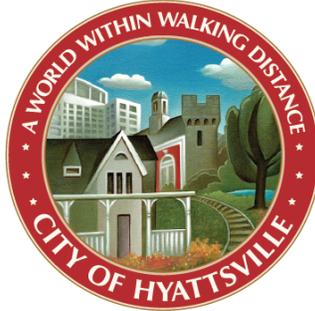


City of Hyattsville

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



Summary Regular Meeting

https://us06web.zoom.us/webinar/register/WN_K5RexM1OTZ61o-ONQ7PKlg

Monday, November 18, 2024

7:00 PM

Virtual

City Council

Robert S. Croslin, Mayor (Absent)

Joseph Solomon, Council President, Ward 5

Joanne Waszczak, Council Vice President, Ward 1

Sam Denes, Ward 1

Danny Schaible, Ward 2

Emily Strab, Ward 2

Jimmy McClellan, Ward 3

Kareem Redmond, Ward 3

Edouard Haba, Ward 4

Michelle Lee, Ward 4

Rommel Sandino, Ward 5

ADMINISTRATION

Tracey E. Douglas, City Administrator

Nate Groenendyk, City Clerk, 301-985-5001, 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 via email to cityclerk@hyattsville.org no later than two (2) hours prior to the start of the meeting. Submitted electronic statements will be sent to Councilmembers prior to the meeting and will not be read aloud. 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 Hyattsville City Council will hold its meeting on Monday, November 18, 2024, 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 via email to cityclerk@hyattsville.org no later than two (2) hours prior to the start of the meeting. Submitted electronic statements will be sent to Councilmembers prior to the meeting and included in the official meeting record. Electronically submitted statements will not be read aloud. 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_K5RexM1OTZ61o-ONQ7PKlg

1. **Call to Order and Council Roll Call** **Call to order at 7:03 PM**
2. **Pledge of Allegiance to the Flag**
3. **Approval of Agenda** **Amendments to the agenda were approved via unanimous consent.**
 - Removal of item 9.b from the agenda: Federal Bureau of Investigation Cross Border (Cross Jurisdictional) Task Force Memorandum of Understanding
 - Amend the amount in item 9.a (Ward 3 Discretionary) from \$268.04 to \$314.05.
 - Amendment to item 10.b: I move the Mayor and Council adopt the following legislative and bond bill priorities to be presented at a Joint 22 legislative dinner on December 3, 2024 and shared with the district 47 delegation.

4. **Moment of Silence for Earl Isaac**

5. **Approval of the Minutes** **Approved, Unanimous**

5.a. Approval of the Minutes

I move that the Mayor and Council approve the Council Meeting Minutes of April 15, 2024, August 5, 2024, and October 21, 2024.

Sponsors: City Administrator

Department: City Clerk

Attachments: [Minutes Oct 21 2024](#) [HCC-154-FY25](#)
[Minutes August 05 2024](#)
[Minutes Apr 15 2024](#)

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

7. **City Administrator Update (7:20 p.m - 7:45 p.m.)**

8. **Proclamations Approved, Unanimous**

8.a. **Proclamation Recognizing November 18-22, 2024, as American Education Week** [HCC-124-FY25](#)

I move that the Mayor and Council adopt a proclamation recognizing November 18-22, 2024 as American Education Week.

Sponsors: City Administrator

Department: City Clerk

Attachments: [CM 1118 American Education Week 2024](#)

8.b. **Proclamation Recognizing December 1, 2024, as World AIDS Day in the City of Hyattsville** [HCC-133-FY25](#)

I move that the Mayor and Council recognize December 1, 2024, as World AIDS Day in the City of Hyattsville.

Sponsors: City Administrator

Department: City Clerk

Attachments: [CM 1118 World AIDS Day Proclamation](#)

8.c. **Proclamation Recognizing November 30, 2024, as Small Business Saturday in the City of Hyattsville** [HCC-149-FY25](#)

I move that the Mayor and Council adopt a proclamation recognizing November 30, 2024, as Small Business Saturday in the City of Hyattsville.

Sponsors: City Administrator

Department: City Clerk

Attachments: [Small Business Saturday 2024](#)

9. **Consent Items (7:45 p.m. 7:50 p.m.) Approved, Unaminous**

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. Disbursement of Ward 3 Discretionary Funds [HCC-155-FY25](#)

I move that the Mayor and Council authorize the disbursement of \$314.05 of Ward 3 FY25 discretionary funds to Councilmember Redmond as reimbursement for the Ward 3 Check-In.

Sponsors: Redmond

Department: Legislative

Attachments: [Receipt.pdf](#)

9.b. Federal Bureau of Investigation Cross Border (Cross Jurisdictional) Task Force Memorandum of Understanding [HCC-160-FY25](#)
This item was removed from the consent agenda.

I move that Mayor and Counsel authorize the City Administrator to enter into an Memorandum of Understanding with the Federal Bureau of Investigation (FB) Cross Border Task Force pending legal sufficiency.

Sponsors: City Administrator

Department: Police Department

Attachments: [DRAFT_CBTF_Hyattsville_PD_MOU](#)

9.c. Disbursement of Ward 4 Discretionary Funds [HCC-161-FY25](#)

I move that the Mayor and Council authorize the disbursement of Ward 4 Discretionary Funds in the amount of \$324.97 to Councilmember Lee as reimbursement for refreshment and supplies for the Ward 4 Check-in on October 12, 2024.

