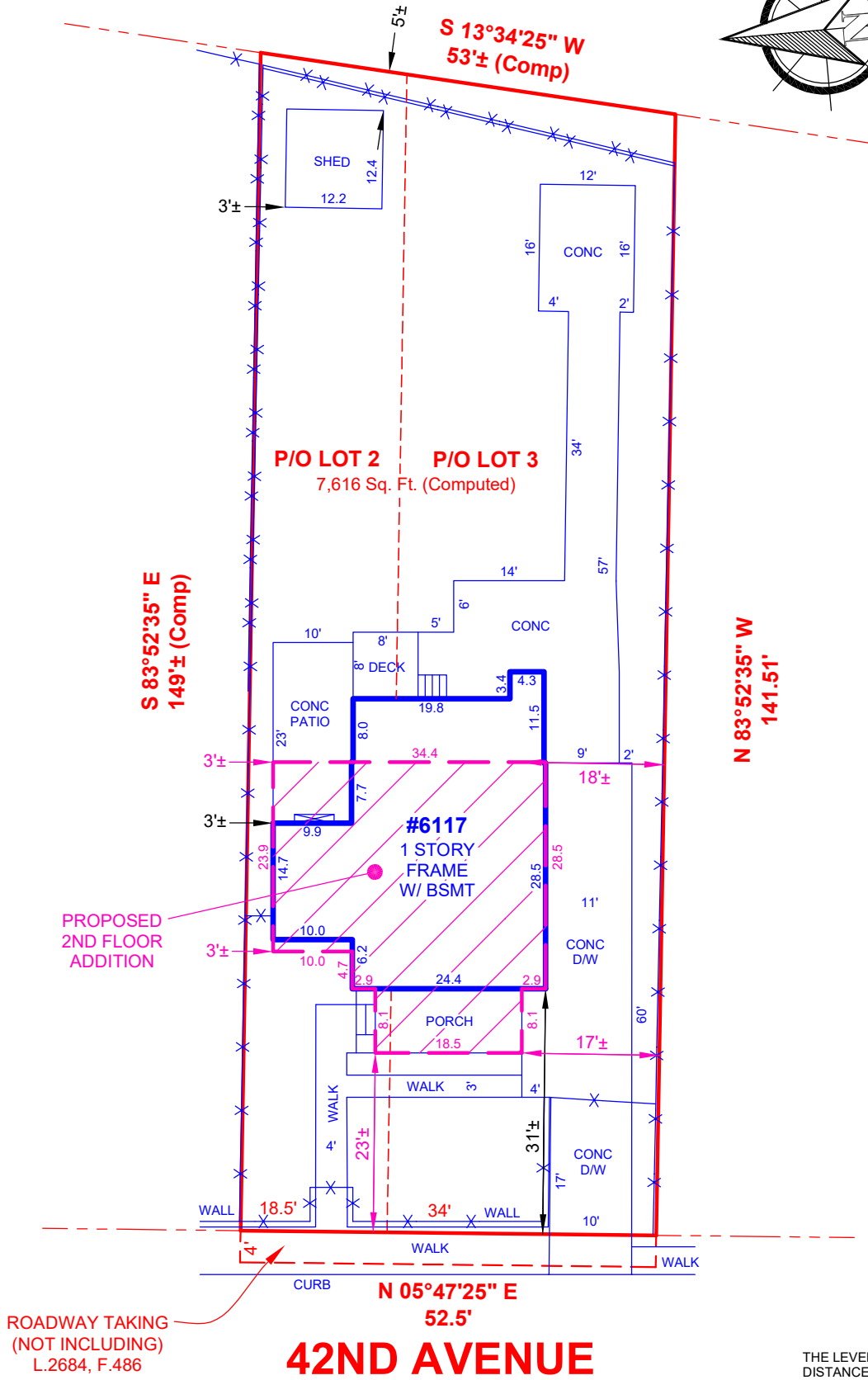
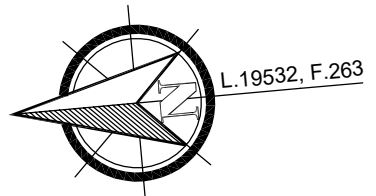
FELIX RIVAS

Printed Name

IMPORTANT:

Failure to provide complete and accurate information on this application may delay or jeopardize consideration of the request. Applications on which all required information is not furnished will be returned for completion before processing.

Approval of a variance is not a guarantee that further review will not be necessary by other governmental authorities. For further information regarding Board of Zoning Appeals policies and procedures, see Sections 27-229 through 27-234 of the County Zoning Ordinance and/or the Board's website at <http://pgccouncil.us/>.



ROADWAY TAKING
(NOT INCLUDING)
L.2684, F.486

THE LEVEL OF ACCURACY OF
DISTANCES TO APPARENT
PROPERTY LINES IS: **3'±**

LOCATION DRAWING OF:

#6117 42ND AVENUE
PART OF LOTS 2 & 3 BLOCK 2

PLAT BOOK A, PLAT 24
HYATTSVILLE

LIBER 19532, FOLIO 263

PRINCE GEORGE'S COUNTY, MARYLAND

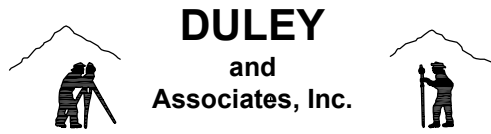
SCALE: 1"=20' DATE: 04-30-2022

DRAWN BY: CP/AP FILE #: 224527-200

LEGEND:

- X- - FENCE
 - B/E - BASEMENT ENTRANCE
 - B/W - BAY WINDOW
 - BR - BRICK
 - BRL - BLDG. RESTRICTION LINE
 - BSMT - BASEMENT
 - C/S - CONCRETE STOOP
 - CONC - CONCRETE
 - D/W - DRIVEWAY
 - Ex. - EXISTING
 - FR - FRAME
 - MAC - MACADAM
 - N/F - NOW OR FORMERLY
 - O/H - OVERHANG
 - PUE - PUBLIC UTILITY ESMT.
 - PIE - PUBLIC IMPROVEMENT ESMT.
- COLOR KEY:**
(RED) - RECORD INFORMATION
(BLUE) - IMPROVEMENTS
(GREEN) - ESMTS & RESTRICTION LINES

A Land Surveying Company



DULEY
and
Associates, Inc.

Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111

Fax: 301-888-1114

Email: orders@duley.biz

On the web: www.duley.biz

SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS, THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 3'±. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

DULEY & ASSOC.

WILL GIVE YOU A 100% FULL CREDIT TOWARDS UPGRADING THIS SURVEY TO A "BOUNDARY/STAKE" SURVEY FOR ONE YEAR FROM THE DATE OF THIS SURVEY.

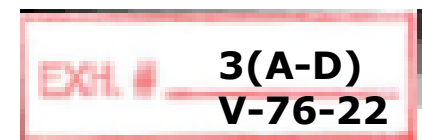
(EXCLUDING D.C. & BALT. CITY)



EXH. # 2 V-76-22



New Left Front View



Felix Rivas
6117 42nd Ave
Hyattsville, MD 20781



New Left Rear View

Felix Rivas
6117 42nd Ave
Hyattsville, MD 20781



New Right Front View

Felix Rivas
6117 42nd Ave
Hyattsville, MD 20781



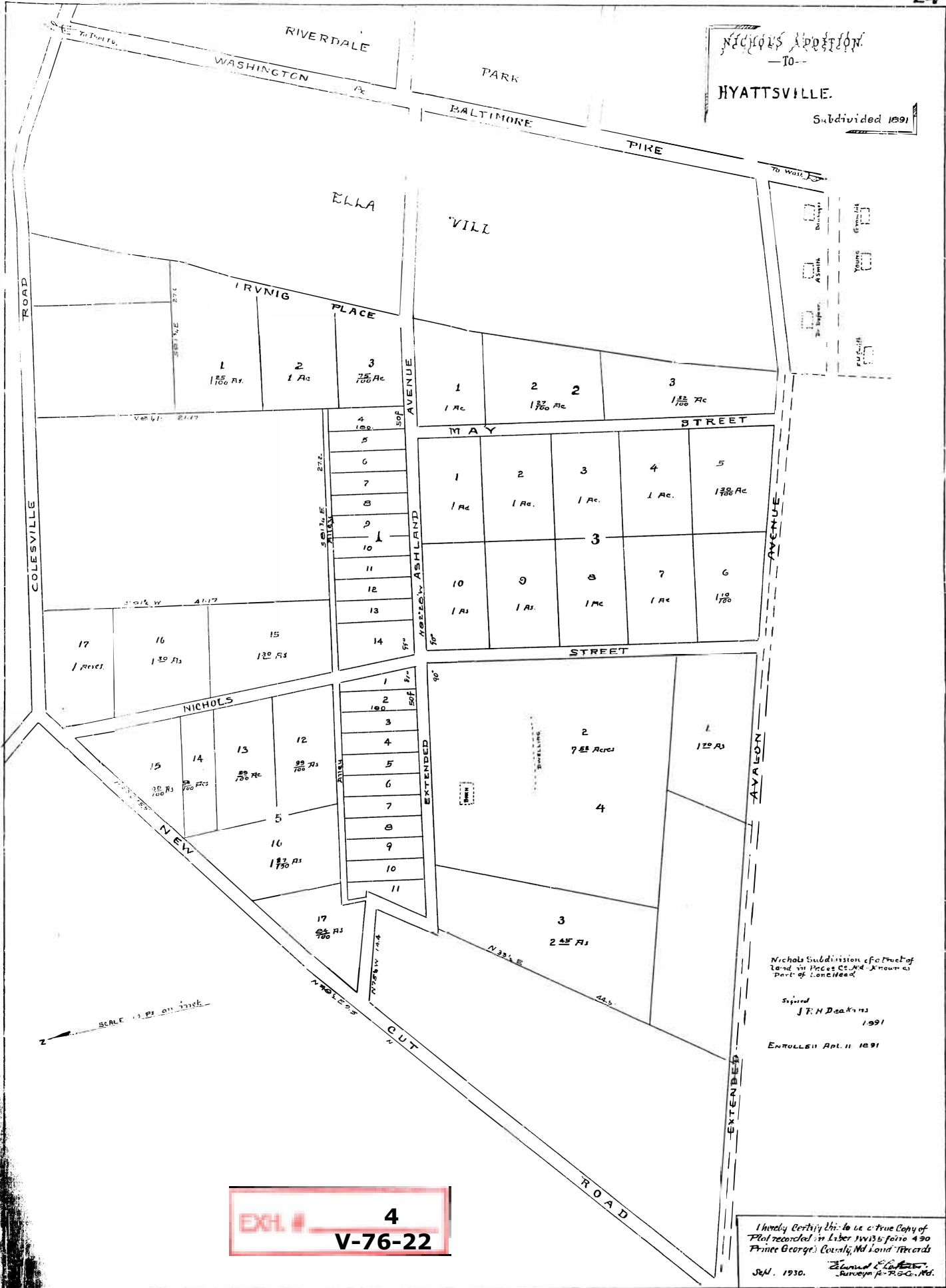
New Right Rear View

Felix Rivas
6117 42nd Ave
Hyattsville, MD 20781

NICHOLS ADDITION

-TO-
HYATTSVILLE.

Subdivided 1891



Nichols Subdivision of Part of Land in Pieces C.S. and known as Part of Lonehead

Signed
J. F. N. Deakins
1891

ENTROLLED APR. 11 1891

EXH. # 4
V-76-22

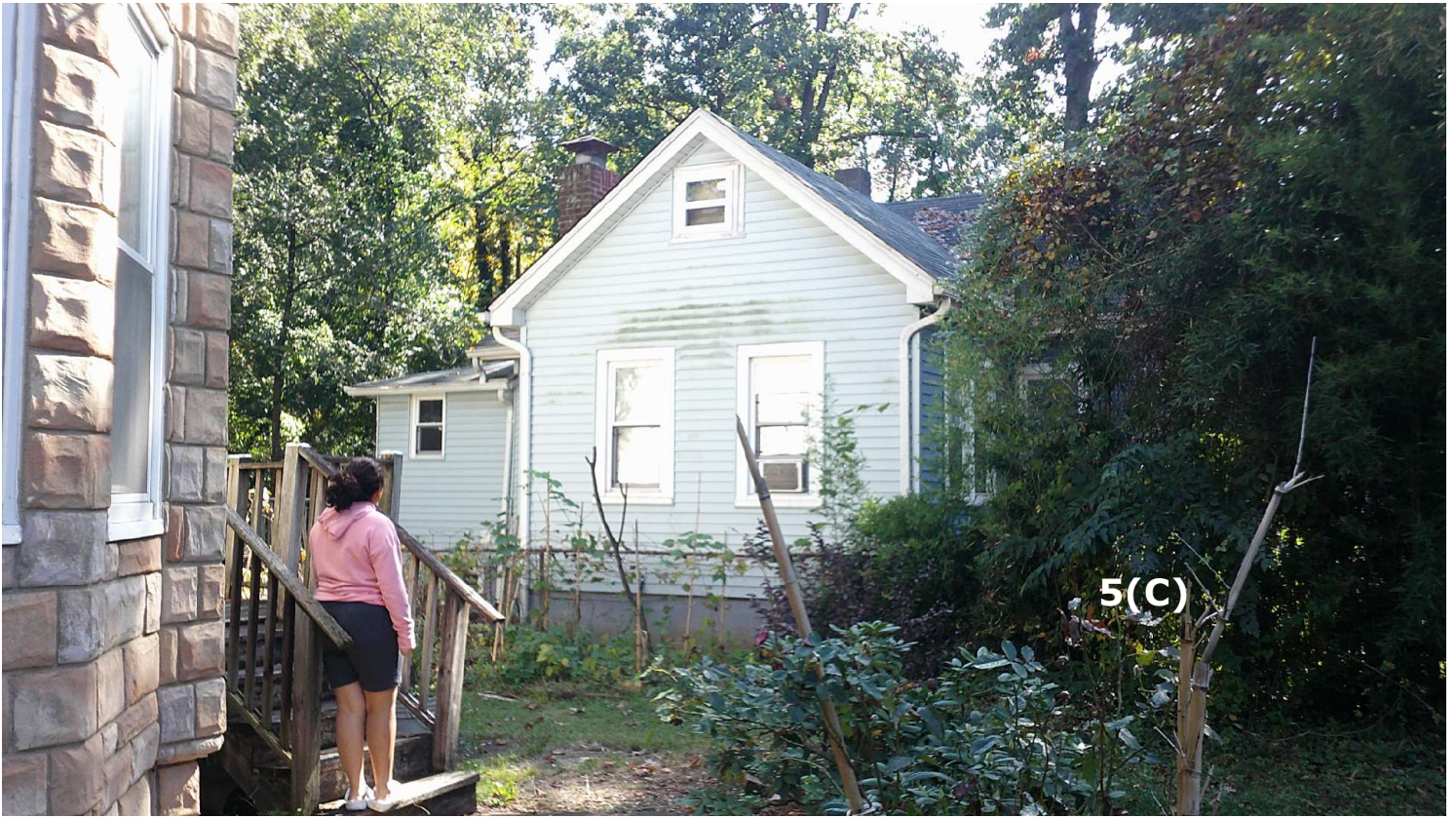
I hereby certify this to be a true copy of Plat recorded in Liber 114135 folio 430 Prince George's County, Md. Land Records
Jeh. 1930. *Edward C. [Signature]*
Recorder for P.C. Md.



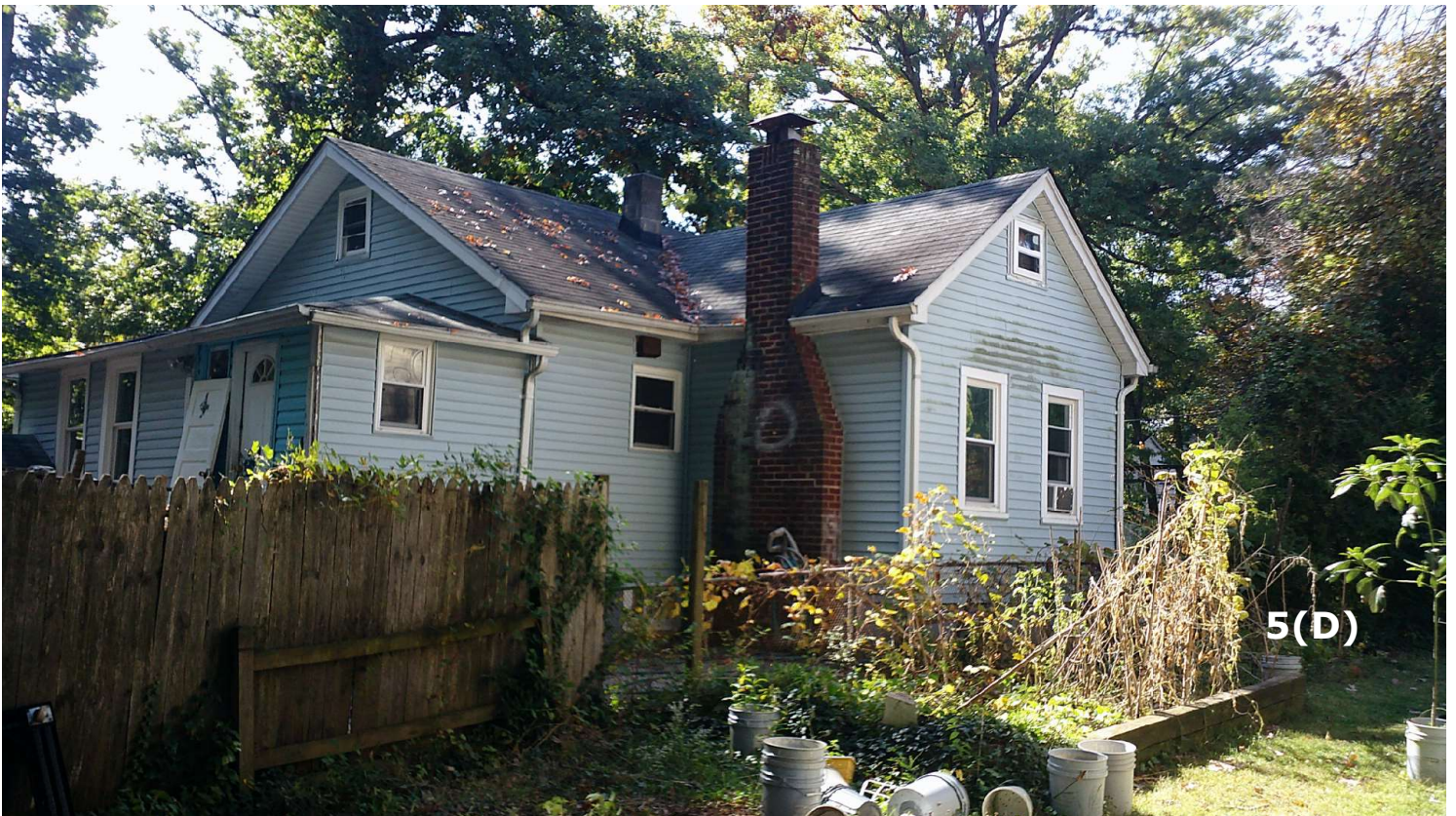
FRONT VIEW FROM STREET



ANOTHER FRONT VIEW FROM STREET



LEFT SIDE FROM NEXT DOOR HOUSE



LEFT (REAR) SIDE) OF FROM NEXT DOOR HOUSE



5(E)

REAR (LEFT SIDE) OF HOUSE



5(F)

REAR OF HOUSE



RIGHT VIEW FROM NEXT LOT



FRONT RIGHT VIEW FROM NEXT LOT



FRONT WALL - 41" TALL



REAR SHED - 11' TALL

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 16 **Account Number - 1790047**