Sponsors: Lee and Haba

Department: Legislative

Attachments: [IMG_5247.jpeg](#)
[IMG_5246.jpeg](#)

10. Action Items (7:50 p.m. - 8:30 p.m.)

10.a. Variance Request V-70-24, 5408 40th Ave Approved, Unanimous [HCC-164-FY25](#)

I move the City Council authorize the Mayor to send a letter to the Board of Zoning Appeals requesting the denial of zoning variance application V-70-24, for the subject property located at 5408 40th Avenue; specifically for the request for additional net lot coverage. **A motion was made by CM Strab and seconded by CM Schaible to amend the motion to the following: I move the City Council authorize the Mayor to send a letter to the Board of Zoning Appeals requesting the approval of zoning variance application V-70-24, for the subject property located at 5408 40th Avenue; specifically for the request for additional net lot coverage with the condition that 300 square feet of the driveway be permeable material. Approved, Yes:9/No:1**

Sponsors: City Administrator

Department: Community & Economic Development

Attachments: [2024-10-24_Memo-V-70-24_.ju](#)

[V-70-24 Binder](#)

[City of Hyattsville Zoning Variance Policy Statement & Variance Process_ENGLISH](#)

10.b. Adoption of FY25 Legislative Agenda Approved, Unanimous [HCC-163-FY25](#)

I move that the Mayor and Council adopt the following legislative and bond bill priorities to be presented at a Joint District 22 Legislative Dinner on December 3, 2024 **and with shared with District 47 Delegation.**

Legislative Priorities:

- Affordable Housing
- Environmental Sustainability & Justice
- Grants/Programs for Recruitment & Retention of Police Officers
- Infrastructure & State Rd Improvements
- Juvenile Justice Reform
- Land Use Authority
- Mental Health & Addiction Support
- Regional Economic Development & Growth

Bond Bill Priorities:

Municipal Building Renovation - 2nd floor renovation after Police relocation - \$650K
 West Hyattsville Green Alley Public Safety : Alley Lighting and Streetscape - \$350K
 Public Infrastructure Public Safety Green Street Project (Jamestown Road Greenstreet and Stormwater project - \$1M.

Sponsors: City Administrator

Department: City Administrator

11. Discussion Items (8:30 p.m. - 9:30 p.m.)

11.a. Rent Stabilization Ordinance

[HCC-132-FY25](#)

Discussion

Sponsors: City Administrator

Attachments: [Updated 10.8.14 Copy V.1 City Attorney Draft to Staff 9.4.24](#)
[AOBA Comments on Draft Ordinance Oct 2024](#)
[CASA Comments on Draft Ordinance Oct 2024](#)
[Memo to City Council Rent Stab. Meeting Dev. Summary Oct 16](#)

11.b. Ranked Choice Voting Referendum for May 2025 City Election

[HCC-162-FY25](#)

For Discussion

Sponsors: Schaible, Waszczak and Denes

Department: Legislative

12. Council Dialogue (9:30 p.m. - 9:40 p.m.)

13. Motion to Adjourn **Approved, Unanimous**
The meeting adjourned at 10:40 PM

Attest: November 21, 2024



Nate Groenendyk, City Clerk

Electronically Submitted Comments

Consent Item: 9.b. - Implications of the MOU on Abortion Rights

From Chuck Perry [REDACTED]

Date Mon 11/18/2024 8:02 AM

To [REDACTED]

Cc [REDACTED]

 1 attachment (312 KB)

DRAFT_CBTF_Hyattsville_PD_MOU-FBI.pdf;

Subject: Consent Item: 9.b. FBI Cross Border (Cross Jurisdictional) Task Force Memorandum of Understanding HCC-160-FY25

Dear City of Hyattsville:

I want to address some important concerns regarding the Memorandum of Understanding (MOU) between the FBI and the Hyattsville Police Department, especially in light of the recent Supreme Court decision overturning "Roe v. Wade." This decision, which removed federal protections for abortion rights, has placed a spotlight on how law enforcement—both federal and local—may become involved in abortion related matters, depending on the laws in each state.

Let me explain how the MOU could affect abortion rights in our community and what it means for local law enforcement's involvement in federal investigations related to abortion access.

1. What Does the MOU Do?

The MOU outlines a formal agreement between the FBI and the Hyattsville Police Department to cooperate on criminal investigations, especially those related to serious crimes such as drug trafficking, money laundering, and violent gangs. Essentially, it gives the FBI a significant amount of authority over how investigations are handled, and it requires the Hyattsville Police Department to assist in these federal efforts.

This MOU establishes the FBI as the lead agency in many investigations, and under its terms, local law enforcement may be called upon to support federal priorities. While the MOU itself doesn't directly address abortion rights, it sets up a framework where federal law enforcement can get involved in a wide range of criminal activities, some of which could overlap with issues related to abortion rights.

2. What Does the Overturning of "Roe v. Wade" Mean?

In June 2022, the U.S. Supreme Court overturned "Roe v. Wade", a landmark decision that had

protected a woman's right to access an abortion. This ruling means that abortion laws are now up to individual states to decide. Some states have passed laws restricting or banning abortion, while others have kept it legal.

The important thing to understand is that this shift in law allows certain states to criminalize abortion-related activities, including aiding individuals in obtaining an abortion, even across state lines. In states where abortion is still legal, like Maryland, this creates a significant risk for individuals from other states (where abortion is illegal) seeking care, or people who assist in helping them travel.

3. How Does the MOU Impact Abortion Rights?

The federal government, through agencies like the FBI, could become involved in investigating and enforcing laws against abortion, especially if someone in a state with a ban travels to a state where abortion is legal. This means that federal law enforcement could potentially target individuals who are simply traveling to another state for abortion services, or those who help people access abortion care.

If and most likely when the new administration takes office, the federal government will pursue a more aggressive stance on abortion enforcement, the FBI, as outlined in the MOU, could involve local law enforcement like the Hyattsville Police Department. Specifically, under the MOU's provisions, the FBI could call on the City's police officers to assist in investigations related to:

- **Tracking individuals** who cross state lines to obtain an abortion using tools such as public video capture with AI.
- **Monitoring or infiltrating organizations** that provide abortion-related assistance.
- **Investigating clinics** or groups that support abortion access.

This could be concerning for residents of Hyattsville, especially if they or their organizations are perceived as supporting or aiding abortion access in any way.

4. The Risk of Law Enforcement Overreach

The potential issue here is the possibility of overreach by federal authorities into a deeply personal and political issue like abortion. If the federal government decides to focus resources on investigating and prosecuting abortion-related activities in states where it is legal, this could lead to:

- **Increased surveillance** of individuals or organizations involved in abortion rights.
- **Use of confidential informants** or undercover operations to infiltrate clinics, advocacy groups, or even individuals' private lives.
- **Collaboration between local and federal law enforcement** that might lead to actions that conflict with the values or legal protections in Maryland, where abortion remains legal.

This raises serious questions about the role of local law enforcement in enforcing laws that may

directly conflict with the rights of residents or violate their expectations of privacy.

5. A Historical Example to Consider: COINTELPRO

To understand why this is a significant concern, we can look to history. The FBI's "COINTELPRO" (Counter Intelligence Program) was a series of covert, illegal operations in the 1950s and 70s aimed at surveilling, infiltrating, and disrupting political organizations the FBI considered subversive. **Targets included civil rights groups, anti-war activists, and organizations advocating for racial equality. Many of these operations were unconstitutional and violated the rights of American citizens.**

While COINTELPRO is now recognized as a serious abuse of power, it shows how federal law enforcement can be used to target political movements, especially those that challenge the status quo. **In the context of abortion, a similar approach could be used to target abortion providers, patients, or activists who are simply exercising their rights under state law.**

6. Recommendations for the City

Given these concerns, the City should take steps to protect local residents' rights in the event that federal law enforcement becomes involved in abortion-related investigations. Specifically, I recommend:

- **Clarifying the scope of federal involvement:** The City should ensure that the Hyattsville Police Department is not compelled to participate in investigations that could violate residents' reproductive rights or privacy.
- **Increasing local oversight:** The City should establish a local oversight body to review any investigations involving abortion rights and ensure they align with local laws and values.
- **Ensuring transparency:** It is important to have clear communication with the community about the role of local law enforcement in these matters, ensuring that the public is aware of how their rights are being protected or potentially compromised.

Conclusion

While the MOU between the FBI and Hyattsville Police Department is intended to improve cooperation in fighting crime, it also opens the door to potential federal overreach in matters related to abortion. In a time when abortion rights are being challenged across the country, it's essential that local governments take a proactive stance to protect their residents' rights and ensure that law enforcement does not become a tool for political agendas that infringe on personal freedoms.

Please contact your tho elected people in email directly to express your concerns about the attached MOU.

Thank you for your attention to this matter.

Sincerely,
Chuck Perry, Ward 3



Outlook

Consent Item: 9.b.

From Chuck Perry [REDACTED]

Date Mon 11/18/2024 8:00 AM

To [REDACTED]

Cc [REDACTED]

2 attachments (560 KB)

DRAFT_CBTF_Hyattsville_PD_MOU-FBI.pdf; Hyattsville Agenda 15 NOV 2024.pdf;

My Analysis: Consent Item: 9.b. FBI Cross Border (Cross Jurisdictional) Task Force Memorandum of Understanding HCC-160-FY25

Dear City of Hyattsville:

As a Hyattsville resident, I was recently denied registration for the Police & Public Safety Citizens' Advisory Committee Zoom meeting on 11/13/2024, later resolved after complaints to the City of Hyattsville and the Maryland Public Information Ombudsman Office, which underscores the importance of public accessibility and accountability in law enforcement. This experience strengthens my commitment to scrutinizing police activities to include the attached proposed Memorandum of Understanding (MOU). Such agreements have significant public implications, demanding transparency to ensure they serve the community equitably, not just the institutional interests of the City of Hyattsville.

The proposed MOU between the Federal Bureau of Investigation (FBI) and the Hyattsville Police Department is presented as a framework to allegedly improve cooperation between agencies and address serious criminal activities. However, a closer review reveals significant risks that could jeopardize the rights and freedoms of residents, **particularly if the agreement is influenced by partisan motives or is misused by federal authorities.**

The MOU's reliance on the U.S. Attorney General's guidelines, combined with the centralized control it grants to the FBI, makes it vulnerable to abuses of power. To illustrate, it's important to reflect on historical context, such as **COINTELPRO—a covert program conducted by the FBI between 1956 and 1971. COINTELPRO was designed to surveil, infiltrate, discredit, and disrupt American political organizations that the FBI labeled as subversive. Targets included civil rights groups like the NAACP, Martin Luther King Jr., and even environmental organizations.** Many of these operations were later exposed as unconstitutional, highlighting how unchecked federal authority can undermine the public's trust and freedoms.

Specific Risks and Concerns

1. Broad Investigative Scope

The MOU empowers the FBI-led Cross-Border Task Force (CBTF) to target “dangerous fugitives where there is or may be a federal investigative interest.” This vague language leaves open the possibility of targeting individuals or groups based on subjective criteria. **It risks enabling politically motivated investigations, especially under an Attorney General who will prioritize partisan agendas.**

2. Control Over Informants and Confidential Sources

The FBI maintains exclusive authority over informants within the CBTF, even limiting disclosure to Hyattsville personnel (Sections 21-25). This arrangement mirrors tactics used in COINTELPRO, where the FBI exploited informants to sow distrust within organizations and discredit lawful political movements. Without proper oversight, similar abuses could occur under this agreement.