Owner Information

Owner Name: RIVAS FELIX & JOSE N RODRIGUEZ ET Use: RESIDENTIAL
 ASCOBAR HILDAL R **Principal Residence:** YES
Mailing Address: 6117 42ND AVE **Deed Reference:** /19532/ 00263
 HYATTSVILLE MD 20781-1414

Location & Structure Information

Premises Address: 6117 42ND AVE **Legal Description:** N PT LT3 EX FR 4FT
 HYATTSVILLE 20781-0000 STR,PT LT2 EX 4FT STR

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: A-8266
 0042 00B3 0000 16026200.17 6200 2 2022 **Plat Ref:**

Town: HYATTSVILLE

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1935 1,004 SF YES 7,613 SF 001

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements
 1 YES STANDARD UNIT FRAME/3 1 full

Value Information

	Base Value	Value	Phase-in Assessments	
			As of	As of
		As of	As of	As of
		01/01/2022	07/01/2022	07/01/2023
Land:	125,300	140,700		
Improvements	197,500	253,400		
Total:	322,800	394,100	346,567	370,333
Preferential Land:	0	0		

Transfer Information

Seller: NAIR,SHILJA	Date: 05/18/2004	Price: \$243,000
Type: ARMS LENGTH IMPROVED	Deed1: /19532/ 00263	Deed2:
Seller: VILLATORO,JOSE P & HORENTICA D	Date: 12/31/2003	Price: \$181,000
Type: ARMS LENGTH IMPROVED	Deed1: /18586/ 00020	Deed2:
Seller: IRONS,DEBBIE	Date: 02/11/2000	Price: \$130,000
Type: ARMS LENGTH IMPROVED	Deed1: /13634/ 00055	Deed2:

Exemption Information

Partial Exempt Assessments:Class		07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**



Property

Tax Account: 1817782
Owner Name: HYATTSVILLE OLIVER GARDENS LLC
Premise Address: 6101 42nd Ave, Hyattsville, MD 20781

Parcel Details	Ownership Information	Administrative Details
Tax Account #: 1817782 Assessment District: 16 Lot: Block: 2 Parcel: Description: SW PT LOT 3 EX TRI AT SE COR EQ 45116 SQ FT Plat: A16-8266 Subdivision: NICHOLS ADDN TO HYATTSVILLE Acreage: 1.0360	Owner Name: HYATTSVILLE OLIVER GARDENS LLC Owner Address: 3400 Dean Dr, Hyattsville, MD 20782 Liber: 15056 Folio: 107 Transfer Date: 10/4/2001 Current Assessment: \$2,368,167.00 Land Valuation: \$676,700.00 Improvement Valuation: \$1,691,467.00 Sale Price: \$1,060,000.00 Structure Area (Sq Ft): 26	Tax Map Grid: 042B3 WSSC Grid: 207NE03 Tree Conservation Plan 1: Tree Conservation Plan 2: Councilmanic District: 2

Tax Account: 1790047
Owner Name: RIVAS FELIX & JOSE N RODRIGUEZ ET
Premise Address: 6117 42nd Ave, Hyattsville, MD 20781

Parcel Details	Ownership Information	Administrative Details
Tax Account #: 1790047 Assessment District: 16 Lot: Block: 2 Parcel: Description: N PT LT3 EX FR 4FT STR,PT LT2 EX 4FT STR Plat: A16-8266 Subdivision: NICHOLS ADDN TO HYATTSVILLE Acreage: 0.1750	Owner Name: RIVAS FELIX & JOSE N RODRIGUEZ ET Owner Address: 6117 42nd Ave, Hyattsville, MD 20781 Liber: 19532 Folio: 263 Transfer Date: 5/18/2004 Current Assessment: \$346,567.00 Land Valuation: \$130,433.00 Improvement Valuation: \$216,133.00 Sale Price: \$243,000.00 Structure Area (Sq Ft): 1004	Tax Map Grid: 042B3 WSSC Grid: 207NE03 Tree Conservation Plan 1: Tree Conservation Plan 2: Councilmanic District: 2

Legislative District (2014)

Legislative District: 22
Member 1: Paul G. Pinsky
Party 1: Democrat
Member 2: Anne Healey
Party 2: Democrat
Member 3: Alonzo T. Washington
Party 3: Democrat
Member 4: Nicole A. Williams
Party 4: Democrat



Prior Development District Overlay (Prior)

Overlay Zone: D-D-O

Plan Name: GATEWAY ARTS DISTRICT SECTOR PLAN AND SMA
Resolution: CR-78-2004
Adoption Date: 11/30/2004
Acreage: 1907.699336

Councilmanic District (2014)

District: 2

Councilmember: Deni Taveras

Political Party: Democrat

Telephone: 301-952-4436

Email: dltaveras@co.pg.md.us

District: Null

Councilmember: Mel Franklin (At Large)

Political Party: Democrat

Telephone: 301-952-2638

Email: mfranklin1@co.pg.md.us

District: Null

Councilmember: Calvin S. Hawkins, II (At Large)

Political Party: Democrat

Telephone: 301-952-2195

Email: at-largememberhawkins@co.pg.md.us

Tax Grid

Map Grid: 42-B3

Watershed (DOE)

Name: NORTHWEST BRANCH (ANA)

Watershed - 12 digit (DNR)

MDE 6 Digit Code: 021402

MDE 6 Digit Name: WASHINGTON METROPOLITAN

MDE 8 Digit Code: 02140205

MDE 8 Digit Name: Anacostia River

Watershed Code: 0818

DNR 12 Digit Designator: 021402050818

Tributary Strategy Watershed: MIDDLE POTOMAC

NRCS HUA14 Digit Code: 02070010030130

NRCS HUA11 Digit Code: 02070010030

NRCS HUA8 Digit Code: 02070010

Acreage: 4987.130371

WSSC Grid

Grid: 207NE03

Zip Code

Zip Code: 20781

City: Hyattsville

Alternate Names: N/A

Zoning (Current)

Zone Type: Residential

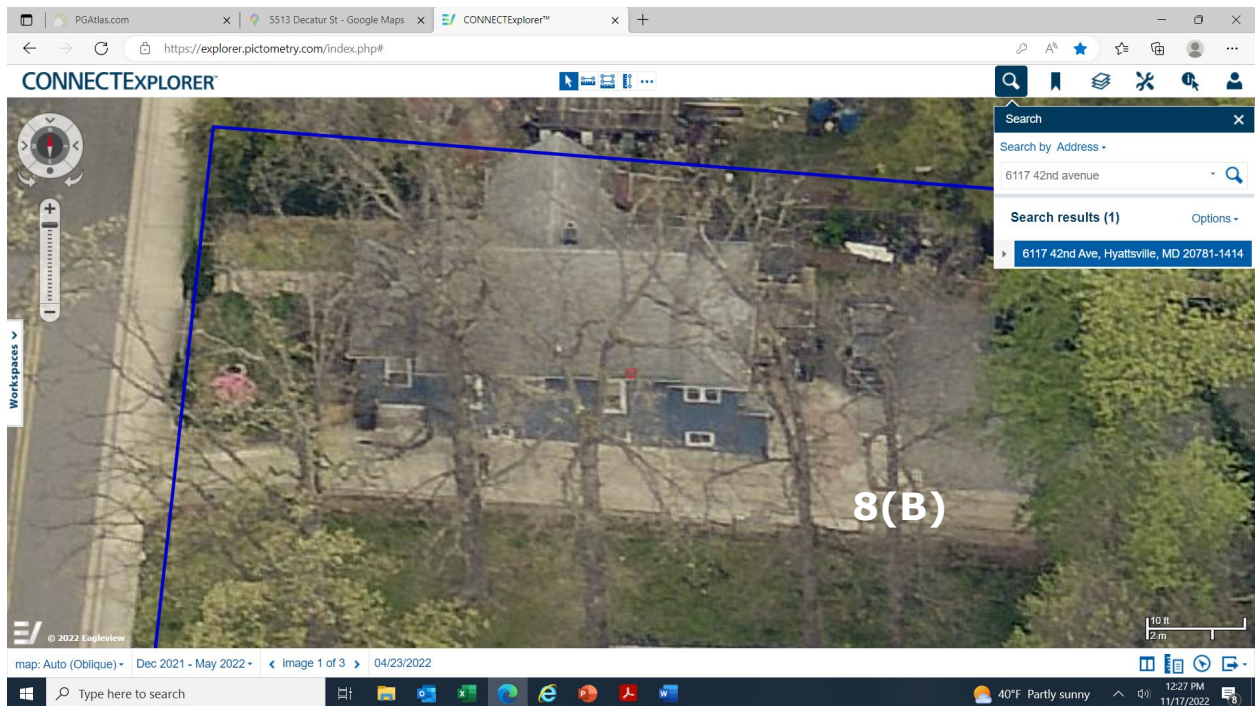
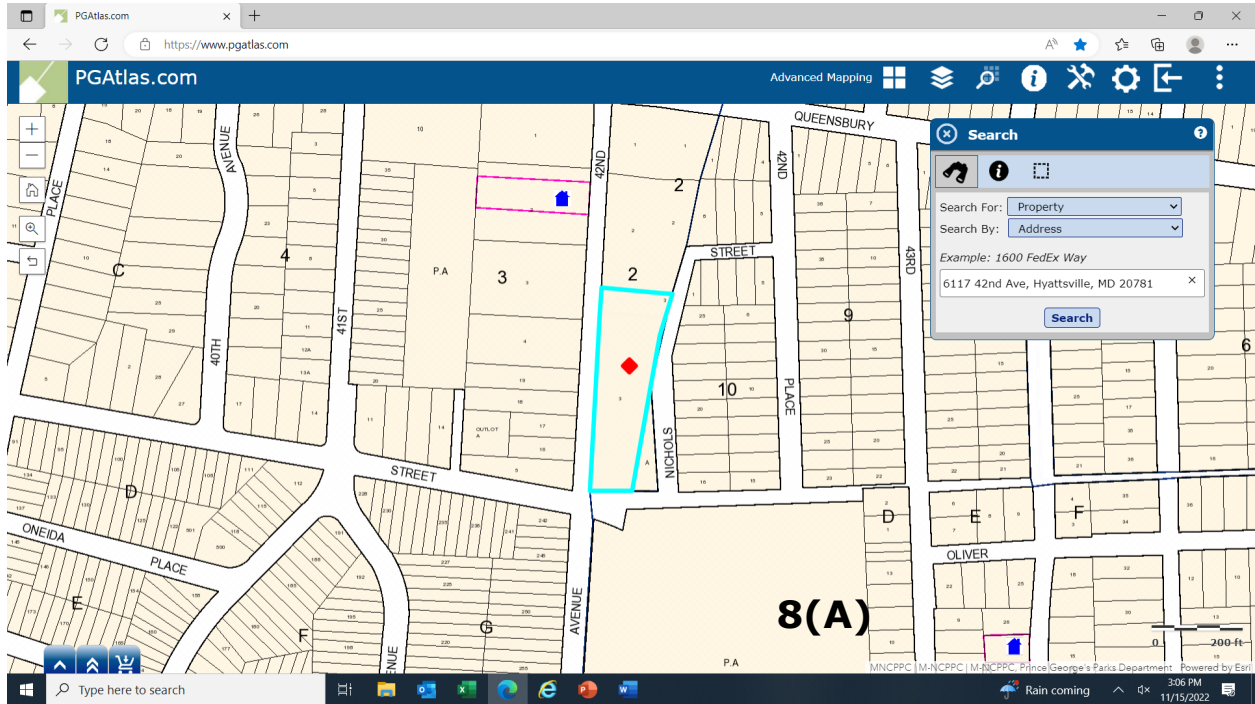
Class: RMF-20 (Residential, Multifamily-20)

Zoning (Prior)

Zone Type: Residential

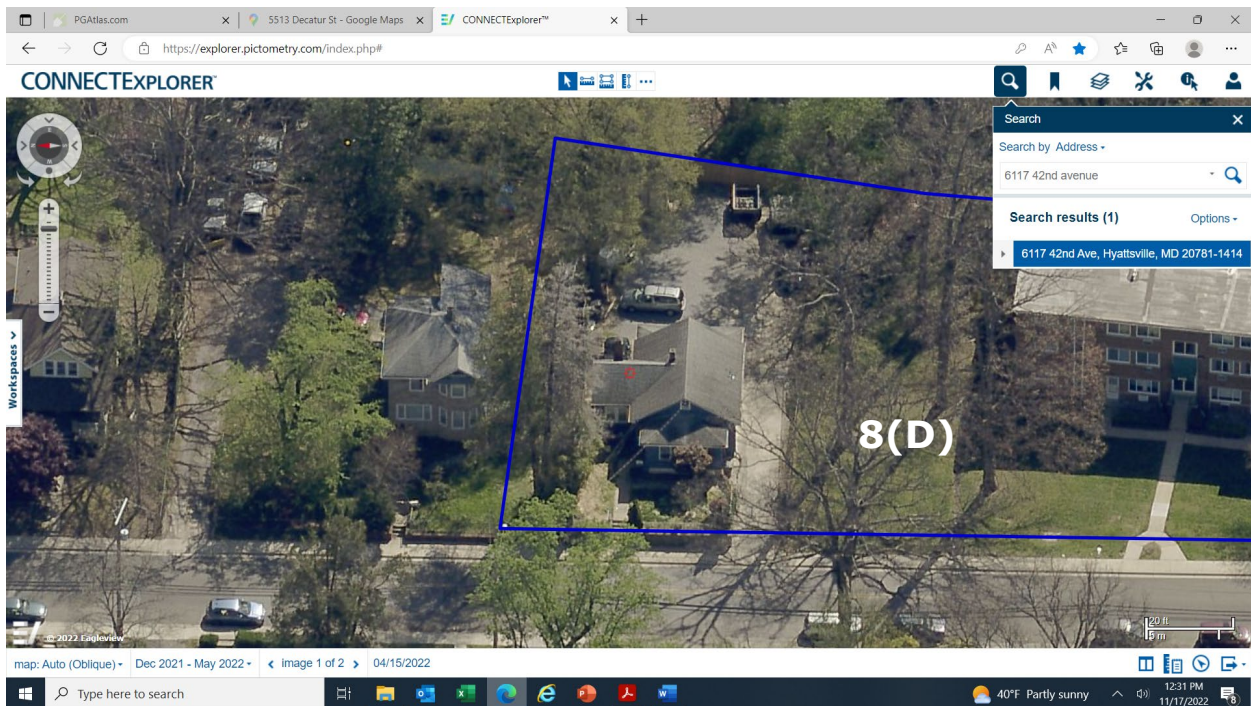
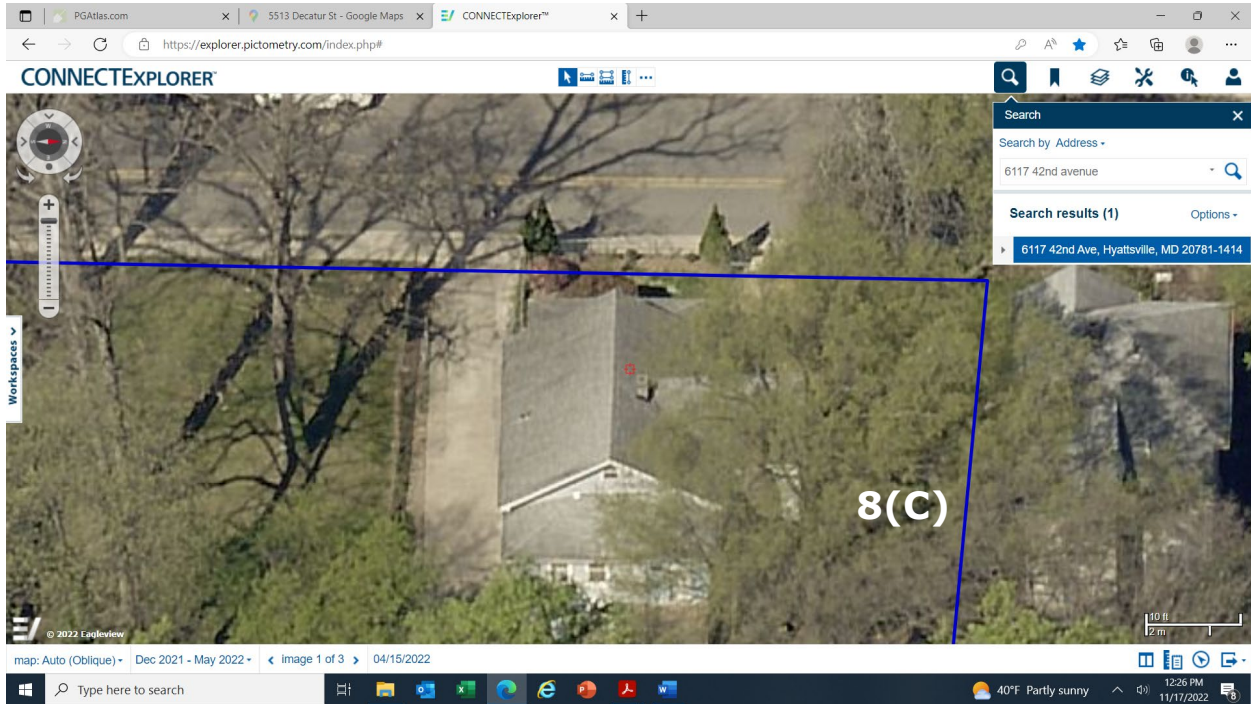
Class: R-18 (Multifamily Medium Density Residential)

V-76-22
Aerial Photos

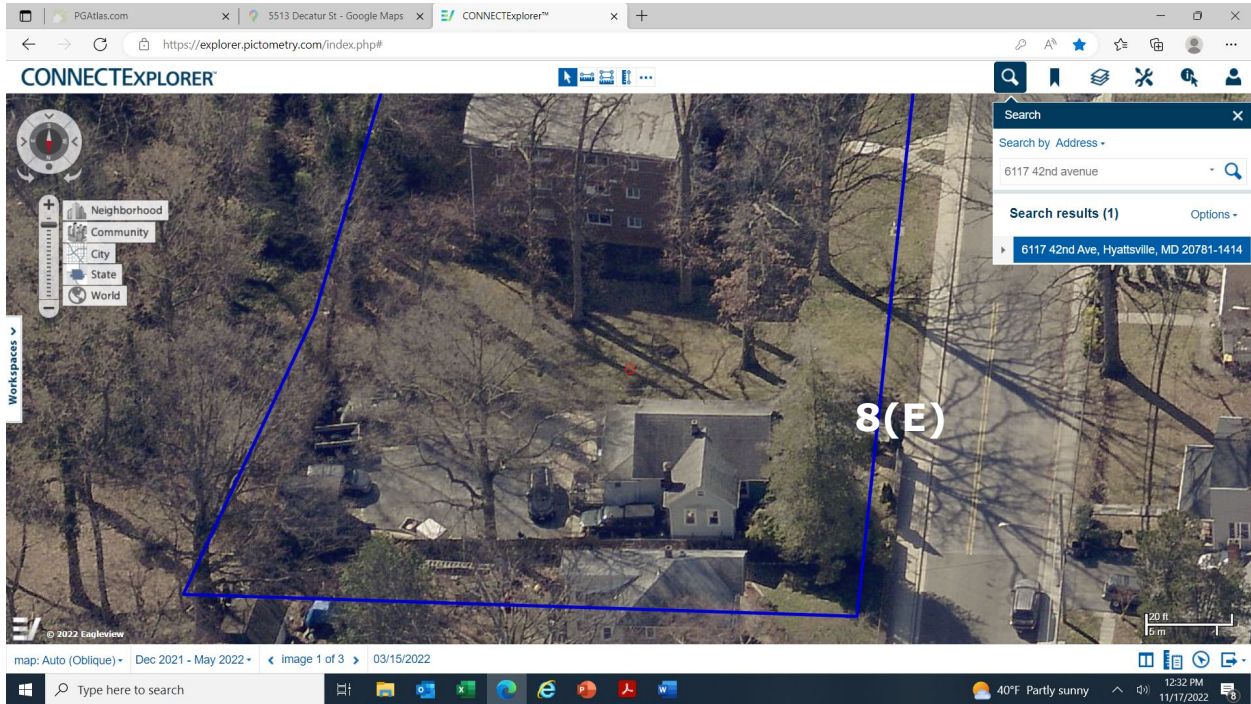


EXH. # 8(A-F)
V-76-22

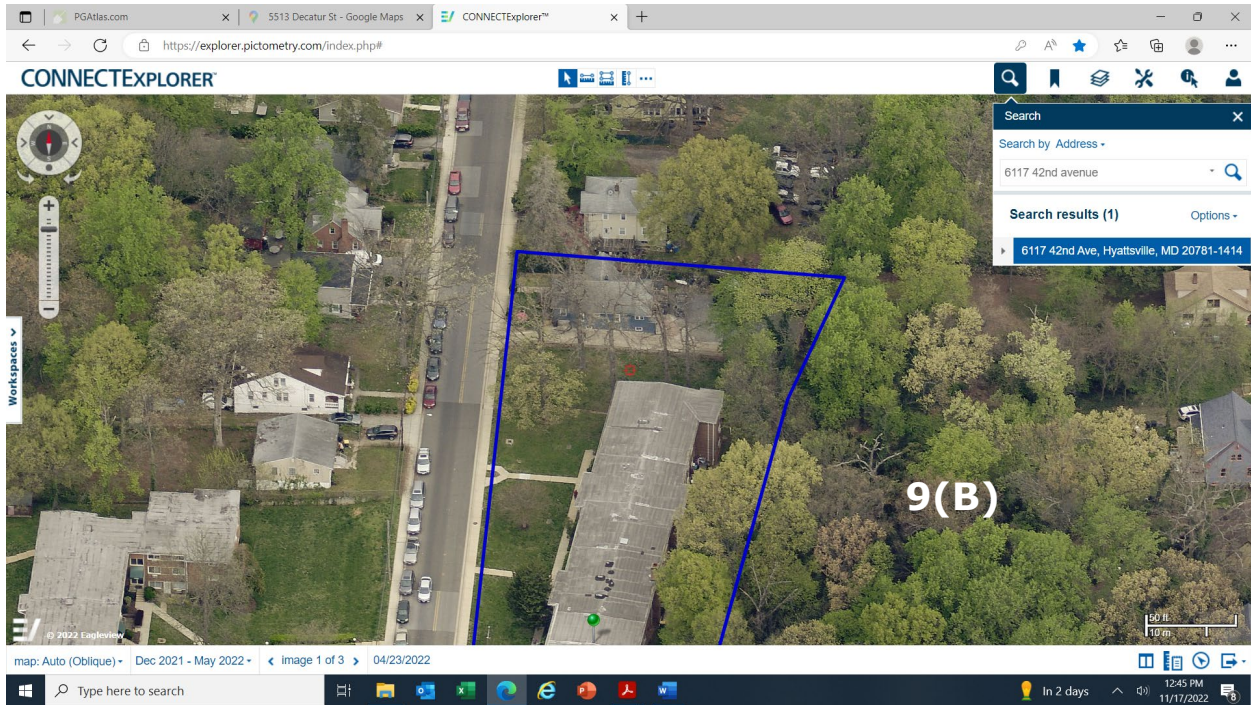
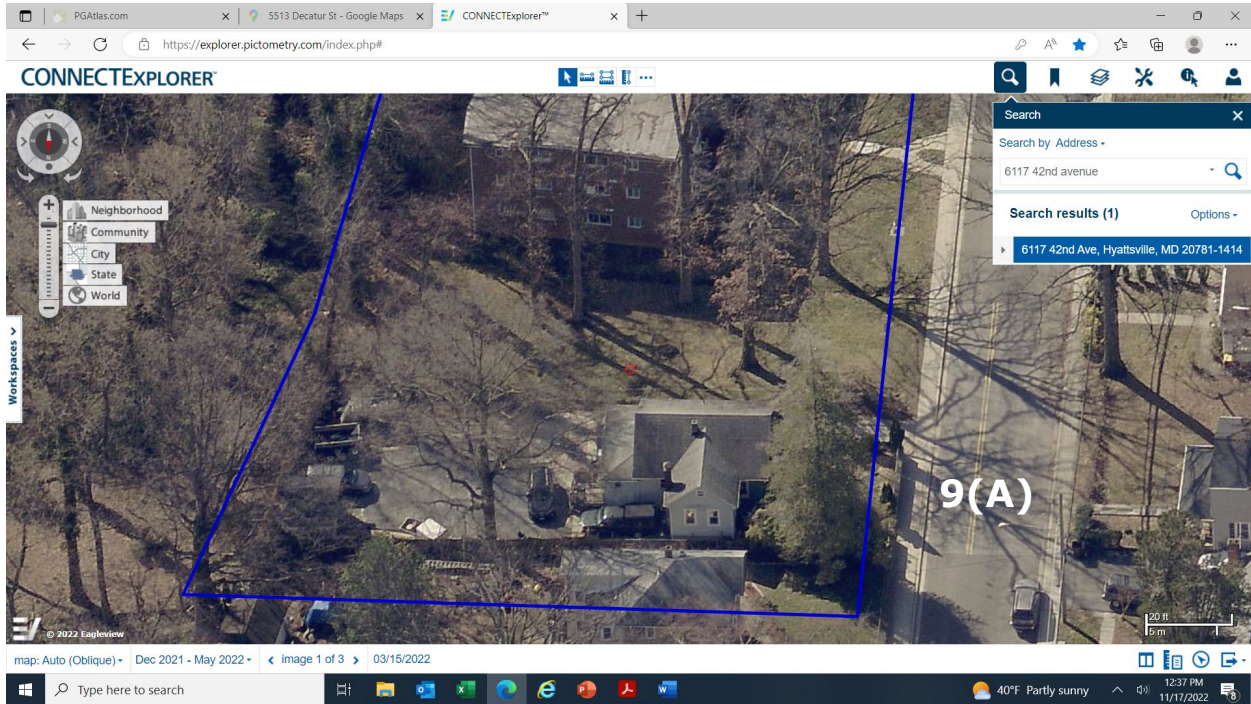
V-76-22
Aerial Photos



V-76-22
Aerial Photos

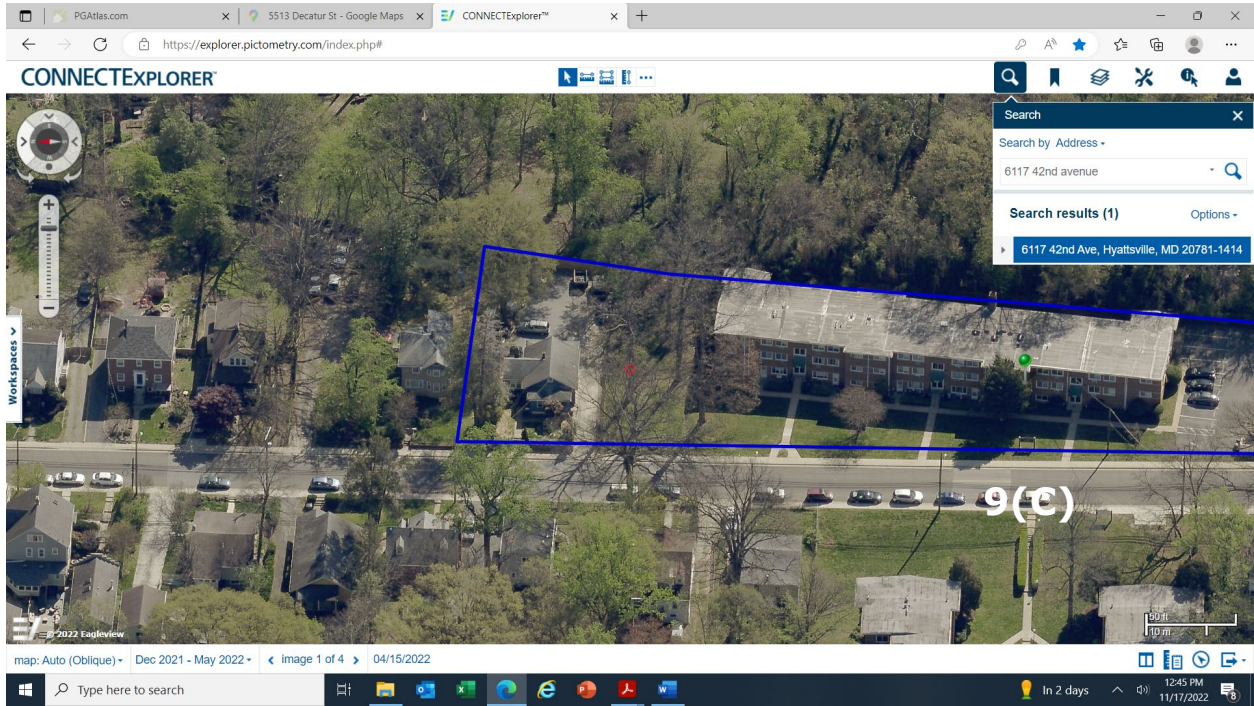


V-76-22
Neighboring Properties



EXL # 9(A-C)
V-76-22

V-76-22
Neighboring Properties





THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

WAYNE K. CURRY COUNTY ADMINISTRATION BUILDING, LARGO, MARYLAND 20774
TELEPHONE (301) 952-3220

NOTICE OF VIRTUAL HEARING

Date: November 29, 2022

Petitioner: Felix Rivas

Appeal No.: V-76-22

Hearing Date: WEDNESDAY, DECEMBER 14, 2022, AT 6:00 P.M. **EVENING**

Place: Virtual Hearing

Appeal has been made to this Board for permission to obtain a building permit for the construction of a 2nd floor addition over existing house on Residential, Multifamily-20 (RMF-20) Zoned property known as Part of Lots 2 & 3, Block 2, Nichols Addition to Hyattsville Subdivision, being 6117 42nd Avenue, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

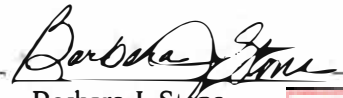
The specific violation resides in the fact that Zoning Ordinance Section 27-4202(h)(3) prescribes that each lot shall have a side yard at least 8 feet in width. A variance of 5 feet side yard width is requested.

Virtual hearing on this Appeal is set for the time and place stated above. **Petitioner, or counsel representing Petitioner, should be present at the hearing. A Petitioner which is a corporation, limited liability company, or other business entity MUST be represented by counsel, licensed to practice in the State of Maryland, at any hearing before the Board. Any non-attorney representative present at the hearing on behalf of the Petitioner (or any other person or entity) shall not be permitted to advocate.**

Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board. In order to give verbal testimony during the virtual hearing, you must register with the Board of Appeals at least 5 days prior to the virtual hearing. Please call 301-952-3220 to register. No additional speakers will be allowed to give testimony unless registered with the Board. Please also visit the Board of Appeals website for Virtual Hearing Instructions and procedures at <http://pgccouncil.us/BOA>

If inclement weather exists on hearing date, please contact the office to ascertain if hearing is still scheduled.

BOARD OF ZONING APPEALS

By 
Barbara J. Stone
Administrator

EXH. # **10**
V-76-22

cc: Petitioner
Adjoining Property Owners
Park and Planning Commission
City of Hyattsville

V-76-22
FELIX RIVAS
6117 42ND AVENUE
HYATTSVILLE MD 20871

V-76-22
BOARD OF EDUCATION
6001 42ND AVENUE
HYATTSVILLE MD 20871

V-76-22
6030 42ND AVENUE LLC
PO BOX 9724
SILVER SPRING MD 20916

V-76-22
HYATTSVILLE QUEENSBURY LLC
3400 DEAN DRIVE
HYATTSVILLE MD 20871

V-76-22
NENITTO A BURTON
6110 42ND AVENUE
HYATTSVILLE MD 20871

V-76-22
CAROLA AND WINSTON ROSE
6112 42ND AVENUE
HYATTSVILLE MD 20871

V-76-22
STEP PROPERTY MANAGEMENT GROUP
4908 ENTERPRISE ROAD
BOWIE MD 20720

V-76-22
MARTHA URQUILLA
JOSE ROMERO
6116 42ND AVENUE
HYATTSVILLE MD 20871

V-76-22
TARA SUSMAN-PENA
6106 42ND AVENUE
HYATTSVILLE MD 20871

V-76-22
MICHAEL GEMENY
6104 42ND PLACE
HYATTSVILLE MD 20871

V-76-22
GARY BAKER
4221 OGLETHORPE STREET
HYATTSVILLE MD 20871

V-76-22
HARTMUT DOEBEL
6112 42ND PLACE
HYATTSVILLE MD 20871

V-76-22
JAMES DARIUS BALL ETAL
4112 OLIVER STREET
HYATTSVILLE MD 20871

V-76-22
JOHN PETERS ETAL
4116 OLIVER STREET
HYATTSVILLE MD 20871

V-76-22
CITY OF HYATTSVILLE
4310 GALLATIN STREET
HYATTSVILLE MD 20781

EXH. # **11**
V-76-22

11 29/22

7022 1670 0001 9132 5570

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OFFICIAL USE

V-76-22
FELIX RIVAS
6117 42ND AVENUE
HYATTSVILLE E MD 2 871

Postage (if box, add fee as appropriate)
\$ _____
Delivery \$ _____
Delivery \$ _____
Delivery \$ _____

Postmark
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Box No. _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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V-76-22
BOARD OF EDUCATION
6001 42ND AVENUE
HYATTSVILLE MD 2 8 1

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Delivery \$ _____
Delivery \$ _____
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V-76-22
6030 42ND AVENUE LLC
PO BOX 9724
SPRINGVER VER SPRIN MD 2091

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\$ _____
Delivery \$ _____
Delivery \$ _____
Delivery \$ _____

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EXH. # 12
V-76-22

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V-76-22
HYATTSVILLE QUEENSBURY LLC
3400 DEAN DRIVE
HYATTSVILLE MD 20871

(If you use a meter, add fee as appropriate)
\$ _____
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Priority \$ _____
\$ _____
Delivery \$ _____

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OFFICIAL USE

V-76-22
NENITTO A BURTON
6110 42ND AVENUE
HYATTSVILLE MD 20871

(If you use a meter, add fee as appropriate)
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Priority \$ _____
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Delivery \$ _____

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Box No. _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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OFFICIAL USE

V-76-22
CAROLA AND WINSTON ROSE
6112 42ND AVENUE
HYATTSVILLE MD 20871

(If you use a meter, add fee as appropriate)
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Delivery \$ _____

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Box No. _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7022 1670 0001 9132 6539

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OFFICIAL USE

V-76-22
STEP PROPERTY MANAGEMENT GROUP
4908 ENTERPRISE ROAD
BOWIE MD 20720

(For metered mail, add fee as appropriate)
\$ _____
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Delivery \$ _____
Delivery \$ _____

Postmark
Here

Box No. _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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OFFICIAL USE

V-76-22
MARTHA URQUILLA
JOSE ROMERO
6116 42ND AVENUE
HYATTSVILLE MD 20871

(For metered mail, add fee as appropriate)
\$ _____
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Delivery \$ _____
Delivery \$ _____

Postmark
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Box No. _____

City, State, ZIP+4® _____

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OFFICIAL USE

V-76-22
TARA SUSMAN-PENA
6106 42ND AVENUE
HYATTSVILLE MD 20871

(For metered mail, add fee as appropriate)
\$ _____
\$ _____
Delivery \$ _____
Delivery \$ _____

Postmark
Here

Box No. _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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OFFICIAL USE

V-76-22
MICHAEL GEMENY
6104 42ND PLACE
HYATTSVILLE MD 20871

Postage (if not in a box, add fee as appropriate)
\$ _____
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Delivery \$ _____
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Box No. _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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V-76-22
GARY BAKER
4221 OGLETHORPE STREET
HYATTSVILLE MD 20871

Postage (if not in a box, add fee as appropriate)
\$ _____
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Delivery \$ _____
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Here

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V-76-22
HARTMUT DOEBEL
6112 42ND PLACE
HYATTSVILLE MD 20871

Postage (if not in a box, add fee as appropriate)
\$ _____
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Delivery \$ _____
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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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OFFICIAL USE

V-76-22
 JOHN PETERS ETAL
 4116 OLIVER STREET
 HYATTSVILLE MD 20871

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Box No.

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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V-76-22
 JAMES DARIUS BALL ETAL
 4112 OLIVER STREET
 HYATTSVILLE MD 20871

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Box No.

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 CITY OF HYATTSVILLE
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 HYATTSVILLE MD 20781

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Box No.

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

BOARD OF APPEALS – POSTING

Petitioner: Felix Rivas

Appeal No.: V-76-22

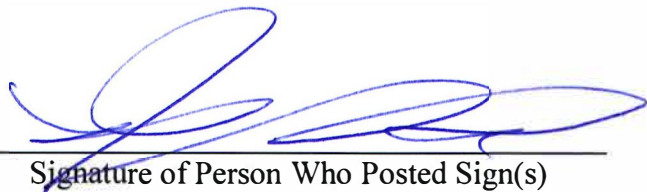
THE SIGN(S) MUST BE POSTED ON THE PROPERTY FOR A PERIOD OF AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING BEFORE THE BOARD OF APPEALS. PERSON WHO POSTS SIGN(S) MUST COMPLETE CERTIFICATION OF POSTING. CERTIFICATION OF POSTING FORM MUST BE FILED, TOGETHER WITH PHOTOGRAPH(S) OF SIGN(S), WITH THE BOARD OF APPEALS **NO LATER THAN FIVE (5) BUSINESS DAYS AFTER THE FIRST DAY OF THE REQUIRED 15-DAY POSTING PERIOD, NOTED BELOW.**

POSTING PERIOD: 11/29/22 thru 12/14/22

RETURN CERTIFICATION OF POSTING, WITH PHOTOGRAPH(S),
BY NO LATER THAN: 12/6/22

CERTIFICATION OF POSTING

PETITIONER'S REQUEST IN THIS APPEAL WAS POSTED ON THE SUBJECT PROPERTY IN ACCORDANCE WITH SECTION 27-125.03(a) OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE ON (Date) November 21, 2022, BY (Name) Ken Parsons, (Address) 3. PHOTOGRAPH(S) OF THE SIGN(S) AS POSTED IS/ARE ATTACHED.



Signature of Person Who Posted Sign(s)

Kenneth K. PARSONS
Printed Name

PLEASE ATTACH PHOTOGRAPH(S) OF SIGN(S)
Affidavit & photos can be e-mailed or mailed to:

Board of Appeals
Boardofappeals@co.pg.md.us
Wayne K. Curry County Administration Building, 3rd Floor
1301 McCormick Drive
Largo, MD 20774
(301) 952-3220

EXH # **13**
V-76-22

301-952-3220

HEARING
FOR INFORMATION
301-952-3220
APPEAL#
12-14-22 3:00 p.m.
WAYNE K. CURRY ADMINISTRATION BUILDING
LARGO, MD
www.princegeorgescountygov
RcaJofanRealty.com

**BWARE
of DOG**

BOARD OF AP
HEARING
FOR INFORMAT
301-952-120
TYPE L#
V-76-12
DATE 12-14-22 8:00 a.m.
MS. A. SUREY ADMINSTR
www.kingco.gov
Road to Park





STOP
STOP

EXPOSURE
HEARING
301-952-4220
FOR PARTICIPATION
8:00 A.M. - 5:00 P.M.