3. Federal Surveillance Standards Superseding Local Protections

Investigations conducted by the CBTF must adhere to federal evidence collection standards (Sections 43-45), **even if they conflict with stricter local protections.** This centralized approach could permit invasive surveillance tactics, including public video surveillance with AI, electronic monitoring and undercover operations, without adequate safeguards for residents’ rights.

4. Access to Private Information

The MOU grants CBTF personnel access to sensitive information protected under the Privacy Act of 1974 and Executive Order 12333 (Section 33). While the agreement requires lawful handling, the centralized control over data raises concerns about misuse, especially given historical abuses like those in COINTELPRO.

5. Partisan Influence in Investigations

Operations and undercover activities are governed by the Attorney General’s guidelines (Sections 10, 46). An Attorney General with partisan motivations could direct investigations to target individuals or groups perceived as political opponents. In the past, COINTELPRO targeted groups advocating for racial justice and equality, labeling them as subversive threats. This MOU creates conditions that could allow similar misuse.

6. Limited Local Oversight

Although the Hyattsville Police Department is a participating agency, the FBI retains ultimate control over case assignments and investigative methods (Sections 13, 18-19). This diminishes local accountability and creates a power imbalance that could leave the City complicit in actions it cannot fully oversee or influence.

7. Accountability Gaps

The MOU’s liability provisions state that the FBI is not responsible for actions outside the scope of

the agreement (Section 76). **This creates a chilling effect, discouraging local officers from challenging directives that may conflict with community values or ethics. Additionally, the lack of public reporting requirements limits transparency and hinders residents' ability to assess the fairness of investigations.**

Recommendations for Safeguarding Public Trust

1. Define Federal Interests Clearly

Narrow the scope of what constitutes a federal investigative interest to prevent ambiguous or overly broad applications.

2. Strengthen Local Oversight

Create an independent review body that includes Hyattsville representatives and community members to monitor CBTF operations and ensure accountability.

3. Adopt the Stricter Standards

Require adherence to the stricter of federal or local standards for surveillance and evidence collection to protect residents' civil liberties.

4. Increase Transparency

Mandate regular public reporting on CBTF activities, including data on cases opened, closed, and outcomes, to ensure transparency and accountability.

5. Guard Against Partisan Influence

Include explicit provisions to prevent politically motivated investigations, drawing lessons from the abuses revealed in COINTELPRO.

The FBI and Hyattsville Police Department share a responsibility to ensure justice is administered fairly and without bias. This MOU, as currently drafted, risks undermining those principles by granting excessive control to federal authorities without sufficient safeguards for the public. The lessons of COINTELPRO remind us how dangerous unchecked power can be when partisan motivations intersect with law enforcement operations.

I urge the City to reconsider the terms of this agreement and implement the recommendations outlined above to protect the rights and freedoms of all residents.

For concerned readers, please contact your elected people in email directly to express your concerns about the attached MOU.

Thank you for reading my take.

Sincerely,
Chuck Perry, Ward 3



Hyattsville City Goals vs. Stricter Rent Stabilization Policy Impact

Wednesday, October 30, 2024

The Apartment and Office Building Association (AOBA) of Metropolitan Washington is the leading non-profit trade association representing the owners and managers of approximately 155 million square feet of commercial office space and 430,000 residential units across the Washington Metropolitan region. AOBA represents members who own or manage more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George's counties.

Executive Summary:

Hyattsville's proposed rent stabilization policy undermines millions of dollars in approved development and directly contradicts the city's own carefully crafted development framework as outlined in the Housing Action Plan, Hyattsville Business Retention Plan, Hyattsville Sustainability Plan, and the proposed West Hyattsville Queens Chapel Sector Plan. Current residents face immediate risks including reduced maintenance, potential service cuts, and declining housing quality. AOBA asks the city to remain true to its city plans and refrain from implementing a stricter cap on annual rent increases.

Key Takeaways

- A stricter rent stabilization policy conflicts with Hyattsville's strategic housing, business, and sector plans.
- Vacancy control will cost owners millions of dollars, jeopardizing over \$100 million in existing rental housing investments.
- Stricter rent stabilization threatens approved projects aligned with the city's growth goals.

Hyattsville Development goals:

The City of Hyattsville has developed business and housing goals through several strategic reports to reflect the potential of a thriving community that includes all residents. These carefully developed goals reflect years of city planning and market analysis. However, the [proposed rent stabilization policy](#) threatens the likelihood of achieving these goals through several direct mechanisms.

Economic Development Vision

The economic vision as laid out in the [Hyattsville Business Retention and Expansion Strategy](#) (BRE) of June 2021 advised the development of policy toolkits focused on the City's three investment and development zones such as the Gateway Arts District, the Prince George's Plaza Transit District and the West Hyattsville Transit District.





According to the BRE, opportunities for small businesses in the city have been created by an influx of new customers and clients due to the addition of new residential developments like UIP’s Canvas Apartments and Gilbane’s Riverfront on Little Branch Run. However, these developments will likely not come to fruition or will be scaled back due to the city’s proposed rent stabilization policy conflicting with the city’s own goals. The BRE also identifies the threats to the City of Hyattsville, which can be summarized as competition with other nearby jurisdictions and lost opportunities in the Gateway Arts District.