City of Hyattsville

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Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-187-FY23

1/3/2023

9.b.

Submitted by: At the Request of the City Administrator
Submitting Department: Community & Economic Development
Agenda Section: Consent

Item Title:

Authorization for Temporary Use Lease Agreement

Suggested Action:

I move the Council authorize the City Administrator to execute a Temporary Lease/Use Agreement with Urban Investment Partners for temporary use of the subject property at 4508 Hamilton Street, Hyattsville, upon review by the City Attorney for legal sufficiency.

Summary Background:

The City of Hyattsville and Urban Investment Partners (UIP) have been in regular communication regarding the construction of the Canvas development, a 350,000 sq.ft. mixed-use development that is under construction and scheduled to be completed in Summer 2024.

The development site is adjacent to Hyattsville Elementary School, Renaissance Square Artist Housing, Crossover Church and commercial office buildings along the western portion of Hamilton Street, all of which are fully developed lots. The site work for the project is nearing completion and UIP is preparing to stage pre-cast sections of the structured parking garage, which will anchor the rear of the development site. UIP has requested the City's assistance in identifying a suitable location for staging of materials for this phase of the project in order to mitigate negative impacts associated with the staging and placement of construction materials. This phase of work is scheduled to commence in January 2023 and be completed in 4-6 months.

The City has identified the vacant City-owned parcel located at 4508 Hamilton Street, which does not have any improvements.

Next Steps:

Staff is requesting authorization to proceed on January 3, 2023, to ensure adequate time for circulation of the use agreement.

Fiscal Impact:

The City will received \$10,000 from the leasee for use of the site and to cover all related restoration costs.

City Administrator Comments:

There were several questions regarding details of the use agreement. Staff is prepared to address these questions during the meeting.

Community Engagement:

The site does support parking and ancillary programming for events hosted by the non-profit SoHy, which primarily has hosted events at the adjacent property at 4501-4505 Hamilton Street. The City does not have any contractual

agreements with SoHy for use of this property, but we believe that SoHy could continue use of 4501-4505 Hamilton Street through the majority of 2023, should the Council authorize an amendment to the prior use agreement.

Strategic Goals:

Goal 2 - Ensure the Long-Term Economic Viability of the City

Legal Review Required?

Pending



Memo

To: City Council
From: Jim Chandler, Assistant City Administrator and Director, Com. & Econ. Development
CC: Tracey Douglas, City Administrator
Lesley Riddle, Director, Public Works
Hal Metzler, Deputy Director, Public Works
Date: December 13, 2022
Re: Authorization for Temporary Use Lease Agreement

The purpose of this memorandum is to provide the City Council with background information and a recommendation to authorize the City Administrator to execute a Temporary Use Lease Agreement for the City parcel at 4508 Hamilton Street Hyattsville.

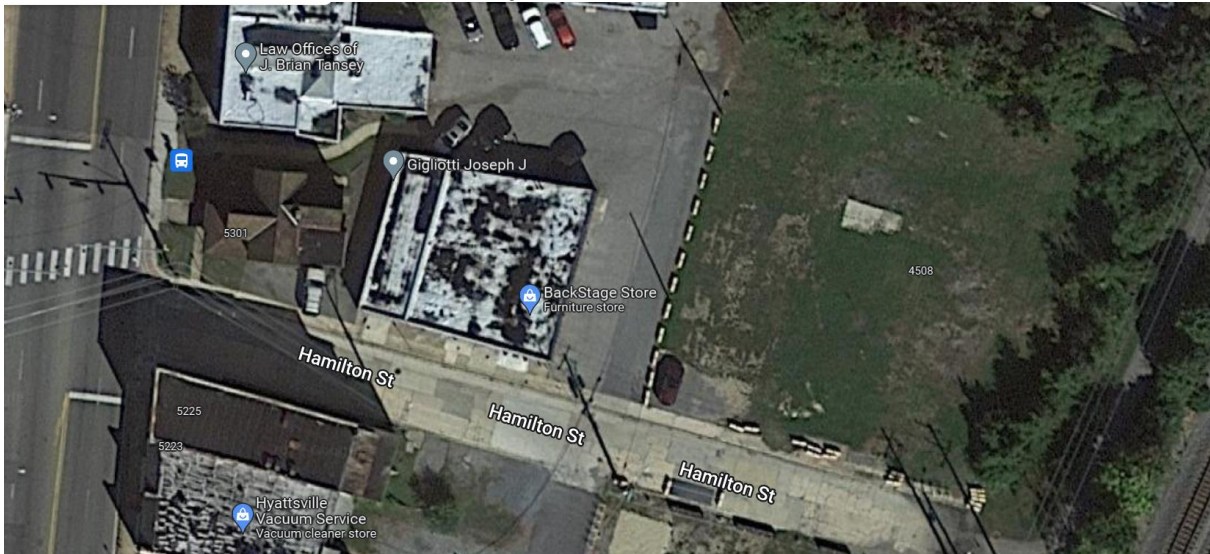
Summary Background

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The development site is adjacent to Hyattsville Elementary School, Renaissance Square Artist Housing, Crossover Church and commercial office buildings along the western portion of Hamilton Street, all of which are fully developed lots. The site work for the project is nearing completion and UIP is preparing to stage pre-cast sections of the structured parking garage, which will anchor the rear of the development site. UIP has requested the City’s assistance in identifying a suitable location for staging of materials for this phase of the project in order to mitigate negative impacts associated with the staging and placement of construction materials. This phase of work is scheduled to commence in January 2023 and be completed in 4-6 months.

The City has identified the City-owned parcel located at 4508 Hamilton Street, a 16,900 vacant lot, which does not have any improvements. An image of the subject parcel is included as Exhibit A

Exhibit A. Aerial of 4508 Hamilton Street, Hyattsville



The site does support parking and ancillary programming for events hosted by the non-profit SoHy, which primarily has hosted events at the adjacent property at 4501-4505 Hamilton Street. The City does not have any contractual agreements with SoHy for use of this property, but we believe that SoHy could continue use of 4501-4505 Hamilton Street through the majority of 2023, should the Council authorize an amendment to the prior use agreement.

The City has received a similar informal request for use of the site by Prince George’s County Public Schools as a staging site for the redevelopment of Hyattsville Elementary School (2024-2026). While the City would ordinarily require a bond for such use, given that the parcel may be subject to use to another user, it is recommended that the terms of the use/lease include a flat fee of \$10,000, which would cover the costs of restoration activities after the user’s term has expired.

The terms of the lease would include insurance requirements and liability to ensure that the City is protected should equipment being stored on the site were damaged or lost.

Recommendation

Staff is recommending the Council authorize the City Administrator to execute a Temporary Lease/Use Agreement with Urban Investment Partners for use of the subject property at 4508 Hamilton Street, Hyattsville, upon review by the City Attorney for legal sufficiency.



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-188-FY23

1/3/2023

9.c.

Submitted by: Allison Swift

Submitting Department: Police Department

Agenda Section: Consent

Item Title:

8th Amendment to Agreement with Applied Digital Solutions, Inc. (ATS) d/b/a Verra Mobility

Suggested Action:

I move that Mayor and Council authorize the City Administrator to sign the eighth amendment to the agreement between the City of Hyattsville and American Traffic Solutions, Inc. (ATS) to continue the Red Light Camera program for a term of one (1) year, beginning on January 1, 2023 and ending on December 31, 2023.

Summary Background:

The City of Hyattsville entered into an agreement with ATS effective January 5, 2016 as a rider on Howard County's contract. ATS provides digital camera traffic enforcement services, citation management and back-office processing for the Red Light Camera program.

The City of Hyattsville currently has three red light cameras:

- MD 410 at Queens Chapel Road
- Queens Chapel Road at Belcrest Road
- Route One at Hamilton Street

ATS continues to be responsive and provides access to data and information. The City is on its sixth (6) extension, and this is the final year of the original agreement. Upon completion the City will once again reevaluate options to ensure we continue to get the best value and service.

Next Steps:

Execute extension of agreement

Fiscal Impact:

N/A

City Administrator Comments:

Click or tap here to enter text.

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

Complete

**EIGHTH AMENDMENT TO AGREEMENT
BETWEEN HYATTSVILLE, MARYLAND
AND AMERICAN TRAFFIC SOLUTIONS, INC.
d/b/a VERRA MOBILITY**

This Eighth Amendment (“Amendment”) is effective as of the date of final execution hereof and entered into between the City of Hyattsville, a municipal corporation of the State of Maryland ("Municipality") and American Traffic Solutions, Inc., doing business as Verra Mobility, a Kansas corporation (herein "VERRA MOBILITY").

WHEREAS, VERRA MOBILITY entered into an agreement with Howard County, Maryland as of January 5, 2016 (hereinafter the “Howard County Agreement”); and

WHEREAS, the Municipality and VERRA MOBILITY entered into an Agreement, subject to the terms and conditions of the Howard County Agreement, effective January 5, 2016, which was amended by the First Amendment to Agreement dated as of April 1, 2016, the Second Amendment dated as of December 22, 2016, the Third Amendment dated as of December 12, 2017, the Fourth Amendment dated as of December 6, 2018, the Fifth Amendment dated as of January 16, 2020, the Sixth Amendment dated as of January 6, 2021, and the Seventh Amendment dated as of December 27, 2021 (together the “Agreement”); and

WHEREAS, the Municipality and VERRA MOBILITY wish to modify and amend certain terms and conditions of the Agreement; and

WHEREAS, Section 3.2 of the Howard County Agreement allows seven (7) one-year renewal options; and

NOW, THEREFORE, in consideration of the mutual covenants, warranties, representations, and conditions contained in the Agreement, the parties hereto agree as follows:

1. The Agreement is hereby extended for a one-year period beginning January 1, 2023, and ending December 31, 2023.
2. Except as expressly amended or modified by the terms of this Amendment, all terms of the Agreement shall remain in full force and effect. In the event of a conflict between the terms of this Amendment and the Agreement, the terms of this Amendment shall prevail and control.
3. This Amendment may be executed in one or more counterparts, each of which shall constitute an original, but all of which taken together shall constitute one and the same instrument. Each party represents and warrants that the representative signing this Amendment on its behalf has all right and authority to bind and commit that party to the terms and conditions of this Amendment.

IN WITNESS WHEREOF, authorized representatives of the parties have set forth their signatures below, intending to be legally bound.

AMERICAN TRAFFIC SOLUTIONS, INC.

HYATTSVILLE, MARYLAND

By: _____
Jon Baldwin Date
Executive Vice President

By: _____
Date



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-192-FY23

1/3/2023

9.d.

Submitted by: Hal Metzler
Submitting Department: Public Works
Agenda Section: Consent

Item Title:

3505 Hamilton Street Mural Restoration

Suggested Action:

I move that the Mayor and Council authorize an expenditure not to exceed \$17,000 to Griffin Studios, Inc. for the restoration and repair of the Cedric Egeli mural located at 3505 Hamilton St.

Summary Background:

The City acquired 3505 Hamilton Street property in 2010 from BB&T. The building was formerly the Hyattsville Building Association of Hyattsville, Maryland, and included a mural painted by world renowned artist Cedric Egeli. The mural was commissioned by the bank to memorialize the Jardella House at 4002 Crittenden St, which was the first house financed by the Hyattsville Building Association in June 1887. From his website "Cedric Egeli, one of the nation's foremost portrait painters and is a member of one of the nations preeminent families of artists. Egeli's father was the renowned portraitist Bjorn Egeli, founder of the Maryland Society of Portrait Painters. Cedric Egeli studied at the Art Students League of New York and at the Cape Cod School of Art in Massachusetts.

Portraits by Cedric Egeli are included in the collections at the Pentagon, Duke and Brandeis Universities, Mount Sinai and Johns Hopkins Hospitals. Recently, Christie's evaluated Egeli's work as among the most valuable in the prestigious collection of contemporary portraits at the Johns Hopkins Hospital and Medical School in Baltimore.

Cedric Egeli is widely acclaimed as both artist and teacher. He is an Exceptional Member of the American Portrait Society. His work was awarded the Grand Prize Medal (Best of Show) in the national portrait art competition conducted in 1979 by the National Portrait Seminar in New York. Subsequently, he has served as a faculty member of the National Portrait Seminar, as well as at the Maryland Hall for Creative Arts. In addition, Egeli conducts popular workshops on his extensive Maryland estate and on Cape Cod."

Cedric Egeli is in his 80s and continues to paint, working with a number of other artists, including Stephen Griffin, who will be leading the restoration of the mural. Mr. Griffin has studied under and worked with Mr. Egeli for many years. Mr. Griffin will be handling the transportation and logistics as well as the repair of the painting while Mr. Egeli will be doing the painting work. It is rare and an honor to have the original artist bring his artwork back to life more than 50 years after he originally painted it.

Once completed, and the building construction is finished, the mural will be reinstalled in the 3505 Hamilton St building.

Next Steps:

Upon council approval, restoration work will commence.

Fiscal Impact:

NTE \$17,000

City Administrator Comments:

Recommend support.

Community Engagement:

N/A

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

N/A

Stephen J. Griffin

12/21/2022

Griffin Studios, Inc.

404 Brookletts Ave. Ste.213

Easton, MD 21601

Restoration cost for the painting of Cedric B. Egeli for
the Town of Hyattsville, Md

- Materials, Insurance, Travel Expenses

\$6000.00

- Repair, Restoration and Inpainting done by Stephen J.
Griffin. Finish painting by Cedric B. Egeli.

\$9000.00

Estimate Total \$15000.00

This restoration should take 3 – 4 months

I would like to work with 3 installment payments

1st installment (start) - \$6000.00

2nd installment (midway) - \$4500.00

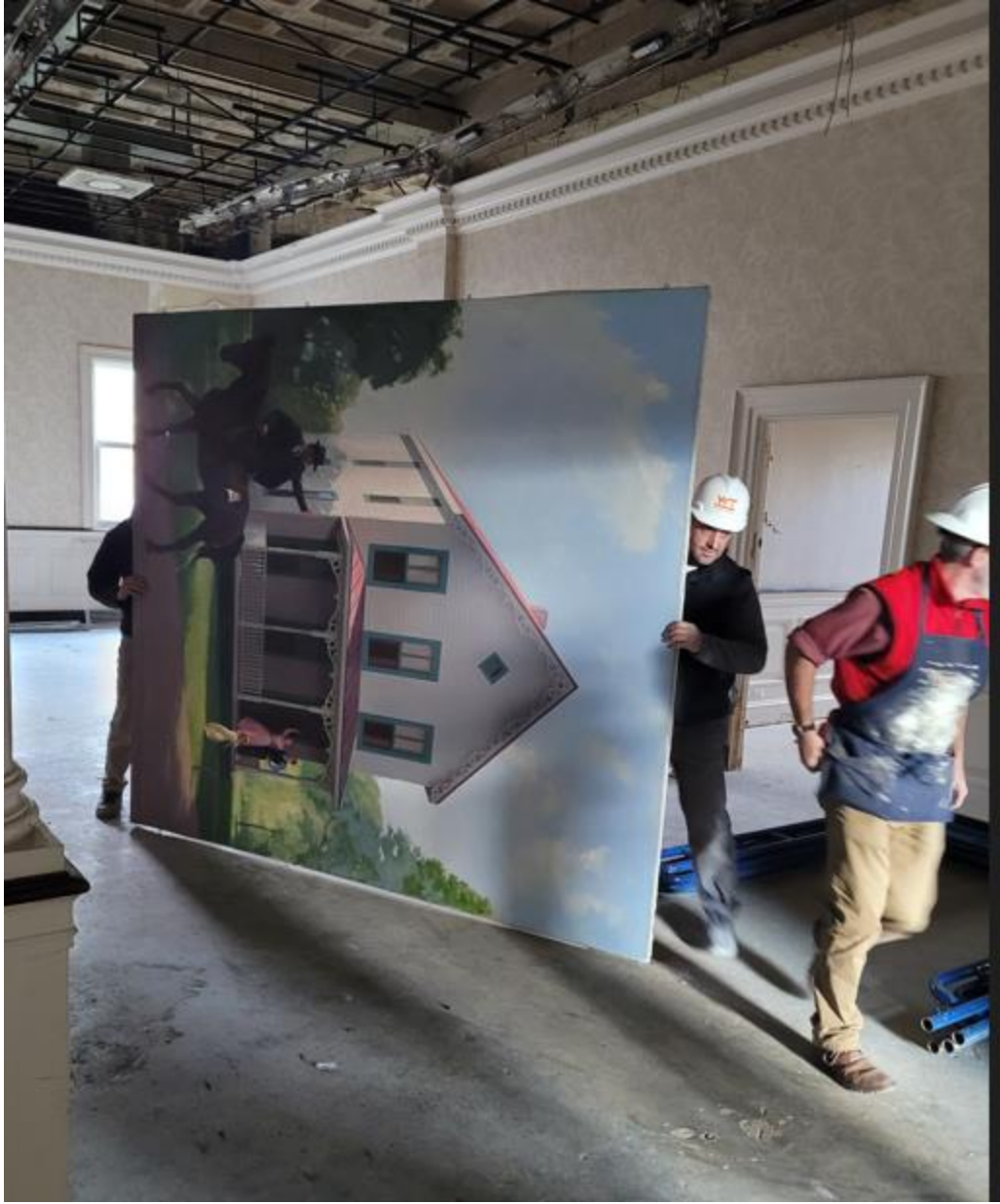
3rd installment (completion) - \$4500.00

Thank you, Stephen J. Griffin

sjgriffinstudios@yahoo.com

#978-317-4611







City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-195-FY23

1/3/2023

9.e.

Submitted by: Hal Metzler
Submitting Department: Public Works
Agenda Section: Consent

Item Title:

Pennoni On-call Transportation Projects

Suggested Action:

I move that the Mayor and Council authorize an expenditure not to exceed \$100,000 to Pennoni for transportation related projects to included speed and traffic calming studies, roadway analysis and design, and transportation grant proposal preparation, writing, and management, as well as additional tasks as required under their existing contract with the City.

Summary Background:

In the Fall of 2019, the City solicited a Request for Proposal (RFP) to provide on-call transportation design and engineering services to the City. Pennoni was one of two firms selected to receive a contract, which was awarded in January 2020.

Since that time the number of transportation related projects has increased. In the past several months the City has received several traffic calming petitions from residents throughout the City; this is in addition to the West Hyattsville Road reconstruction projects, potential transfer of ownership for MD-208 (Hamilton Street), and the projects recommended by the 2018 Citywide Transportation Study. Pennoni may be participating in FY23 traffic related Council initiatives, and there may be additional projects that arise from the American Rescue Plan Act and the recently passed federal Infrastructure funding bill as well as projects related to federal and State stormwater funding that may become available to the City.

This expenditure will allow City staff to utilize Pennoni to provide support for current and upcoming petitions, various traffic studies and projects, completing the engineering for the Emerson St retaining wall replacement, as well as evaluate and prepare the necessary paperwork to apply for a federal Reconnecting Communities grant.

Next Steps:

Issue purchase order and begin various tasks.

Fiscal Impact:

NTE \$100,000

City Administrator Comments:

Recommend support.

Community Engagement:

Pennoni will be responding to petitions and other requests from residents, community meetings will be scheduled and held as appropriate for the individual tasks.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A

December 6, 2022

Hal Metzler, Deputy Director, Public Works
City of Hyattsville
4310 Gallatin Street
Hyattsville, MD 20781

RE: 2023 USDOT Reconnecting Communities Grant Services

Mr. Metzler:

The City of Hyattsville has expressed interest in pursuing the USDOT Reconnecting Communities Pilot Program grant in conjunction with the City of Edmonston to develop a project east of the Route 1 arts district with the goal of connecting Edmonston with services, retail and entertainment options in Hyattsville. The Reconnecting Communities grant offers funding to address barriers to community connectivity such as mobility, access, and economic development. The CSX rail line in the project area presents an ideal candidate for funding under this program.

Pennoni is pleased to offer this proposal to coordinate the submission process.

Scope of Work

Task 1: Pre-Application Tasks

To prepare a competitive application for the anticipated 2023 Reconnecting Communities grant, it is necessary to plan and make early engagement with stakeholders across the spectrum to demonstrate robust community involvement and authentic participation in the process. Completion of other data analysis and research tasks also provides the benefit of thorough analysis of the history and barriers present due to the presence of the CSX rail line dividing the two communities.

Tasks include:

- Develop high level budget to align with available funding (range \$100,000 to \$2M; 20% cost share)
- Outreach to CSX, MARC, Federal Railroad Administration
- Outreach to potential stakeholders to form a community advisory board, as recommended by the program
- Assist with execution of partnership MOUs
- Review of demographic and economic data to identify inequities
- Document challenges for development of project framework
- Conduct field visit
- Assess grant management readiness/capacity

Deliverables:

- Baseline conditions report reporting on the above tasks

Task 2: Grant Application

It is expected that pre-application activities will support the recommendation that a 2023 Reconnecting Communities planning grant would be most appropriate, followed by application for a future Reconnecting Communities capital construction grant to fund implementation. Task 2 addresses the submission of an application for the 2023 planning grant.

Pennoni will manage the grant application process, including facilitating compilation of deliverables; completing grant narratives in collaboration with City's point of contact and relevant subject matter experts; data analysis and research to provide demographic, economic, geographic, and other supporting documentation; and facilitating administrative requirements (forms, resolutions, etc.), as required for the grant.

Deliverables:

- Grant application
 - Manage application process

- Track deliverables
- Provide content as needed, in collaboration with City point of contact
- Facilitate application submission, either by City of Hyattsville or with written permission to do so on the City's behalf

Schedule

Services will be provided as a task order under Pennoni's current Grant Services contract with the City of Hyattsville. An initial meeting will take place via telephone or videoconference within two weeks of an executed agreement.

Task 1: January-July 2023

Task 2: July-October 2023

Fee

The above activities will be billed as part of a task order under the firm's existing engineering contract with the City of Hyattsville, for a not-to-exceed amount of \$12,000.

Reimbursable Expenses

Reproduction for submissions, and Client and project team use (along with overnight mail), are included in the various items of this proposal. Extraordinary expenses identifiable to the specific project will be discussed in detail and a proposal will be submitted to cover these expenses in addition to the above stated fee.

Billing And Payment

Pennoni will invoice for these services in accordance with the terms of the standard professional services contract utilized by the City of Hyattsville.

TERMS AND CONDITIONS

Work will be performed in accordance with the terms and conditions of the City of Hyattsville contract for professional services.

Thank you for the opportunity to provide these professional services. If this proposal is acceptable, please sign and return a copy as our Notice-To-Proceed. If you have any questions, or if you would like to discuss any of the above, please do not hesitate to contact us at JPrevete@Pennoni.com or EFinn@Pennoni.com.

Sincerely,

PENNONI ASSOCIATES INC.

Kim Adams

Kim Adams
Senior Engineer/Division Manager

Accepted by:

Signature

Date

Print Name and Title

Agency

Emerson St. Retaining Wall: Pool & Excavation Investigation

SCOPE OF WORK PROPOSAL RATE SHEET						
In compliance with your Invitation to Proposal, we propose to furnish all materials, labor, equipment and services, necessary to complete the work as outlined in the Scope, per the pricing stated below:						
Tasks	Position					Proposal Amount
	Principal	Senior Engineer	Project Engineer	Staff Engineer	Graduate Engineer	
	\$220.00	\$190.00	\$172.00	\$168.00	\$134.00	
1.1 Perform Site Visit			4	4		
1.2 Prepare Field Assessment Report		4	4	8		
Hours	0	4	8	12	0	
Fee	\$0.00	\$760.00	\$1,376.00	\$2,016.00	\$0.00	\$ 4,152.00

Emerson St. Retaining Wall: Pool & Excavation Investigation

Pennoni is pleased to present this proposal for assessment of the pool on the property adjacent to the proposed Emerson Street Retaining Wall, designed under a separate task, and analysis of how close the excavation for the wall is to the pool. Pennoni understands that the project is located at the northeast quadrant of the Emerson St. and 40th Pl. intersection in Hyattsville, MD.

Scope of Work

Based on email correspondence with Mr. Hal Metzler, Deputy Director of Public Works, on Thursday, November 17, 2022, it was noted that the property owner adjacent to the retaining wall has concerns about the proximity of the wall excavation to their pool and the buried piping associated with their filtration system. Note that Pennoni will not be performing any excavation to determine the location/depth of the buried piping. Pennoni will perform a field visit to the pool and conduct a field assessment to document the existing condition of the pool and its proximity to the wall excavation. Pennoni will also prepare a CADD drawing to show the profile of the cut needed relative to the placement of the pool and piping. The location of the piping to be shown in the CADD drawings will only be an approximation and will not represent the exact location/depth of the pipe.

Scope of Services

Pennoni will:

- 1.1 Perform site visit to document the existing condition of the concrete of the pool and the surrounding pool area. We will make notes of defects, take field measurements, locate piping tie-ins, take photos of any defects. The field assessment will be led by a professional engineer licensed in the State of Maryland.
- 1.2 Prepare a field assessment report. The report will include the following:
 - a. Cover
 - b. Signature Page
 - c. Executive Summary
 - d. Table of Contents
 - e. Location Map
 - f. Existing Conditions of Pool and Surrounding Area
 - g. Photographs of Existing Conditions and Defects
 - h. Sketches Showing Defect Locations and Pool Piping Locations
 - i. Discussion on Excavation and Its Impact to Pool/Piping

The report will be signed and sealed by a professional engineer licensed in the State of Maryland. Report will go through Pennoni's QA/QC process prior to submittal to the City.

Assumptions

The following assumptions have been made.

- The subject retaining wall is located along Emerson St. The retaining wall along 40th Pl. is considered to be private property. It is assumed that the fence line demarcates the right-of-way line.
- The City of Hyattsville will provide available survey and underground utility information.
- There are no as-built plans for the pool on private property.
- MOT is not required for the field visit.
- Excavations to determine the location/depth of the buried pool piping will not be performed.
- We will provide a two-person inspection team.

Exclusions

The following items are specifically excluded from this proposal.

- No Geotechnical Work is to be performed for this phase
- No Survey work is to be performed.
- No application fees for permitting is included.
- No plan sheets will be developed for this task.



Contract No. DPW19-012B, PO: P22/103042
City of Hyattsville | Task 24

Deliverables

- Pool Field Assessment Report.

Schedule

Pennoni will initiate work 48 hours after receiving notice to proceed and will complete within 21 days.

Truck Wash @ Arundel Place

Pennoni is pleased to present this proposal for consulting services to investigate short-term and long-term solutions for diverting truck wash discharge away from the onsite bioretention ponds at the Hyattsville DPW, at Arundel Place. Pennoni will evaluate these alternatives and make sure they meet all local and state environmental requirements.

Scope of Work

Based on discussions with Mr. Hal Metzler, Deputy Director Public Works, the City of Hyattsville indicated that they would like to investigate solutions to prevent truck wash discharge from reaching the bioretention pond shown in Figure 1.

Scope of Services

For this Task 22, Pennoni will:

- 1.1 Perform field visits to gather measurements and investigate runoff patterns.
- 1.2 Develop a short-term solution with estimate
 - 1.2.1 Dewatering and unclogging the truck wash facility
 - 1.2.2 Temporary sediment filtering measures
- 1.3 Develop long-term plans and estimates
 - 1.3.1 Regrading of the asphalt lot
 - 1.3.2 Modifications to the truck wash station drainage
 - 1.3.3 Permanent filtering measures

Assumptions

- Site Survey will be provided by City of Hyattsville
- Survey will be supplemented as needed using PG County available topography

Exclusions

- No Survey work will be performed by Pennoni
- No BMP Facility inspection will be performed

Deliverables

Pennoni will provide the City of Hyattsville with a summary for short term solution and a plan sheet, detail(s) and estimate for the long-term solution.

Schedule

Pennoni understands the desire to complete the design as quickly as possible. Accordingly, Pennoni will initiate work 48 hours after of receiving notice to proceed and will be complete within 1 month.



Figure 1



Figure 2

Task 22 - Truck Wash At Arundel Place

SCOPE OF WORK PROPOSAL RATE SHEET						
In compliance with your Invitation to Proposal, we propose to furnish all materials, labor, equipment and services, necessary to complete the work as outlined in the Scope, per the pricing stated below:						
Tasks	Position					Proposal Amount
	Principal	Senior Transportation Engineer	Transportation Engineer	Technician	Project Assistant	
	\$220.00	\$190.00	\$156.00	\$120.00	\$80.00	
1.1 Perform field visits to gather measurements and investigate runoff patterns.			3	3		
1.2 Develop a short-term alternate with estimate		2	7			
1.3 Develop long term plan, details and estimate		12	20	60		
Hours	0	14	30	63	0	
Fee	\$0.00	\$2,660.00	\$4,680.00	\$7,560.00	\$0.00	\$ 14,900.00

Municipal Billing Rates

2022 SCHEDULE OF FEES

Pennoni provides engineering consulting services to its clients in accordance with the terms and conditions of our contract. Pennoni's compensation will be based on the following schedule of fees and charges unless our contract specifies otherwise.

LABOR CATEGORY	RATES: \$/HOUR
Principal Professional.....	\$220
Senior Professional	\$190
Project Professional	\$172
Staff Professional	\$168
Associate Professional	\$156
Graduate Professional	\$134
Technician III	\$120
Technician II	\$110
Technician I	\$105
Survey Crew	\$266
Senior Field Technician	\$125
Field Technician	\$108
Laboratory Technician	\$ 95
Building Code Official.....	\$ 110
Project Assistant	\$ 80

- Add 15% to above Survey Crew rates when OSHA 40-hour training required
- Technical Support/Expert Testimony Fee provided upon request
- 3 Person Survey Crew rates for roadwork provided upon request

“Professional” includes all disciplines (Engineer, Landscape Architect, Surveyor, Geologist, etc.)

EXPENSES:

Pennoni does not bill for routine office management or accounting services; however, direct expense charges described below are subject to an additional administrative and handling fee as indicated:

- Subconsultant/Subcontractor services: cost plus 10%
- Project Related Travel and Living Expenses: cost plus 10%
- Field Equipment, Expendable Materials/Supplies and Outside Reproduction): cost plus 10%
- Passenger Vehicles: per IRS standard rate
- Field Vehicles: \$100.00/day
- Record Retrieval: \$500.00/request plus reprographic charge
- Communication Fee: 2% of billable labor. Includes cost for non-deliverable in-house photocopies, non-express postage and telephone/fax/computer.



Bike Racks and a Repair Station at 38th Ave Park off of Gaines Alley

Pennoni is pleased to present this proposal for consulting services to create a place to install bike racks and a repair station at 38th Ave Park off Gaines Alley, similar to that shown in Figure 1. The City of Hyattsville would like to utilize as much existing asphalt as possible at the end of the parking lot shown in Figure 2. Pennoni will evaluate this and make sure the idea meets MNCPPC standards for location and safety.

Scope of Work

Based on an email and discussions with Mr. Hal Metzler, Deputy Director Public Works, the City of Hyattsville indicated that they would like to create a safe space to install bike racks and a repair station.

Scope of Services

For this Task 21, Pennoni will:

- 1.1 Perform field visits to gather measurements and investigate user patterns.
- 1.2 Locate a space, acceptable to MNCPPC, where trail users can safely secure bikes for repair and have secure facilitate for mixed-mode commuting (1 repair station, 2 bike racks)
- 1.3 Keep vehicles off the grass and/or trail and courts
- 1.4 Keep new facilities (racks/repair station) close to the trail, and still easily visible and accessible to all the areas of the park.
- 1.5 Prepare plan details with locations of facilities, location of Reflective Delineator Posts (Flexible or Rigid) and modifications to pavement markings,
- 1.6 Prepare necessary documentation/memos for submittal to approval agency (MNCPPC)

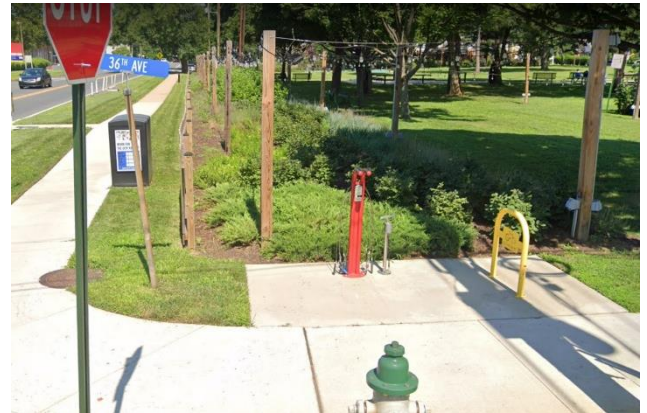


Figure 1



Figure 2

Assumptions

- Only field measurements will be provided
- Base mapping will be prepared using PG County available topography

Exclusions

- No Survey work will be performed

Deliverables

Pennoni will provide the City of Hyattsville with a plan sheet, detail(s) and estimate.

Schedule

Pennoni understands the desire to complete the design as quickly as possible. Accordingly, Pennoni will initiate work 48 hours after of receiving notice to proceed and will be complete within 3 weeks.

Task 21- Bike Racks and a Repair Station at 38th Ave Park off of Gaines Alley

SCOPE OF WORK PROPOSAL RATE SHEET						
In compliance with your Invitation to Proposal, we propose to furnish all materials, labor, equipment and services, necessary to complete the work as outlined in the Scope, per the pricing stated below:						
Tasks	Position					Proposal Amount
	Principal	Senior Transportation Engineer	Transportation Engineer	Designer	Drafter	
	\$175.00	\$156.00	\$110.00	\$83.00	\$46.00	
1.1 Perform field visits to gather measurements and investigate user patterns.		2	2			
1.2 Locate a space, acceptable to MNCPPC, where trail users can safely secure bikes for repair and have secure facilitate for mixed-mode commuting (1 repair station, 2 bike racks)	1		2	2		
1.3 Design parking to keep vehicles off the grass and/or trail and courts		2	2			
1.4 Keep new facilities (racks/repair station) close to the trail, and still easily visible and accessible to all the areas of the park.			2			
1.5 Prepare plan details with locations of facilities, location of Reflective Delineator Posts (Flexible or Rigid) and modifications to pavement markings,		4	16	16		
1.6 Prepare necessary documentation/memos for submittal to approval agency (MNCPPC)	2	1				
Hours	3	9	24	18		
Fee	\$525.00	\$1,404.00	\$2,640.00	\$1,494.00	\$0.00	\$ 6,063.00

King Park Gazebo Investigation

SCOPE OF WORK PROPOSAL RATE SHEET						
In compliance with your Invitation to Proposal, we propose to furnish all materials, labor, equipment and services, necessary to complete the work as outlined in the Scope, per the pricing stated below:						
Tasks	Position					Proposal Amount
	Principal	Senior Engineer	Project Engineer	Staff Engineer	Graduate Engineer	
	\$220.00	\$190.00	\$172.00	\$168.00	\$134.00	
1.1 Perform Site Visit/Structural Assessment			4	4		
1.2 Research		1	1			
1.3 Prepare Structural Assessment Report		2	6	12		
Hours	0	3	11	16	0	
Fee	\$0.00	\$570.00	\$1,892.00	\$2,688.00	\$0.00	\$ 5,150.00

King Park Gazebo Investigation

Pennoni is pleased to present this proposal for the structural assessment of the two (2) gazebos located within King Park in the 4200 Block of Gallatin Street in Hyattsville, MD. Pennoni understands that the park will be undergoing a renovation, however they would like to keep the gazebos, if possible.

Scope of Work

Based on email correspondence with Mr. Hal Metzler, Deputy Director of Public Works, on Thursday, November 3, 2022, the City is requesting that Pennoni perform a site visit to the park to conduct a structural assessment. The purpose of the assessment is to document the existing condition of the gazebos and determine if they can remain on-site after repairs are made. It should be noted that the two gazebos are twisting in some locations, and a determination needs to be made if the twisting can be corrected and if the life of the gazebos can be extended by 25+ years. To determine the structural soundness of the gazebos, research will need to be performed to determine the remaining capacity of the structures. Engineering judgement will be used to make this determination.

Scope of Services

Pennoni will:

- 1.1 Perform site visit to document the existing condition of the two (2) gazebos. We will make notes of defects, take field measurements, and take photos of any defects. The structural assessment will be led by a professional engineer licensed in the State of Maryland.
- 1.2 Perform research on the existing structure to aid in determining the remaining capacity of the gazebos.
- 1.3 Prepare a structural assessment report. The report will include the following:
 - a. Cover
 - b. Signature Page
 - c. Executive Summary
 - d. Table of Contents
 - e. Location Map
 - f. Existing Conditions of Gazebos and Surrounding Area
 - g. Photographs of Existing Conditions and Defects
 - h. Sketches Showing Defect Locations
 - i. Results of Research
 - j. Cost Estimate to Repair/Replace Gazebos
 - k. Recommendations

The report will be signed and sealed by a professional engineer licensed in the State of Maryland. Report will go through Pennoni's QA/QC process prior to submittal to the City.

Assumptions

The following assumptions have been made.

- The subject gazebos are located within King Park in the 4200 Block of Gallatin Street.
- The subject gazebos are made of timber.
- No structural calculations will be performed.
- No geotechnical or soil boring data is available.
- As-built plans for the gazebos are not available.
- The City of Hyattsville will provide available survey and underground utility information.
- MOT is not required for the field visit.
- We will provide a two-person inspection team.

Contract No. DPW19-012B, PO: P22/103042
City of Hyattsville | Task 25

Exclusions

The following items are specifically excluded from this proposal.

- No Geotechnical Work is to be performed for this phase
- No Survey work is to be performed.
- No application fees for permitting is included.

Deliverables

- Gazebo Structural Assessment Report.

Schedule

Pennoni will initiate work 48 hours after receiving notice to proceed and will complete within 21 days.



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-196-FY23

1/3/2023

9.f.

Submitted by: Lesley Riddle
Submitting Department: Public Works
Agenda Section: Consent

Item Title:
Hyattsville Ordinance 2022-06: 5G Permits

Suggested Action:

I move the Mayor and Council adopt Hyattsville Ordinance 2022-06, an ordinance whereby the City Council amends Chapter 105, Articles VII and VIII of the Hyattsville Code (SECOND READING & ADOPTION).

Summary Background:

With the introduction of new global wireless internet service several years ago, local municipalities began to research the impact of the new communications hardware being deployed on existing infrastructure. In January 2019, the City enacted Emergency Ordinance 2019-01 regulating the installation and construction of wireless facilities and supporting structures in order to address the growing concerns from residents and staff. Two years ago, the City Council approved a contract with our current engineering firm, JMT, to assist City staff with researching and creating a more reasonable ordinance that considers the benefits and challenges with 5G installations within the public right of way.