“Growing competition from other Prince George’s County downtown environments (New Carrollton, Bowie, Largo, and Suitland) potentially distributes county resources, customers, and tenants widely and limits growth opportunities for Hyattsville”

While the City of Hyattsville carefully crafted its development vision and regional threats, the city now faces an unprecedented change to the market since the publication of the BRE report. Notably absent from the 2021 BRE report is the City of Greenbelt, which was selected as the future site of the Federal Bureau of Investigation (FBI) headquarters in 2023. Given the potential of 7,500 workers and the promise of a mixed-use, walkable, bikeable powerhouse, Hyattsville’s risk of watching business and housing investments flow to neighboring jurisdictions is increasing.

Housing Development Framework

The city developed the [Hyattsville Housing Action Agenda](#) as a guiding strategic plan for the next ten years with goals focused on creating new housing tools to ensure residents longevity in the city.

The continued longevity and the success of the City of Hyattsville is of interest to The Association and its members who own 3,689 rental units in the city, accounting for over 75 percent of the rental housing supply. That is why the Action Plan makes a strong guidance towards rent regulations in the face of changing market conditions. A stricter rent cap on annual increases would negatively impact rental housing units, especially in aging buildings.

AOBA members not only represent 75 percent of rental units but also account for over \$100 million in SDAT evaluations across Hyattsville's five wards, with a particularly strong presence in Ward 3 (\$60 million) and Ward 1 (\$47 million). This substantial investment in the city's housing stock makes AOBA members key stakeholders in maintaining both housing quality and fiscal stability.





| Hyattsville Ward | Unit Count | SDAT Value Assessment |
|------------------------------------|------------|-----------------------|
| Ward 1 Units | 690 | 47,759,200.00 |
| Ward 2 Units | 264 | 9,797,000.00 |
| Ward 3 Units | 658 | 58,664,000.00 |
| Ward 4 Units | 91 | 11,000,000.00 |
| Ward 5 Units | 538 | 19,676,000.00 |
| Total SDAT Assessment Value | | 129,193,000.00 |

Successful housing development relies on a multi-stage investment cycle. Developers typically develop a property and operate them for five to ten years before selling to second-generation owners who intend to own and operate the property for many decades. This model depends on both stages being financially viable - builders need sufficient returns to attract initial investment, while long-term holders need sustainable operating conditions to maintain quality housing. Examples of these long-term holders can be seen in properties such as Hyattsville House Apartments (Ward 1, 65 units), Kirkwood Apartments (Ward 5, 665 units), and The Devon (Ward 3, 320 units), some of which have not been sold since the 1960s. A 15-year rolling exemption undermines the second stage of this cycle because second generation owners have a limited time to recoup their investment before rent stabilization kicks in. This will inevitably create a shallower pool of potential buyers, which will suppress property values in the city and result in declining transfer and recordation taxes for the Prince George’s County.

Additional housing goals are laid out throughout the plan focusing on an increase in density. The plan lays out supportive land use and zoning tools such as supporting higher density development and “missing middle housing” like duplexes, triplexes, and other various types of homes. While a balance must be struck to support the character of the neighborhood, the support for increased density is referenced in the [Hyattsville Sustainability Plan](#). Missing middle homes could be a key solution in the affordable housing crisis. Until those zoning changes are achieved, AOBA notes there is a strong presence of developments in the pipeline that is in direct alignment with the density goals the city aims to achieve.

Since 2020, Prince George’s County Planning Board approved 18 applications within the City of Hyattsville. Of these applications, three are focused on creating mixed-use development that would bring almost 1,000 additional units to the city. Now, the Planning Board is reviewing two other proposals bringing nearly 600 units to the city, totaling a potential of 1,500 additional units. Consequently, with the build out of these projects, residents will have additional housing options and subsequently benefit from lowered rents.





While Hyattsville has successfully attracted significant development interest, recent experiences from other jurisdictions demonstrate how quickly this momentum can be disrupted by strict rent stabilization policies. In Saint Paul, Minnesota, which implemented strict rent stabilization policies in 2021, major mixed-use development projects have stalled. The [Highland Bridge](#) development, comparable in scale to some Hyattsville's pipeline projects with 2,000 planned units, has paused construction specifically citing the city's rent stabilization ordinance as financing is now [untenable](#).

Direct Policy Contradictions:

Housing Action Plan Contradictions

The contradictions between the proposed rent stabilization policy from the city and existing strategic documents manifest in three key areas - they directly threaten several approved projects, pending plans, and current buildings representing millions of dollars in investment.

The Housing Action Plan directly advises the City of Hyattsville to take caution when developing rent regulations. The report explicitly notes:

“Any pursuit of rent regulations needs to account for local market conditions and the impact of regulating rent on overall development patterns and housing affordability.”

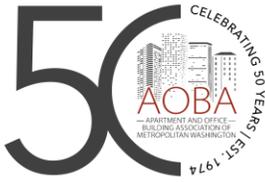
With the city's proposal of a stricter rent cap, the proposal itself contradicts the effort the county made in the [current county law](#) and the city's own advice. As AOBA has mentioned in [previous comments](#) to the city, a flat rate set to the Consumer Price Index (CPI) does not allow housing providers to keep up with local or national market conditions.

For older building communities, current residents will see an immediate negative impact in the maintenance of their properties and a reduction in service. Eventually, residents will notice a reduction in property reinvestment which will impact the overall quality of the neighborhood and in turn lead to a reduction in economic development quality. This concern is noted in the Hyattsville Housing Action Plan:

“Communities have sought to mitigate some common adverse effects of rent regulations, such as limited property investment at regulated properties and harassment of tenants to encourage unit turnover, by offering building maintenance and improvement incentives and adopting tenant protections, respectively.”