City staff working with JMT reviewed several existing ordinances of local municipalities with up-to-date regulations related to 5G installations. A draft ordinance was crafted and reviewed by the City Attorney for legal sufficiency. The draft ordinance addresses residents' concerns while considering unnecessary regulations that would unfairly affect the communications industry and their capacity to upgrade our existing systems. The City's existing regulations do not sufficiently address our permit process for right of way (ROW) access to and for 5G installations and does not include the impact of radio frequency or electromagnetic waves on the greater environment.

Next Steps:

A first reading was held on December 19. The second reading and adoption is scheduled for January 3. With Council approval the ordinance will be effective 20 days post adoption.

Fiscal Impact:

Permit fees will increase city revenue.

City Administrator Comments:

Recommend Approval. The staff has had several conversations and meetings with tech companies who have asked that we modify certain requirements. The staff is prepared to address valid requests through administrative procedures once the governing ordinance is approved.

Community Engagement:

Pending

Strategic Goals:

Goal 4 - Foster Excellence in all City Operations

Legal Review Required?

Complete

1 CITY OF HYATTSVILLE

2
3 ORDINANCE 2022-06

4
5 An ordinance whereby the City Council amends Chapter 105, Articles VII and VIII
6 of the Hyattsville Code.

7
8 WHEREAS, the Maryland Code, Local Government Article, Section 5–202, as amended,
9 authorizes the legislative body of each municipal corporation in the State of Maryland to pass
10 ordinances that such legislative body deems necessary to assure the good government of the
11 municipality, to protect and preserve the municipality’s rights, property and privileges, to preserve
12 peace and good order, to secure persons and property from danger and destruction, and to protect
13 the health, comfort, and convenience of the citizens of the municipality; and

14
15 WHEREAS, the City Council desires to protect the public health, safety, welfare and
16 environment regarding telecommunications facilities; and

17
18 WHEREAS, installation of small cell and other wireless telecommunications facilities
19 within the public right-of-way can pose a threat to the public health, welfare, safety, environment,
20 and property values either directly through the facilities themselves or indirectly by causing
21 changes to other facilities in the right of way; and

22
23 WHEREAS, wireless carriers and the companies that provide infrastructure to support the
24 wireless carriers are increasingly seeking to install antennas in public rights-of-way; and

25
26 WHEREAS, while the Prince George’s County Zoning Code regulates the installation of
27 telecommunications antennas and support structures in Hyattsville, the City has authority to
28 regulate such installations in City rights-of-way; and

29
30 WHEREAS, federal law significantly restricts local government authority to regulate the
31 installation of telecommunications facilities.

32
33 NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hyattsville
34 in regular session assembled that Chapter 105, Article VII, Wireless Facilities and Supporting
35 Structures, and Article VII, Penalty Provisions, be hereby amended to read as follows:

36 THE CODE

37
38 Chapter 105

39
40 STREETS AND SIDEWALKS

41
42 Article VII Wireless Facilities and
43 Supporting Structures

44 * * *

1 **§ 105-45 Application for Permit Definitions**

2 As used in this chapter:

3 “Antenna” means that part of a wireless communications facility designed to radiate or receive RF
4 signals or electromagnetic waves for the provision of services, including, but not limited to,
5 cellular, paging, personal communications services and microwave communications.

6 “Applicant” means the person applying for a permit under this chapter, including the applicant’s
7 officials, employees, agents, and contractors.

8 “Collocation” means the same as defined by the FCC in 47 C.F.R. Section 1.40001(b)(2), as may
9 be amended, which defines that term as the mounting or installation of transmission equipment on
10 an eligible pole for the purpose of transmitting or receiving RF signals for communications
11 purposes. As an illustration and not a limitation, the FCC’s definition effectively means “to add”
12 and does not necessarily refer to more than one wireless communication facility installed at a single
13 site.

14 “Communications facility” means, collectively, the equipment at a fixed location or locations
15 within a City right-of-way that enables communications services, including: (1) radio transceivers,
16 antennas, coaxial, fiber-optic or other cabling, power supply, backup battery, and comparable
17 equipment, regardless of technological configuration; and (2) all other equipment associated with
18 any of the foregoing. A communications facility does not include the pole, tower or support
19 structure to which the equipment is attached.

20 “Communications support structure” means a proposed or existing pole located in the City right-
21 of-way or a pole proposed to replace an existing pole in the right-of-way to which communications
22 facilities are attached or proposed or intended to be attached.

23 “Director” means the Director of Public Works or his or her designee.

24 “FCC” means the Federal Communications Commission.

25 “Permittee” means the person that receives a permit to work in or install facilities, equipment or
26 structures in the right-of-way under this chapter and the person that owns facilities, equipment or
27 structures permitted to be installed under this chapter, including the permittee’s officials,
28 employees, agents, and contractors.

29 “Pole” means a single shaft of wood, steel, concrete, or other material at least 26 feet tall and
30 capable of supporting the equipment mounted thereon in a safe and adequate manner, including a
31 privately owned utility pole.

32 “Privately owned utility pole” means a utility pole that is not owned by municipal, County, or State
33 government.

34 “RF” means radio frequency or electromagnetic waves between 30 kHz and 300 GHz in the
35 electromagnetic spectrum range.

36

1 **§ 105-4546 Applications for permit**

2 A. The installation of wireless communications facilities and communications support
3 structures in a City right-of-way shall require a permit under this chapter. No permit shall be issued
4 with respect to the installation of wireless communications facilities or communications support
5 structures in, on or over any City street, sidewalk, or right-of-way unless and until the permit
6 applicant and the City have negotiated and executed a franchise or right-of-way use agreement
7 setting forth the terms and conditions, including fair compensation to the City, for the applicants'
8 use of the City right-of-way and, where applicable, lease payments for the use of any City-owned
9 poles or facilities.

10 B. In addition to the other information required by this article, an application for such a permit
11 shall submit the following information pertaining to particular sites or a proposed deployment:

12 (1) A technical description of the proposed facilities, along with detailed diagrams
13 accurately depicting all proposed facilities and support structures;

14 (2) A detailed deployment plan describing construction planned for the twelve-month
15 period following the issuance of the permit, and a description of the completed deployment;

16 (3) An engineering certification relating to the proposed construction signed by a
17 professional engineer licensed in Maryland;

18 (4) A statement describing the applicant's intentions with respect to co-location;

19 (5) A statement demonstrating the permittee's duty to comply with applicable safety
20 standards for the proposed activities in the City rights-of-way;

21 (6) In the case of a proposed attachment to a City-owned facility located in the City rights-
22 of-way, an executed attachment agreement with the City;

23 (7) In the case of a proposed attachment to an investor-owned utility pole in the rights-of-
24 way, an executed attachment agreement with the utility pole owner; and

25 (8) Such other information as the City Administrator may require.

26 C. The applicant shall pay a processing fee to the City at the time application to install wireless
27 facilities in a public right-of-way is made, in addition to any other fees required by this chapter or
28 by this Code generally. The amount of the fee shall be set by the City Administrator.

29 D. General findings required for issuance of permits regarding communications facilities and
30 communications support structures. A permit shall not be issued for the proposed installation of
31 communications facilities and communications support structures in the City right-of-way when
32 the location selected in the application is in an area where there is an overconcentration of
33 communications facilities or communications support structures, on or over the right-of-way, as
34 determined by the Director in the Director's reasonable discretion and judgment. Any
35 communications facilities and communications support structures installed in a City right-of-way,
36 including those attached to a structure in the right-of-way must:

- 1 1. Comply with all structural and safety standards specified by the Director;
- 2 2. Not obstruct pedestrian or vehicular traffic flow or sight lines, and not to obstruct
- 3 parking or the entering and exiting of persons from vehicles parked in the right-of-way.
- 4 3. Comply with the Americans with Disabilities Act;
- 5 4. If a communications support structure, have a diameter and height no greater than
- 6 the maximums established by the Director, but be tall enough to ensure that all attached
- 7 equipment is at least 15 feet above ground;
- 8 5. If a replacement communications support structure, be located within 2 feet of the
- 9 base of the previously existing communications support structure and at the same distance
- 10 from the edge of the travel lane, unless the Director determines that a different location is
- 11 preferable to facilitate pedestrian use of the right-of-way, vehicle and pedestrian sight
- 12 lines, or the City's use of the right-of-way;
- 13 6. If an antenna, be demonstrated to be the least visible antenna possible to accomplish
- 14 the coverage objectives;
- 15 7. For antennas, antenna mounts, and cabinets, be situated, screened, shrouded,
- 16 concealed or treated to minimize visual and acoustic impact (including having antennas
- 17 flush mounted to the extent reasonably feasible), as determined in consultation with the
- 18 Director. All antenna mounts shall be designed so as not to preclude possible future
- 19 collocation by the same or other operators or carries;
- 20 8. Have a color and finish for antennas, antenna mounts, cabinets and poles to be
- 21 determined in consultation with the Director to minimize visual impact to the
- 22 neighborhood, taking into consideration historic area designations and color and design
- 23 schemes for City facilities, commercial districts, and other areas with aesthetic guidelines;
- 24 9. Be designed to be resistant to unauthorized access, climbing, vandalism, and other
- 25 activities that result in hazardous situations, interception of communications or attractive
- 26 nuisances; and
- 27 10. Comply with such other requirements and conditions as the Director may determine
- 28 are appropriate.
- 29 E. The Director may require modifications to a proposed project before granting a permit and
- 30 impose conditions when granting a permit.
- 31 F. In the event of an unexpected repair or emergency, the responsible person may commence
- 32 such repair and emergency response work as required under the circumstances, provided that the
- 33 responsible person shall notify the City as promptly as possible of such repair or emergency work
- 34 and shall obtain a permit from the City for such work, if required, as soon as possible.

35

1 **§ 105-467 Communications Facilities and Communication Support Structures—**
2 **Requirements and Findings**

3 ~~A. Wireless facilities and support structures proposed to be located on streets, sidewalks or other~~
4 ~~rights of way in the City shall meet the following requirements: Communications facilities and~~
5 ~~communications support structures proposed to be located in the City right-of-way shall meet the~~
6 ~~following requirements:~~

7 1. ~~Absent a special finding by the City Administrator: Compliance with Section 105-~~
8 ~~46;~~

9 ~~(a) Wireless facilities may only be installed on existing utility poles or light poles;~~
10 ~~and~~

11 ~~(b) Only entities authorized by the Maryland Public Service Commission pursuant~~
12 ~~to Maryland Code Annotated, Public Utilities Article, §§ 5-410 and 8-103, as~~
13 ~~amended from time to time, may erect new poles in the City's right-of-way, and~~
14 ~~only then for the purpose of supporting telephone lines to provide telephone service.~~

15 2. ~~Any new pole, including a replacement pole, installed in City rights of way to~~
16 ~~support wireless facilities shall: Compliance with all relevant requirements of the Prince~~
17 ~~George's County Zoning Ordinance;~~

18 ~~(a) Comply with all structural and safety standards specified by the City~~
19 ~~Administrator;~~

20 ~~(b) Not obstruct pedestrian or vehicular traffic flow or sight lines;~~

21 ~~(c) Not exceed the average height of the existing streetlight poles or utility poles~~
22 ~~within the area extending 1,000 feet in any direction of the proposed structure;~~

23 ~~(d) Be designed to accommodate the co-location of at least three different wireless~~
24 ~~providers' antennas and related equipment;~~

25 ~~(e) If metal, be treated or painted with nonreflective paint, and in a way to conform~~
26 ~~to or blend into the surroundings; and~~

27 ~~(f) Comply with such other requirements and conditions as the City Administrator~~
28 ~~may conclude are appropriate to impose.~~

29 3. ~~Any wireless facilities installed on a pole or any other structure in the rights of way~~
30 ~~shall: Absent a specific finding by the Director, communications facilities may only be~~
31 ~~installed on existing utility poles, and only entities certified by the Maryland Public Service~~
32 ~~Commission pursuant to the Annotated Code of Maryland, Public Services and Utilities,~~
33 ~~Division I, Title 7 or Title 8, as amended, may erect or contract to erect replacement poles~~
34 ~~in the City's right-of-way. To allow the installation of an additional or replacement pole,~~
35 ~~the Director must find that~~

36 ~~a. Have an equipment box or boxes no greater in collective size than 17 cubic feet~~
37 ~~in volume with no one side/dimension exceeding 4.25 feet; Additional~~
38 ~~communications facilities are necessary in the location of the proposed pole to~~
39 ~~provide adequate telecommunications coverage; and~~

1 (b) ~~Have panel antennas no greater than two feet in height, and omni/dome antennas~~
2 ~~no greater than four feet in height and no wider than three feet in diameter; Existing~~
3 ~~poles do not have the capacity for the necessary communications facilities.~~

4 (c) ~~Have no more than three panel antennas per pole and no more than one~~
5 ~~omni/dome antenna per pole;~~

6 (d) ~~Have microwave dishes no greater than two feet in diameter, with no more than~~
7 ~~three microwave dishes per pole;~~

8 (e) ~~Be located and designed, including materials, color, and texture, so as to~~
9 ~~minimize visual impact on surrounding properties and as seen from the streets and~~
10 ~~sidewalks; and~~

11 (f) ~~Comply with such other requirements and conditions as the City Administrator~~
12 ~~may conclude are appropriate to impose.~~

13 4. If proposed to be attached to a privately-owned utility pole, be authorized by an
14 executed attachment agreement with the utility pole owner, setting forth, at a minimum,
15 the title, date and term of the agreement;

16 5. Be necessary in the location of the proposed facility to provide adequate
17 telecommunications coverage;

18 6. Allow up to but not more than three antennas per pole;

19 7. Have no exterior wiring if the pole on which it is mounted can accommodate
20 internal wiring or, if necessary, have exterior wiring enclosed in a shielded conduit; and

21 8. Comply with such other requirements and conditions as the Director may determine
22 are appropriate.

23 ~~B. Wireless facilities and support structures proposed to be located on streets, sidewalks or other~~
24 ~~rights-of-way in the City may be permitted upon a finding by the City Administrator that:~~
25 Communications facilities and communications support structures proposed to be located on City
26 rights-of-way may be permitted upon a finding by the Director that:

27 ~~1. The application complies with all standards and requirements set forth in § 105-~~
28 ~~46A; The application complies with all standards and requirements set forth in Subsection~~
29 ~~A;~~

30 ~~2. The location selected in the application is not in an area where there is an over-~~
31 ~~concentration of poles or other facilities in, on or over the streets, sidewalks or other rights-~~
32 ~~of-way; The applicant has submitted proof of insurance, documentation of compliance with~~
33 ~~federal RF emissions limitations, and a performance bond required under this Chapter;~~

34 ~~3. The location selected, and scale and appearance of the wireless facilities and~~
35 ~~support structures to be installed, are consistent with the general character of the~~
36 ~~neighborhood; The Prince George's County Telecommunications Transmission Facility~~
37 ~~Coordinating Committee has recommended the proposed installation if the installation is~~
38 ~~subject to review by the Prince George's County Telecommunications Transmission~~
39 ~~Facility Coordinating Committee.~~

1 4. The applicant has agreed to and provided adequate insurance, bonding and
2 indemnification to protect the City and its residents from injury or liability relating to or
3 arising from the proposed facilities and structures; The installation will not harm any trees
4 identified under Section 112-2 or the location of the installation minimizes the adverse
5 impact of the installation on such trees to the extent reasonably possible given the need for
6 communications coverage;

7 5. The applicant has entered into the franchise or right-of-way use agreement with the
8 City required by § 105-45A; and The installation work will be conducted in a manner that
9 minimizes the adverse impact of the project upon trees identified under Section 112-2 to
10 the extent reasonable, including the use of reasonable tree protection measures;

11 6. The wireless facilities, if located in a residential area, do not generate any noise.
12 All communications facilities associated with a communications support structure,
13 including communications facilities associated with a proposed new antenna and pre-
14 existing communications facilities, will be no more than the maximum volume determined
15 by the Director;

16 7. The structure does not require antenna structure registration under 47 C.F.R.
17 Chapter 1, Part 17, as amended; and

18 8. Each support structure, antenna, and equipment cabinet are labeled with the identity
19 of the owner or owner's agent, a twenty-four (24) hour monitored phone number and email
20 address for reporting problems with the structure or facility, and a unique identification
21 number.

22 C. If the Director determines that any trees must be removed, the permit shall not be issued
23 until the applicant pays the cost of replacing such trees, in accordance with the tree replacement
24 requirements of Chapter 112, except that at least one replacement tree shall be required for each
25 tree that must be removed.

26 D. The Director may waive minor variances from the requirements of this section if the
27 variance does not jeopardize the public health, safety, or welfare.

28 E. Work permitted under this section shall be subject to the goals of Chapter 112, Urban
29 Forest, as set forth in Section 112-1, but shall be exempt from the procedural requirements of
30 Section 112-1, except as provided herein.

31 F. Upon installation of an antenna, the RF emissions for the antenna or, if applicable, the
32 cumulative RF emissions from the new antenna and any collocated antennas, shall be tested for
33 compliance with Federal limits. If an antenna exceeds Federal RF emissions limits or causes the
34 antennas collocated on a support structure to exceed Federal RF emissions limits, the newly
35 installed antenna must be removed by the applicant within five days at its own expense.

36 **§ 105-50 Permit Application—Contents.**

37 A. General Permit Application Requirements for All Installation Permit Applications Except
38 Driveway Apron Permit Applications. Applications for a permit under this chapter shall be filed
39 with the Director on forms provided by the Director. The application submission shall include,
40 wherever applicable, the following:

41 1. Right-of-way, name of street (if any) and width of right-of-way, abutting lots, GIS
42 location, north point, and scale;

1 2. The following information within 50 feet of the site:

2 a. Pavement plan, curb and gutter, sidewalks, curb cuts and driveways, and
3 dimensions;

4 b. Catch basins, inlets, culverts and other drainage structures, and dimensions;

5 c. Construction details, including cross section pavement, curb and gutter, details
6 of drainage structures, culverts, headwalls, etc.;

7 d. Grading plan and profile, showing existing grades and finishing grades;

8 3. A certificate from an independent licensed professional engineer that a proposed
9 installation is structurally sound;

10 4. A statement committing to comply with applicable safety standards for the proposed
11 activities in the City right-of-way;

12 5. Identity and contact information for the entity performing the work in the right-of-
13 way; and

14 6. Any additional data and detail required by the Director.

15 B. Potential Waiver of Requirements for All Installation Permit Applications. The Director
16 may waive plan detail requirements for any application to install attachments on existing structures
17 that does not involve excavation or the use of heavy equipment or vehicles outside of the paved
18 roadway.

19 C. Communications Facilities and Communications Support Structure Permit Applications.
20 In addition to the requirements of subsection (A) of this section, applicants for a permit to install
21 communications facilities or communications support structures must submit documentation with
22 the following information pertaining to a proposed deployment of communications facilities or
23 communications support structures:

24 1. A technical description of the proposed communication facilities or support
25 structures, including the purpose and intent of the proposed facilities or support structures,
26 a written description identifying the geographic service area for the subject installation,
27 photographs of the communications equipment to be installed, a description of the noise
28 emitted by the proposed facilities, an accurate visual impact analysis with photo
29 simulations, and a list of any existing antennas mounted on the support structure if the
30 application relates to a proposed collocation;

31 2. A site plan drawing indicating the proposed installation, right-of-way, name of
32 street (if any) and width of right-of-way, utility pole identification number if proposed
33 installation involves attachment to or replacement of an existing utility pole, abutting lots,
34 all trees in the right-of-way within 50 feet of the proposed project, north point, and scale;

35 3. A detailed deployment plan describing facilities planned to be installed by the
36 applicant for the 24-month period following the permit issuance anywhere in the City or
37 within 500 feet of City limits, including on private property and Maryland State and County
38 rights-of-way, and a description of the completed deployment;

39 4. A completed RF exposure guidelines checklist and proof of all applicable licenses
40 or other approvals required by the FCC; and

1 5. Such other information as the Director may require.