AOBA rejects the notion that housing providers have an incentive to evict tenants to increase rents to market. This past year, the Maryland General Assembly increased court fees for eviction filings and made it more difficult to recover filing fees, which creates a built-in disincentive to evict tenants. Moreover, it costs housing providers roughly two months to turnover a unit, which equates to two months of lost rent. In the sad but





necessary event of a filing, especially in Failure to Pay Rent Cases (FTPR), this can cost a housing provider up to \$8,000 in court costs.

The Cost of Vacancy Control

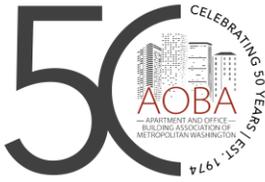
When the unit eventually returns to the market, vacancy control prohibits the unit from returning to market rate rent. Which in the City of Hyattsville is much lower than neighboring jurisdictions. A housing provider simply wants to secure their operating income to maintain the unit in proper condition. Housing providers do not have an incentive to push out good tenants for the potential of an unknown situation.

A rent control cap of CPI with a strict vacancy control provision will cost property owners millions. An affordable housing provider in Montgomery County analyzed the cost of vacancy control for a single unit in their portfolio. The analysis tested three scenarios:

1. Annual increases of 6 percent (CPI + 3 percent);
2. Montgomery County's Voluntary Rent Guidelines (VRG), which track CPI, plus a return to market at normal unit turnover after 5 years; and
3. The VRG + Rent Banking with a maximum cap of 10 percent.

Historically, this housing provider has followed Montgomery County's VRG and used turnover to reset rents to market at the 5-year mark. As a result, this allows the housing provider to keep rents low for existing tenants, while keeping up with rising operating expenses. However, with Montgomery County's Rent Stabilization Law in effect, this housing provider will be forced to increase rents at or near the cap to main revenues (Scenario 1).





| | 1. Rent Stabilization Maximum Assumes 6% annual increase | | 2. VRG + Mark-to-Market Assumes 2.6% annual increase, with increase to match market rent on turnover every five years | | 3. VRG + Rent Banking Assumes 2.6% annual increase, with 10% increase on turnover every five years | |
|--------------------------|---|--------------|--|--------------|---|--------------|
| | Increase | Monthly Rent | Increase | Monthly Rent | Increase | Monthly Rent |
| Year 1 | | \$1,500 | | \$1,500 | | \$1,500 |
| Year 2 | 6% | \$1,590 | 2.6% | \$1,539 | 2.6% | \$1,539 |
| Year 3 | 6% | \$1,685 | 2.6% | \$1,579 | 2.6% | \$1,579 |
| Year 4 | 6% | \$1,787 | 2.6% | \$1,620 | 2.6% | \$1,620 |
| Year 5 (unit turns over) | 6% | \$1,894 | 13% | \$1,894 | 10% | \$1,782 |
| Revenue over 5 years | \$101,468 | | \$97,582 | | \$96,242 | |
| vs Scenario 1 | | | -3.8% | | -5.2% | |
| vs Scenario 2 | | | | | -1.4% | |
| Revenue over 20 years | \$634,362 | | \$623,514 | | \$530,858 | |
| Vs Scenario 1 | | | -5.8% | | -19.8% | |
| vs Scenario 2 | | | | | -14.9% | |

Moreover, Scenarios 2 and 3 result in losses for this one unit ranging from 1.4 percent to 5.8 percent over 5 years. Extrapolating this model across an entire property amounts to millions in lost revenue that would otherwise go towards property maintenance and operations. Note that neither Scenarios 2 nor 3 are possible under the city’s proposed rent stabilization policy, so the impacts would be more acute in Hyattsville.

Maintenance and Quality Contradictions

As we focus on maintenance and the quality of life for residents, the city has laid out clear goals in the [West Hyattsville Queen Chapel Sector draft](#) for properties. In HN 2.3, the policy reveals the importance of retaining key multifamily buildings and ensuring continued maintenance of the property.

“Work closely with property owners, the Cities of Hyattsville and Mount Rainier, and Prince George’s County to retain key multifamily developments and to ensure continued maintenance, rehabilitation, and rent stabilization of strategically located multifamily housing throughout the sector plan area...”

Against the interest of AOBA and its members, rent stabilization is noted here in HN 2.3. However, we note the key wording, “rent stabilization of strategically located multifamily housing.” Without diving into the legality of such a suggestion, we argue the Prince George’s County Council strategically implemented rent stabilization that allows enough of a buffer for older properties to maintain and rehabilitate themselves. Without the cushion laid out in the county’s law, the continued rising operating expenses will only hurt current tenants and work counter to the City’s goals laid out in HN 2.3. To elaborate, within the draft plan, the city advises reinvestment of specific properties throughout the city.

Land Use (LU) Policy proposal 5.5, notes:





“Redevelop Kirkwood Apartments into high-density residential uses, with community supporting retail. See also Strategy HN 1.8.”

And Housing and Neighborhoods (HN) Policy 1.8, notes:

“Work with property owners to reposition the properties listed in Table 19 for long-term redevelopment. Rehabilitate these apartment buildings in the short-term to ensure high quality of-life for tenants. In the mid-to-long term, work with tenants and other stakeholders to assist residents in relocating prior to redevelopment. Work with developers to ensure new development offers a mix of unit types, sizes, and price points...”