2 D. Driveway Apron Permit Applications. Driveway apron applicants shall provide the address
3 and lot and block number where construction is to be done and a drawing showing measurement
4 for the property, all buildings, all porches, all permanent walks, all other permanently installed
5 improvements and the size and location of the driveway to be installed.

6 **§ 105-55 Application requirements**

7 An application for a permit under this Chapter shall not be accepted by the Director unless and
8 until the required information is furnished, together with the necessary plans and specifications.

9 **§ 150-60 Application revision and resubmission.**

10 In cases where the plans and specifications submitted to the Director do not meet the minimum
11 construction standards as provided in this chapter, or if unusual conditions require a special
12 determination by the Director as to type of construction, the plans and specifications, with
13 necessary revisions noted appropriately thereon, shall be returned to the applicant for revision and
14 resubmission.

15 **§ 150-65 Examination of Application—Issuance of Permit**

16 The Director, upon receipt of a complete application for a permit, shall review the plans and
17 specifications of the proposed project and consider any public comment on the application and, if
18 satisfied that the plans meet the minimum construction standards as provided in Chapter 11.08 and
19 all other requirements of this chapter and associated administrative regulations have been complied
20 with, shall issue a permit. The Director may require modifications to a proposed project before
21 granting a permit and impose conditions when granting a permit. The Director may condition the
22 issuance of a permit upon the applicant’s payment of an escrow deposit or obtaining a bond to
23 cover costs of possible damage or other related problems to public property be paid to the City.
24 The amount of the escrow deposit or bond shall be determined by the Director based on the project
25 and shall be refunded after completion of the project with the approval of the Director, except as
26 provided otherwise in this chapter.

27 **§ 150-70 Approval of Plans Required.**

28 If a new subdivision or resubdivision is required, then no construction permit shall be issued by
29 the Director unless and until the Director has evidence in writing from the Maryland-National
30 Capital Park and Planning Commission that a preliminary plan and profiles and grades for the
31 subdivision in which the proposed highway, road, street or alley construction is located has been
32 approved by the Park and Planning Commission and by the Washington Suburban Sanitary
33 Commission, as applicable.

34 **§ 150-75 Permit fees**

35 A. Every applicant shall pay a permit application fee upon submission of the application. Such
36 fees shall not be refundable. The Director shall establish a permit application fee schedule that
37 allows the City to recover the actual cost of application processing, administration, review,
38 inspection, and certification of compliance of the completed installation, and such fees may be
39 increased if reasonably required to cover additional costs in cases such as when applications or
40 technology are unusually complex or the City needs to consult outside experts as part of the permit
41 review process.

1 B. An application for a permit shall not be processed by the Director until the required fee is
2 paid.

3 C. The Director shall require payment of an additional application fee if the Director
4 determines that material changes to an application after submission will materially increase the
5 time or costs of the permit review and treat the changed application as a new application for
6 purposes of any time limits for permit decisions under applicable law.

7 **§ 150-80 Permit fees—Not to be credited or returned**

8 Fees paid by any permittee whose permit has expired or become invalid shall not be credited
9 against the fees required for a new permit of the permittee. Fees for expired and invalid permits
10 shall not be returnable.

11 **§ 150-85 Expiration of Permits—Renewal.**

12 Permits shall be valid for a period of six months from the date of issuance. If any work under a
13 permit has not been commenced within this period, the permit shall be invalid, and a new permit
14 required before the project may be commenced.

15 **§ 150-87 Rental Fees**

16 The Director may establish, by regulation, rental fees associated with the use or placement of
17 communications facilities and/or communications support structures owned by the City or those
18 located on City owned property, which shall be assessed to permittees as specified in said
19 regulations.

20 **§ 150-90 Exceeding Permit Time Periods Prohibited**

21 A. No person without a permit shall make an excavation in any right-of-way or other public
22 space or remove from or deposit in the area any earth or other material.

23 B. No person shall exceed the time period granted by such permit in performance of the
24 project for which the permit was issued.

25 **§ 150-95 Conditions for Approval for all Communications Facilities and Support**
26 **Structures**

27 In addition to compliance with the requirements of this chapter, upon approval all permittees and
28 facilities shall be subject to each of the following conditions of approval, as well as any
29 modification of these conditions or additional conditions of approval deemed necessary by the
30 Director:

31 A. If new technology becomes available that reduces noise, RF emissions, or energy usage or
32 that reduces the size, visibility or obtrusiveness of a facility, the permittee shall replace outdated
33 facilities with current industry-standard facilities, after receiving all necessary permits and
34 approvals.

35 B. The permittee shall submit and maintain current at all times basic contact and site
36 information on a form to be supplied by the City. The permittee shall notify the City of any changes
37 to the information submitted within seven days of any change, including change of the name or
38 legal status of the owner or operator, and the emergency contact information shall be updated on
39 the pole as expeditiously as possible. This information shall include, but is not limited to, the
40 following:

1 1. Identity, including the name, address and 24-hour contact phone number of the
2 permittee, the owner, the operator, and the agent or person responsible for the maintenance
3 of the facility; and

4 2. The legal status of the owner of the communications facility or communications
5 structure, including official identification numbers and FCC certification if applicable.

6 C. The permittee shall provide the City with emergency contact information and promptly
7 respond to emergencies relating to its communications facilities and communications support
8 structures.

9 D. The permittee shall ensure that the facility, as mounted with any collocated facilities,
10 complies with the most current industry standards for size and regulatory and operational standards
11 that reduce noise, RF emissions, or energy usage or that reduce the size, visibility or obtrusiveness
12 of a facility including, but not limited to, RF emissions standards adopted by the FCC. Within 10
13 days upon commencement of operations, the permittee must submit a technically sufficient written
14 report by a qualified independent RF emissions engineer, certifying that the facility is in
15 compliance with such FCC standards.

16 E. If, at any time, the Director determines there is good cause to believe that the facility, as
17 mounted with any collocated facilities, may emit RF emissions that are likely to exceed FCC
18 standards, the Director may require the permittee to submit, within 10 days, a technically sufficient
19 written report certified by a qualified independent RF emissions engineer, certifying that the
20 facility is in compliance with such FCC standards.

21 F. The permittee shall pay for and provide a performance bond, which shall be in effect until
22 the facilities are fully and completely removed and the site reasonably returned to its original
23 condition, to cover permittee's obligations under these conditions of approval and the City Code.
24 The bond coverage shall include, but not be limited to, removal of the facility, and maintenance
25 obligations. The amount of the performance bond shall be set by the Director in an amount
26 reasonably related to the obligations covered by the bond and shall be specified in the conditions
27 of approval.

28 G. The permittee shall indemnify and hold harmless the City from any claims arising from the
29 installation and presence of the communications facilities and communications support structures
30 and shall maintain liability insurance naming the City as additional insured in coverage amounts
31 determined by the Director until the facilities are fully and completely removed.

32 H. The permittee shall defend, indemnify, protect and hold harmless the City, its officers,
33 officials, agents, consultants, employees, and volunteers from and against any and all claims,
34 actions, or proceedings against the City and its officers, officials, agents, consultants, employees
35 and volunteers to attack, set aside, void or annul an approval of the City concerning the permit and
36 the project. Such indemnification shall include damages, judgments, settlements, penalties, fines,
37 defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert
38 witness fees, or liability of any kind related to or arising from such claim, action, or proceeding.
39 The City shall promptly notify the permittee of any claim, action, or proceeding against which the
40 City seeks defense. Nothing contained herein shall prohibit City from participating in a defense of
41 any claim, action or proceeding, or revoking a permit and requiring the modification or removal
42 of an installation. The City shall have the option of coordinating the defense, including, but not
43 limited to, choosing counsel for the defense at permittee's expense.

1 I. Any modification, removal, or relocation of the facility shall be completed within 90 days
2 of written notification by the City unless exigencies dictate a shorter period for removal or
3 relocation. Modification or relocation of the facility shall require a permit. In the event the facility
4 is not modified, removed, or relocated within said period of time, the City may cause the same to
5 be done at the sole cost and expense of permittee. Further, due to exigent circumstances, the City
6 may modify, remove, or relocate wireless communications facilities without prior notice to
7 permittee provided permittee is notified within a reasonable period thereafter.

8 J. All work performed by the permittee in connection with the installation, connection,
9 maintenance, modification, or removal of the communications facilities and support structures
10 shall comply with Chapter 14.12, Noise Control, and the provisions of the Maryland Vehicle Law
11 regarding the idling of vehicles, and the storage and staging of equipment shall be conducted in
12 conformity with any requirements established for the work by the Director.

13 K. The permittee shall, at its sole expense, keep its communications facilities and
14 communications support structures in a safe condition and in good and neat order and repair.

15 L. The permittee shall repair, restore, or replace any portion of the right-of-way that is
16 damaged by its communications facilities and communications support structures or the
17 installation or maintenance thereof. The permittee authorizes the City to repair, restore, or replace
18 the damaged portion of the right-of-way and shall reimburse the City for the costs incurred if the
19 permittee fails promptly to perform the work.

20 M. The City retains the right to cut or remove any communications facilities and
21 communications support structures it deems necessary in response to a public emergency, and the
22 permittee shall be responsible for the cost of restoration.

23 N. The permittee promptly shall relocate or remove and replace, as appropriate, its
24 communications facilities and communications support structures upon written request by the City
25 when the City determines that the facility or structure materially interferes with the City's use of
26 the right-of-way. The permittee authorizes the City to remove its communications facilities and
27 communications support structures and shall reimburse the City for the costs incurred if the
28 permittee fails promptly to respond to a request from the City.

29 O. If the permittee ceases to operate or abandons any of its communications facilities or
30 communications support structures, it shall remove them within 60 days. If the permittee fails to
31 remove the abandoned facilities or support structures, the City may perform the work and collect
32 the reasonable cost thereof from the permittee.

33 P. All conditions of approval shall be binding as to the applicant, permittee and all successors
34 in interest.

35 **§ 150-100 Exceptions**

36 A. No City permit shall be required under this chapter to excavate any portion of a street that
37 is a part of the state highway system and for which a state permit is required under the provisions
38 of the Annotated Code of Maryland, Transportation, Section 8-646 as amended.

39 B. Exceptions pertaining to any provision of this chapter, including, but not limited to,
40 exceptions from findings that would otherwise justify denial, may be granted by the Director if the
41 Director makes the finding that:

42 1. Denial of the facility as proposed would violate Federal law, State law, or both; or

1 2. A provision of this chapter, as applied to applicant, would deprive applicant of its
2 rights under Federal law, State law, or both; or

3 3. Strict application of this chapter would be contrary to the public interest because
4 the harm to the public of strict application would be greater than the harm caused by
5 granting an exception.

6 C. An applicant may only request an exception under subsection (B) of this section at the time
7 of applying for a permit. The request must include both the specific provision(s) of this chapter
8 from which the exception is sought and the basis of the request. Any request for an exception after
9 the City has deemed an application complete and accepted shall be treated as a new application.

10 D. The applicant shall have the burden of proving that denial of the facility as proposed would
11 violate Federal law, State law, or both, or that the provisions of this chapter, as applied to applicant,
12 would deprive applicant of its rights under Federal law, State law, or both, using the evidentiary
13 standards required by that law at issue. The City shall have the right to hire an independent
14 consultant, at the applicant's expense, to evaluate the issues raised by the exception request and
15 shall have the right to submit rebuttal evidence to refute the applicant's claim.

16 **§ 105-105 Right-of-way maintenance and Administration fee.**

17 The owner of a communications facility or support structure shall pay an annual right-of-way
18 maintenance and administration fee within 15 days of the approval of the permit application and
19 on the anniversary date of the permit approval each year thereafter.

20 **§ 105-110 Violations and Enforcement**

21 A. A violation of this chapter and any regulations adopted to implement or enforce this chapter
22 is a Class A municipal infraction.

23 B. Each day that a violation of a term or condition of a permit continues shall constitute a
24 separate violation.

25 C. Each day that an installation for which the City has not issued a permit remains in the City
26 right-of-way shall constitute a separate violation.

27 D. The City may abate outstanding violations and charge the cost of abatement to the
28 responsible person.

29 E. In addition to all other means of enforcement provided for by law and in this chapter, the
30 City Administrator, Director, Code Enforcement Officers or police officers may issue a stop-work
31 order to any person who violates any provision of this Chapter or any regulations adopted to
32 implement or enforce this chapter. Any person who receives such a stop-work order shall
33 immediately cease work. The person shall comply with all terms and conditions imposed by the
34 stop-work order before the work may resume.

35 **§ 105-115 Waiver of Communications Facilities and Support Structure Fees for Public**
36 **Benefits.**

37 The Director, in consultation with the City Administrator, may waive or reduce application and
38 annual right-of-way maintenance and administration fees for communications facilities and
39 support structure installations and provide other benefits, excluding any that would weaken health
40 and safety protections, to applicants and permittees in exchange for public benefits to be provided
41 by the applicant or permittee, including, but not limited to, the installation of communications

1 facilities and support structures in underserved locations and the installation of connections to or
2 discounted service for multifamily rental facilities.

3 **§ 105-120 Regulations**

4 The Director shall endeavor to promulgate regulations to implement this Chapter within 90 days.
5 Such regulations shall include, but shall not be limited to, establishing application fees and right-
6 of-way maintenance and administration fees, requiring the posting of public notice of work in the
7 right-of-way, requiring the entity performing work in the right-of-way to attend a preconstruction
8 meeting, requiring that the timing of nonemergency work in the right-of-way be coordinated to
9 minimize traffic disruption or complications resulting from other construction activity taking place
10 in the City, establishing time frames for permit review, and establishing maximum volumes and
11 dimensions for antennas, equipment cabinets, and other communications facilities and support
12 structures.

13 **Article VIII Penalty Provisions**

14 § 105-48125 Violations and penalties.

15 ~~Violations of this chapter shall be punishable as a municipal infraction as provided in Chapter 20~~
16 ~~of this Code. The fine for any single initial violation shall be \$100 and the fine for each repeat of~~
17 ~~that offense shall be \$200.~~

18 A. A violation of this Chapter and any regulations adopted to implement or enforce this
19 Article is a municipal infraction, as provided in Chapter 20 of this Code. The fine for any single
20 initial violation shall be one half of the maximum fine allowed by MD. Local Government Code
21 Ann. § 6-102 (2021) and the fine for each repeat offense shall be equal to the maximum allowed
22 by MD. Local Government Code Ann. § 6-102 (2021)

23 B. Each day that a violation of a term or condition of a permit continues shall constitute a
24 separate violation.

25 C. Each day that an installation for which the City has not issued a permit remains in the City
26 right-of-way shall constitute a separate violation.

27 D. The City may abate outstanding violations and charge the cost of abatement to the
28 responsible person.

29 E. In addition to all other means of enforcement provided for by law and in this Article, the
30 City Administrator, Director, Code Enforcement Officers or police officers may issue a stop-
31 work order to any person who violates any provision of this Chapter or any regulations adopted
32 to implement or enforce this Chapter. Any person who receives such a stop-work order shall
33 immediately cease work. The person shall comply with all terms and conditions imposed by the
34 stop-work order before the work may resume.
35

36 **AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall
37 forthwith be published in twice in a newspaper having general circulation in the City and otherwise
38 be made available to the public;

39 **INTRODUCED** by the City Council of the City of Hyattsville, Maryland, at a regular
40 public meeting on December 19, 2022.

1
2 **ADOPTED** by the City Council of the City of Hyattsville, Maryland at a regular public
3 meeting on January 3, 2023.
4

5
6 Adopted: _____
7

8
9
10 Attest: _____
11 Laura Reams, City Clerk Robert Croslin, Mayor
12

13
14 **Effective Date:** January 23, 2023.
15

16
17 **Explanatory Note:**

- 18 1. Underlining indicates language being added to the Code.
19 2. ~~Strikethrough~~ indicates language being deleted from the Code.



Memo

To: Tracey Douglas, City Administrator
From: Lesley Riddle, Director of Public Works
CC: Hal Metzler, Deputy Director of Public Works
Date: 10/24/2022
Re: Draft City Ordinance 5G Permits

With the introduction of new global wireless internet service several years ago, local municipalities began to research the impact of the new communications hardware being deployed on existing infrastructure. 5G internet, the latest internet technology, is so named as it is the fifth generation of mobile communications. High-speed internet provides users with a seamless and faster internet capacity; "This next generation of technology promises consumers faster data rates with lower delays in transmitting data. It also promises more capacity for a more efficient network. 5G is being designed with flexibility in mind, to support future services and applications that may not even exist today" (fcc.gov/5G). Several years ago, the City of Hyattsville enacted an emergency ordinance about this technology to address the growing concerns from residents and staff. Two years ago, the City Council approved a contract with our current engineering firm, JMT, to assist City staff with researching and creating a more reasonable ordinance that considers the benefits and challenges with 5g installations within the public right of way.

City staff working with JMT reviewed several existing ordinances of local municipalities with up-to-date regulations related to 5G installations. A draft ordinance was crafted and reviewed by the City Attorney for legal sufficiency. The draft ordinance addresses residents' concerns while considering unnecessary regulations that would unfairly affect the communications industry and their capacity to upgrade our existing systems. The City's existing regulations do not sufficiently address our permit process for right of way (ROW) access to and for 5G installations and does not include the impact of radio frequency or electromagnetic waves on the greater environment.

When the City initially enacted the current code language, the size and mode of the equipment was very bulky and impacted both the pole equipment and the equipment installed on the ground. Currently, the 5G equipment is much smaller and typically will only be installed on the existing PEPCO poles and existing infrastructure. With smaller equipment impact, the overall aesthetic impact to the city should be minimal and the draft code changes give City staff an appropriate vehicle for review and compliance. Overall, city staff feel that the draft code for 5G regulations will meet the City's needs for both current and future installations of 5G in the City ROW.

References:

Federal Communications Commission; America's 5G Future
<https://www.fcc.gov/5G>



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-197-FY23

1/3/2023

9.g.

Submitted by: Laura Reams
Submitting Department: City Clerk
Agenda Section: Consent

Item Title:
Hyattsville Ordinance 2022-08: Updates to Ethics Code

Suggested Action:

I move the Mayor and Council adopt Hyattsville Ordinance 2022-08, an Ordinance whereby the City of Hyattsville amends its ethics provisions to conform to recent updates to State law as to financial reporting and conflicts of interest (SECOND READING & ADOPTION).

Summary Background:

During the 2021 legislation season, the Maryland General Assembly enacted House Bill 363 and House Bill 1058. These bills have added new laws to the Maryland Public Ethics Law and require local governments to incorporate the changes into their municipal codes. The provisions in the City's Ethics Code are mandated by the State legislature and subject to review by the State Ethics Commission for conformance with state law.

The required changes are reflected in Hyattsville Ordinance 2022-08 and are summarized below.

- Current and former public officials and employees are prohibited from disclosing or using confidential information acquired by their public position for the economic benefit of the official or employee or that of another person.
- Inclusion of a non-retaliation clause for any individual reporting or participating in an investigation of an ethics violation.
- Requirement for the public posting of financial disclosure statements or a summary of the statements online. Statements shall be redacted to mitigate the risk of identity theft and full, unaltered statements will remain available via the City Clerk's office.
- Amendments to the Financial Disclosure Statement Form include:
 - o Requirement for elected officials and staff to report any gift in excess of \$20 or a series of gifts total \$100 or more from the Maryland Municipal League (MML) or the Maryland Association of Counties (MACO).
 - o Disclosure of a financial or contractual relationship with State government, local government in the State or a quasi-governmental entity (created by State statute and performing a public function) of the State or local government. This statement must include a description of the relationship, subject matter of the relationship, and the consideration (payment).
 - o An individual required to disclose an interest in a business must also list names the business is trading as or doing business as.
 - o Reporting of business interest greater than 10% held either directly or indirectly by the individual completing the form.