AOBA shares that Kirkwood Apartments (Ward 5) belongs to the association and has been a long-term owner in the city since the mid 1970s. It is clear that the city aims to bring a better life to all tenants and hopes to work with owners and developers. We strongly argue that stricter rent caps will have adverse effects on policy goals LU 5.5 and HN 1.8 outlined in the West Hyattsville Queen Chapel Sector draft.

Business Retention Conflicts

The proposed rent stabilization policy threatens not only housing development but also Hyattsville’s broader business retention goals while creating an administrative burden to the city. As neighboring jurisdictions – particularly Greenbelt and the incoming FBI headquarters – enhance their competitive position, the City of Hyattsville faces several critical challenges. These business retention challenges would be exacerbated by the proposed stricter rent stabilization policies.

As mentioned earlier, Hyattsville is in continued competition with surrounding jurisdictions. Some are more related to the capacity of local government than others. The BRE report noted that:

“Due to the large geographic area of the county, local government resources can be scarce and difficult to deploy in an impactful way with Hyattsville.”

“Expectations within and of the city government often exceed the capabilities of the personnel and financial resources assigned to accomplishing them.”

These issues will only be exacerbated if the County or the City begins to lose property tax revenue following lower value assessments or disinvestment in the area. Eventually, the issues would compound because of increasing demands on code enforcement resources, the creation of additional administrative burdens for the city-administered housing program, and the requirement of a new compliance monitoring system.

A stricter annual rent cap will also directly contradict opportunities highlighted in the BRE report. The report notes that within The Prince George’s Plaza, there are mixed use development opportunities that cannot be missed:





“Turnover in large-format (big box) stores would create opportunity for dense development that focus on other uses.”

The [Hyattsville Crossing project’s](#) transformation of the Prince George’s Plaza Mall demonstrates the successful business retention strategy in action. The project aims to add residential units and create a modern mixed-use environment that would be attractive to new businesses.

However, these opportunities depend on a reliable housing investment return and a stable residential customer base. A stricter rent cap would reduce the feasibility of mixed-use development financing. Business retention and the development pipeline risk are intrinsically linked. Examples such as the investment in the Riverfront projects that will include several thousand square feet of retail space showcases this connection.

As these business retention challenges demonstrate, Hyattsville’s ability to maintain a vibrant commercial sector depends heavily on stable housing policy. The development pipeline faces similar risk with several key projects illustrating these connections.

Development Pipeline Risks

AOBA notes the BRE report correctly anticipated a housing solution in the Prince George’s Plaza Transit District. As mentioned earlier, of the 18 projects approved by the county’s planning board, a plan bringing 380 units to this lot is now in the works at the Prince George’s County Mall.

The Hyattsville Crossing project (Ward 3) will, if the project remains feasible, implement the business retention strategy of the city and will add units of strong quality for the residents. These transformative projects, like Saint Paul’s Highland Bridge development represents the kind of transit-oriented, mixed-use development that advances multiple city goals. However, Saint Paul’s experience shows how strict rent stabilization can threaten such projects before they break ground. In 2024, Saint Paul officials are considering [downzoning](#) the Highland Bridge site due to extended development delays. This is exactly the type of outcome that could undermine Hyattsville’s strategic vision for its growth districts.

Prior to the County Rent Stabilization law, AOBA members created and preserved housing projects such as Hamilton Manor and Sovren with an emphasis on affordable units. Both of these owners are making large financial investments into the community to preserve the City’s Naturally Occurring Affordable Housing but only through partnerships with national non-profits. In 2021, JBG Smith [solidified a deal](#) to preserve nearly 3,000 units in the DMV area which included the 245 units of Hamilton Manor (Ward 5) for a purchase price of \$39.5 million. In 2022, Gilbane Development Co. coordinated with the Prince George’s County Housing Investment Trust Fund and Amazon’s Housing Equity Fund, creating Sovren, [to offer 147 units](#) at or below 80 percent AMI in a transit-oriented community (Ward 5). Projections such as the aforementioned would be at substantial risk with the city’s stricter proposal.





In the West Hyattsville district, the BRE report introduces the West Hyattsville – Queens Chapel Sector Plan and the importance of Gilbane’s Riverfront at West Hyattsville development (Ward 5). Not only does the project include units below 80 percent AMI, but the project brings 750 apartment units and 15,000 square feet of retail; adding customers and an upgraded retail space to the corridor. This thriving economy and range of housing options is precisely what the sector plan hopes to accomplish.

The West Hyattsville – Queens Chapel Sector Plan pushes for the city to consider higher density and vertical buildings near transit, known as Policy Land Use (LU) 5. More specifically, LU 5.3. references a property:

“Redevelop the properties at 3100 Queens Chapel Road (The Shops at Queens Chillum) and 3171 Queens Chapel Road as mixed-use development...

i) Attract or retain a supermarket on the lower floor(s) of a new mixed-use building at or near the intersection of MD 500 (Queens Chapel Road) and UC-216;”

Interestingly enough, the property itself is outside the boundaries of the City of Hyattsville. However, within the boundaries of the city, at the intersection of 3100 Queens Chapel Road sits a plot of land with a Conceptual Site Plan [requesting](#) the county to approve a zoning change. The change would allow over 200 multifamily residential units and 7,700 square feet of commercial space – which could include a grocery market as mentioned in LU 5.3. This pending application would very clearly help the city meet its goals in the draft sector plan while adding housing units to the city.

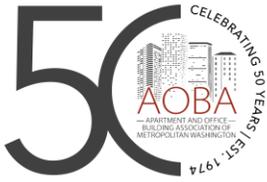
Economic Implications:

The economic impacts extend beyond individual projects to threaten Hyattsville's competitive position in the regional market. The proposed stricter rent cap threatens both stages of housing investment in Hyattsville. For new developments, shorter exemption periods will lower SDAT property tax evaluations, reducing returns for initial builders. For existing properties, especially those held by long-term owners like Kirkwood Apartments, reduced operating margins will impair maintenance and improvement capacity. This dynamic is already anticipated by the city in HN 1.8.

The market impacts observed in Saint Paul illustrate the cascade effect that can occur if strict rent stabilization policies are implemented. Just recently the Mayor of Saint Paul proposed a [loosening of the ordinance](#) specifically to restart stalled development, recognizing that overly strict rent stabilization policies can work against city development and building maintenance goals. Hyattsville has an opportunity to learn from this experience rather than repeat it.

The Association understands the importance of making decisions on factual data and not the anecdotal (i.e., a single project in Saint Paul, MN). The Center for American Progress submitted a report focused on rental housing crisis and the supply answer, warning of decreasing unit [vacancies](#). A recent New York University (NYU) [study](#) argued that boosting housing supply, even higher-cost housing, can have positive ripple effects.





These ripple effects would be seen in the housing availability at lower price-points leading to a trigger known as the “chains of mobility” for residents. Ultimately, if residents had more options, residents would be better off.

Conclusion:

These market impacts will seep into resident-level impacts and eventually cascade into broader community effects, particularly threatening the business environment that supports these same residents. That is why the Association is asking for the City of Hyattsville to consider holding off on a stricter rent stabilization policy and allow for the County law to take effect thus keeping the city in alignment with the city’s own strategic documents.

For more information contact Hugo Cantu, Manager of Government Affairs, at hcantu@aoba-metro.org.





Outlook

Ongoing issues at 193/Adelphi

From Alexander Houck [REDACTED]

Date Mon 11/18/2024 3:37 PM

To [REDACTED]

To the City Clerk:

Can the Council please give an update to any actions they have taken or have planned to help alleviate congestion at 193 and Adelphi with the overflow traffic causing issues in University Hills?

I have personally witnessed a WMATA bus, school bus, and Hyattsville City DPW truck all enter the right turn only lane and force a merge in the intersection. These are all commercial vehicles with trained operators now becoming so frustrated by the traffic pattern that they are willing to ignore traffic signage. Numerous cars continue to disregard no left turn signs and there is a ton of debris in the intersection from broken posts. I know the intersection is County property, but it's Hyattsvillagers paying the price right now. Thank you.

Sincerely,

Alexander Houck

[REDACTED]
Ward 3



HCC-065-FY25: Support quick vote, passage and implementation - no more delays

From Melissa Schweisguth [REDACTED]

Date Mon 11/18/2024 3:12 PM

To [REDACTED]

Dear Mayor and Council

Thanks for your service to the city.

Please do not delay a vote on the rent stabilization ordinance further. I'm disappointed to see the city possibly caving to developer pressure to pause the bill and water it down to match the county's disappointing measure.

A 15-year grace period and CPI are more than enough for developers. Workers, especially lower income renters, are not guaranteed any annual raise let alone CPI. Nor do renters have protection from lease ending in a year and having to find a new unit at market rate.

Even for the federal government Biden proposed 1 or 2 percent and Trump provided 1% in 2021. Developers would fare better than many with CPI alone. They can surely make enough profits with unchecked rent increases in the first 15 years a they operate now.

Please schedule a vote at the next meeting and pass the ordinance as is. The county already had a trial period we can learn from. The long term county bill has been gutted to the point of being almost meaningless and we should not wait a year to see how much further such an approach harms vulnerable renters.

Thanks

Melissa Schweisguth
Ward 5

Begin forwarded message:

From: Melissa Schweisguth [REDACTED]

Date: September 16, 2024 at 15:15:13 EDT

To: [REDACTED]

Subject: HCC-065-FY25: Support quick vote, passage and implementation

Hello mayor and council,

Thank you for bringing a rent stabilization bill back to the City council. As someone who was able to get settled in the Dc area thanks to Takoma Park's rent control I previously expressed support for HVL's proposed measure, which the county's new rent stabilization bill makes timely and urgent. I ask that you support a vote as soon as possible, vote for the measure, and champion rapid implementation.

The new county bill is substantially weaker than the short-term measure the county enacted in 2023 and the measure Hyattsville proposed, failing to provide basic and reasonable protections to vulnerable renters. Notably, the new county measure it exempts properties built after 2000, which is a sizeable exemption given the development boom in the last ten years alone and will result in an increasing number of exempt properties every year as development continues. Hyattsville's proposed measure would apply to buildings constructed more than 15 years ago (e.g., pre-2009), a term I feel is generous enough (in fact too generous).

The County bill also allows rent increase up to 6% beyond the CPI, while Hyattsville proposed the CPI. Few workers, especially those in lower income brackets where renters skew, get annual cost of living increased to their income that track with the CPI or inflation, and a salary increase of 3-6 percent above CPI seems quite rare without a good promotion. Many renters are already paying more than one-third of their incomes in rent and will be priced out of many markets through the county measure.

When I had to leave my rent-controlled apartment and move into an unregulated unit in Montgomery County, I experienced high rent increases that led me to have to find new housing every two years. As I had savings I was able to afford to buy a house and pay less for my mortgage than I would pay to rent. Renters without my resources should not be subject to out of control rent increases that push them out of their communities and disrupt families and lives.

Please support a timely vote, full passage and quick implementation of the strong rent stabilization measure Hyattsville proposed in 2023.

Thanks for all you do!

Melissa Schweisguth
Ward 5