- An interest held by a trust or an estate during the reporting period in which the individual completing the form was a beneficiary or a settlor.

The City's Ethics Commission reviewed the proposed ordinance during their December 13, 2022, meeting.

Next Steps:

The Council must adopt the State mandated changes in the Ethics Ordinance. A first reading was held on December 19, 2022, with adoption scheduled for January 3, 2023. The ordinance will be effective 20 days after adoption.

The Ethics Commission will work with the City Attorney and City Clerk's Office to make the required revisions to the Financial Disclosure Statement.

Fiscal Impact:

N/A

City Administrator Comments:

The changes to the Ethics Ordinance are State mandated and recommended for adoption.

Community Engagement:

Legal notice of the ordinance will be posted in the Prince George's Post and on the City's website.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

Complete



COMMISSION MEMBERS:

JANET E. McHUGH, *Chair*
BONNIE A KIRKLAND
JAMES N. ROBESY, JR.
CRAIG D. ROSWELL
GENEAU M. THAMES

STATE ETHICS COMMISSION

**45 CALVERT STREET, 3rd FLOOR
ANNAPOLIS, MARYLAND 21401
410-260-7770 / 1-877-669-6085
FAX: 410-260-7746**

JENNIFER K. ALLGAIR
Executive Director
WILLIAM J. COLQUHOUN
General Counsel
KATHERINE P. THOMPSON
Staff Counsel
ANA L. HENRY
Assistant General Counsel

August 26, 2022

Re: Required Amendments to Local Ethics Laws

Dear Municipal Official:

I am writing to notify your municipality that the requirements under the State Ethics Law are changing. House Bill 363 and House Bill 1058 were enacted during the 2021 General Assembly session, which made multiple modifications to the State Ethics Law, which will change the requirements for local government ethics laws. Those changes include new conflict of interest provisions and additional disclosures for State elected officials that local governments must incorporate into their ethics ordinances for their elected officials. The State Ethics Commission updated its local government regulations in COMAR 19A.04 to reflect the required changes. I have included an attachment describing the changes that need to be included in the new drafts of the ethics law, highlighting the additional provisions that must be included in a law to be compliant with State law. In addition, I have also included our new model laws with the changes highlighted.

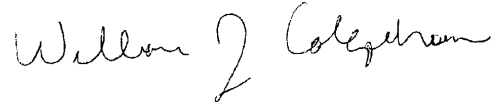
As you are aware, counties and municipalities are required to adopt local ethics laws or ordinances that must include conflict of interest and financial disclosure provisions for local elected officials that are at least equivalent to the State's provisions; financial disclosure provisions for candidates for local elected office that are at least equivalent to State provisions; conflict of interest and financial disclosure provisions for local employees and appointed officials that are similar to State provisions; and local lobbying provisions that are substantially similar to State provisions. (SB315 – Chapter 277 of the Acts of 2010 and Subtitle 8 of Maryland Public Ethics Law).

Commission staff is available to provide guidance and assistance to your municipality as you work through updating your law to incorporate the new changes. Please do not hesitate to contact us should you have any questions regarding the new local government ethics law requirements. As a reminder, any and all future changes to the ethics ordinance must be submitted to the Commission for review and approval in compliance with Subtitle 8 of the Maryland Public Ethics Law and COMAR 19A.04.

Please also note that there were changes that were required as a result of legislation passed in the 2017 General Assembly Session (House Bill 879). If your municipality has not updated your ordinance to reflect those required modifications, please let me know and I will send you information regarding those changes.

Finally, Section §5-807(c) of the Public Ethics Law requires each local jurisdiction to file the Local Government Ethics Law Annual Certification by October 1 of each year. The certification form is attached to this email and may be returned electronically or by regular mail. Please contact our office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "William J. Colquhoun". The signature is written in a cursive style with a large, stylized initial "W".

William J. Colquhoun
General Counsel

enc.

**CITY OF HYATTSVILLE
ORDINANCE 2022-08**

An Ordinance whereby the City of Hyattsville amends its ethics provisions to conform to recent updates to State law as to financial reporting and conflicts of interest.

WHEREAS, Maryland Code, § 5-801, et seq., of the General Provisions Article requires municipal corporations to enact ethics laws and requires that the State Ethics Commission approve all municipal ethics ordinances;

WHEREAS, the Maryland General Assembly enacted House Bill 363 and House Bill 1058 during the 2021 legislative session, which added new laws to the Maryland Public Ethics Law and requires local governments to incorporate certain changes into their respective ethics ordinances;

WHEREAS, the State Ethics Commission has updated its local government regulations in COMAR 19A.04 to reflect the required changes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hyattsville in regular session assembled that Chapter 10 is hereby amended as follows:

* * *

§ 10-7. Solicitation and/or acceptance of gifts.

* * *

C. An official or employee may not knowingly accept a gift, directly or indirectly, from a person that the official or employee knows or has the reason to know:

* * *

(5) Is an association or any entity acting on behalf of an association that is engaged only in representing counties or municipal corporations.

* * *

1 **F.** Disclosure of confidential information. Other than in the discharge of official duties, an
2 official or employee or former official or employee may not disclose or use confidential
3 information, that the official or employee acquired by reason of the official's or employee's
4 public position or former public position and that is not available to the public, for the economic
5 benefit of the official or employee or that of another person.

6 * * *

7 **I. An official or employee may not retaliate against an individual for reporting or participating in**
8 **an investigation of a potential violation of the local ethics law or ordinance.**

9 * * *

10 **§10-9. Filing of financial disclosure statement.**

11 * * *

12 **C.** The Commission or office designated by the Commission shall maintain all financial
13 disclosure statements filed under this section. Financial disclosure statements shall be made
14 available during normal office hours for examination and copying by the public subject to
15 reasonable fees and administrative procedures established by the Commission.

16 * * *

17 **(4) The Commission or office designated by the Commission shall not provide public**
18 **access to information related to consideration received from:**

19 **(a) The University of Maryland Medical System;**

20 **(b) A governmental entity of the State or a local government in the State; or**

21 **(c) A quasi-governmental entity of the State or local government in the State.**

22 **(4)(5)** The Commission or the office designated by the Commission shall make financial
23 disclosure statements or a summary thereof available online. The Commission or the

1 office designated by the Commission shall take appropriate measures to mitigate the risk
2 of identify theft. Those steps may include posting online a redacted version of the
3 financial disclosure statement or posting a summary of the financial disclosure statement
4 that is completed by the official or employee for the purpose of the online posting. Under
5 all circumstances the original, unaltered financial disclosure statement shall be
6 maintained by the Commission or office designated by it but not posted online.

7 * * *

8 E. An individual who is required to disclose the name of a business under this section shall
9 disclose any other names that the business is trading as or doing business as.

10 E.F. At a minimum the financial disclosure statement form shall contain the following
11 information:

12 * * *

13 (4) Gifts.

14 (a) A statement filed under this section shall include a schedule of each gift in
15 excess of \$20 in value or a series of gifts totaling \$100 or more received during
16 the reporting period from or on behalf of, directly or indirectly, any one person
17 who does business or is regulated by the City of Hyattsville or from an
18 association, or any entity on behalf of an association that is engaged only in
19 representing counties or municipal corporations.

20 * * *

21 (9) Relationship with University of Maryland Medical System, State or Local
22 Government, or Quasi-Governmental Entity.

1 (a) An individual shall disclose the information specified in General Provisions
2 Article § 5-607(j)(1), Annotated Code of Maryland, for financial or contractual
3 relationship with:

4 [1] The University of Maryland Medical System;

5 [2] A governmental entity of the State or a local government in the State;

6 or

7 [3] A quasi-governmental entity of the State or local government in the
8 State.

9 (b) For each financial or contractual relationship reported, the schedule shall
10 include:

11 [1] A description of the relationship;

12 [2] The subject matter of the relationship; and

13 [3] The consideration.

14 ~~(9)~~(10) A statement filed under this section may also include a schedule of additional
15 interests or information that the individual making the statement wishes to disclose.

16 **F.G.** For the purposes of this section, the following interests are considered to be the interests of
17 the individual making the statement:

18 (1) An interest held by a member of the individual's immediate family, if the interest
19 was, at anytime during the reporting period, directly or indirectly controlled by the
20 individual.

21 (2) An interest held ~~by a business entity in which the individual held a 30% or greater~~
22 ~~interest~~ , at anytime during the ~~reporting~~ applicable period, by:

23 (a) A business entity in which the individual held a (10%) or greater interest;

1 (b) A business entity described in item (a) of this subsection in which the business
2 entity held a 25% or greater interest;

3 (c) A business entity described in item (b) of this subsection in which the business
4 entity held a 50% or greater interest; and

5 (d) A business entity in which the individual directly or indirectly, through an
6 interest in one or a combination of other business entities, holds a 10% or greater
7 interest.

8 (3) An interest held by a trust or an estate in which, at any time during the reporting
9 period:

10 (a) The individual held a reversionary interest or was a beneficiary; or

11 (b) If a revocable trust, the individual was a settlor.

12 **G.H.** The Commission shall review the financial disclosure statement submitted under this
13 section for compliance with the provisions of this section and shall notify an individual
14 submitting the statement of any omissions or deficiencies. The City of Hyattsville Ethics
15 Commission may take appropriate enforcement action to ensure compliance with this section.

16 * * *

17 **§ 10-13. Definitions.**

18 In this chapter the following words have the meanings indicated:

19 * * *

20 **QUASI-GOVERNMENTAL ENTITY**

21 An entity that is created by State statute, that performs a public function, and that is
22 supported in whole or in part by the State but is managed privately.

23 * * *

1 **AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the
 2 application thereof to any person or circumstance is held invalid for any reason, such invalidity
 3 shall not affect the other provisions or any other applications of the Ordinance which can be given
 4 effect without the invalid provision or applications, and to this end, all the provisions of this
 5 Ordinance are hereby declared to be severable;

6 **AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect twenty (20)
 7 days from the date of its adoption;

8 **AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall
 9 forthwith be published twice in a newspaper having general circulation in the City and otherwise
 10 be made available to the public.

11 **INTRODUCED** by the City Council of the City of Hyattsville, Maryland, at a regular
 12 public meeting on December 19, 2022.

13 **ADOPTED** by the City Council of the City of Hyattsville, Maryland, at a regular public
 14 meeting on January 3, 2023.

Adopted: January 3, 2023

Attest:

 Laura Reams, City Clerk

 Robert Croslin, Mayor

15
 16 [] indicate deletions
 17 Underline indicates additions
 18 Asterisks * * * Indicate matter retained in existing law but omitted herein
 19 Effective Date: January 23, 2023



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-198-FY23

1/3/2023

9.h.

Submitted by: Laura Reams
Submitting Department: Legislative
Agenda Section: Consent

Item Title:

Disbursement of Mayoral Discretionary Funds

Suggested Action:

I move that the Mayor and Council authorize the disbursement of \$500 from the Mayor's discretionary fund to Pyramid Atlantic in support of "A Collaboration of Creativity", an exhibition on the print work of David C. Driskell.

Summary Background:

Pyramid Atlantic will host an exhibit on the print work of David C. Driskell from February 11 through March 10, 2023. Funds from the Mayor's discretionary fund will support the exhibition.

A Collaboration of Creativity
Print Work of David C. Driskell
Dates: February 11 - March 10th, 2023

Artist David C. Driskell (1931-2020) was an artist, scholar, and historian who transformed the field of African American art through his own work, his advocacy, and his scholarship. As an artist, he is known mostly for modernist paintings, collages, and prints. In 2003, he began a lifelong collaboration with Master Printer Curlee R. Holton. Together they produced over 40 creative projects with two in progress at the time of Driskell's passing. In A COLLABORATION OF CREATIVITY Holton shares a curated grouping of approximately 30 prints he made with Driskell through the fine art publishing studio Raven Editions and The Driskell Center at University of Maryland. The exhibition showcases the artistic genius of Driskell, the printmaking mastery of Holton, and the power of collaboration.

Next Steps:

Upon Council approval, funds will be disbursed.

Fiscal Impact:

\$500

City Administrator Comments:

N/A

Community Engagement:

N/A

Strategic Goals:

Goal 5 - Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?

N/A



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Agenda Item Report

File #: HCC-199-FY23

1/3/2023

9.i.

Submitted by: Laura Reams
Submitting Department: Legislative
Agenda Section: Consent

Item Title:

Disbursement of Ward 1 Discretionary Funds

Suggested Action:

I move that the Mayor and Council authorize the disbursement of \$500 from the Ward 1 discretionary fund to Pyramid Atlantic in support of "A Collaboration of Creativity", an exhibition on the print work of David C. Driskell.

Summary Background:

Pyramid Atlantic will host an exhibit on the print work of David C. Driskell from February 11 through March 10, 2023. Funds from the Ward 1 discretionary fund will support the exhibition.

A Collaboration of Creativity
Print Work of David C. Driskell
Dates: February 11 - March 10th, 2023

Artist David C. Driskell (1931-2020) was an artist, scholar, and historian who transformed the field of African American art through his own work, his advocacy, and his scholarship. As an artist, he is known mostly for modernist paintings, collages, and prints. In 2003, he began a lifelong collaboration with Master Printer Curlee R. Holton. Together they produced over 40 creative projects with two in progress at the time of Driskell's passing. In A COLLABORATION OF CREATIVITY Holton shares a curated grouping of approximately 30 prints he made with Driskell through the fine art publishing studio Raven Editions and The Driskell Center at University of Maryland. The exhibition showcases the artistic genius of Driskell, the printmaking mastery of Holton, and the power of collaboration.

Next Steps:

Upon Council approval, funds will be disbursed.

Fiscal Impact:

\$500

City Administrator Comments:

N/A

Community Engagement:

N/A

Strategic Goals:

Goal 5 - Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?

N/A



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Agenda Item Report

File #: HCC-194-FY23

1/3/2023

10.a.

Submitted by: Patrick Paschall
Submitting Department: Finance
Agenda Section: Action

Item Title:

ARPA: Non-Profit Program Reallocation to Household Emergency Relief Program

Suggested Action:

I move that the Mayor and Council reallocate \$500,000 of American Rescue Plan Act funds from the Non-Profit Emergency Relief program to the Household Emergency Relief Program and establish an end-date for the Non-Profit Emergency Relief Programs of March 31, 2023.

Summary Background:

In May 2022, Council authorized the establishment of a \$1,000,000 Non-Profit Emergency Relief fund, which consists of two programs - \$100,000 for a Child Care Assistance program, and \$900,000 for a Non-Profit Emergency Relief program.

Upon review of utilization in the Non-Profit Emergency Relief Program, staff recommends reducing the allocation for this program by \$500,000. To-date, the program has awarded \$128,500, with an additional application in-process that may be up to a \$25,000 award.

While staff continue to conduct outreach to non-profit organizations and expect to see additional applications, it is unlikely the program will be able to expend a full \$900,000. Accordingly, staff recommend reducing the allocation by \$500,000, leaving a total allocation of \$400,000 for the non-profit program (\$271,500 unspent).

As the Household Emergency Relief Program has experienced incredibly high applicant volume, with likely eligible applications received totaling over \$1.5 million, staff recommends allocating the \$500,000 from the non-profit program into the Household Emergency Relief Program.

There will be further discussion on the January 3 agenda about the total amount to allocate for the Household Emergency Relief Program.

Staff is recommending establishing an end date for all emergency relief programs, of March 31, 2023, for the Small Business and Non-Profit programs, and May 31, 2023 for the Household Emergency Relief Program.

Next Steps:

Reallocate funds and update communications to indicate new allocation totals.

Fiscal Impact:

Neutral - reallocating \$500,000 from one program to another will have no net change to budgets or expenses.

City Administrator Comments:

Recommend support.

Community Engagement:

Staff continue to conduct outreach to the community about all available emergency relief programs.

Strategic Goals:

Goal 2 - Ensure the Long-Term Economic Viability of the City

Legal Review Required?

N/A



City of Hyattsville

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Agenda Item Report

File #: HCC-201-FY23

1/3/2023

10.b.

Submitted by: Patrick Paschall
Submitting Department: Finance
Agenda Section: Action

Item Title:

ARPA: Small Business Emergency Relief Program

Suggested Action:

I move that the Mayor and Council reallocate \$100,000 of American Rescue Plan Act funds from the Permit Expediting Program to the Small Business Emergency Relief program, and to establish an end date for the Small Business Emergency Relief program of March 31, 2023.

Summary Background:

In May 2022, the City Council established a \$1,000,000 Small Business Emergency Relief fund, which consists of two programs - \$900,000 for Small Business Emergency Relief payments, and \$100,000 for a Permit Expediting Program. In November 2022, the Council increased the allocation for the Small Business Emergency Relief payments program by \$500,000, for a total allocation of \$1.5 million.

The Permit Expediting Program was conceived to assist Hyattsville Small Businesses with expediting permit processing by hiring county-approved permit processors who can expedite the permitting process by 50%. This information was gathered by staff on the DPIE website indicating that the program existed.

Upon investigation, staff is unable to confirm that the program exists or that utilizing the services of permit expeditors results in faster permit approvals. Staff interactions with DPIE indicated that DPIE staff were generally unaware of the program and could not confirm that it is currently operational.

As a result, staff is unable to develop this program. Staff recommends that the funds be reallocated into the Small Business Emergency Relief fund. This would keep the overall allocation for the program at \$1.5 million, rolling the \$100,000 for the permit program staff is unable to develop into the existing, successful emergency relief program for small business.

Staff is recommending establishing an end date for all emergency relief programs, of March 31, 2023, for the Small Business and Non-Profit programs, and May 31, 2023, for the Household Emergency Relief Program.

Next Steps:

Reallocate funds and update communications to indicate new allocation totals.

Fiscal Impact:

Neutral - reallocating \$100,000 from one program to another will have no net change to budgets or expenses.

City Administrator Comments:

Recommend support.

Community Engagement:

Staff continue to conduct outreach to the community about all available emergency relief programs.

Strategic Goals:

Goal 2 - Ensure the Long-Term Economic Viability of the City

Legal Review Required?

N/A



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Agenda Item Report

File #: HCC-200-FY23

1/3/2023

11.a.

Submitted by: Patrick Paschall
Submitting Department: Finance
Agenda Section: Discussion

Item Title:

ARPA: Household Emergency Relief Program Future Allocation

Suggested Action:

For discussion. This item is tentatively scheduled to return to Council for action on January 17, 2023.

Summary Background:

In June 2022, the City Council authorized the establishment of a Household Emergency Relief Program to provide emergency relief payments to low- and moderate-income households within the City. The Council allocated \$1,200,000 for the program, including \$1,000,000 for emergency relief payments to households and the remaining \$200,000 for program administration and outreach.

The program launched on October 31, 2022 and has been very successful. Through December 23, 2022, the program has received 373 applications from Hyattsville households. Staff and Hyattsville CDC expect these applications, after review and approval, to total over \$1.6 million in program eligibilities.

This discussion will focus on the Council's intentions regarding future allocations for the program. Staff intends to bring a motion on the January 17 for a final allocation for this program, and to establish an end date of May 31, 2023 for the program.

Next Steps:

Prepare a motion for January 17, 2023 reflecting the Council's discussion

Fiscal Impact:

TBD

City Administrator Comments:

For discussion.

Community Engagement:

Staff continue to conduct robust community outreach about available emergency relief programs.

Strategic Goals:

Goal 2 - Ensure the Long-Term Economic Viability of the City

Legal Review Required?

N/A