

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_Z4oMJOSKSACN3y3BBTuVSg

Monday, November 7, 2022

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.

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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, November 7, 2022 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-117-FY23](#)

I move that the Mayor and Council approve the Council Meeting Minutes of May 16, 2022, October 3, 2022, October 17, 2022 and the Public Hearing Minutes of October 17, 2022.

Sponsors: City Administrator

Department: City Clerk

Attachments: [MeetingMinutes May 16 2022](#)
[MeetingMinutes Oct 03 2022](#)
[MeetingMinutes Oct 17 2022](#)
[Public Hearing Minutes Oct 17 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: November 8, 2022 - November 21, 2022**[HCC-101-FY23](#)

N/A

Sponsors: City Administrator**Department:** City Clerk**Attachments:** [City Calendar November 8, 2022 - November 21, 2022](#)**7. Motion to Close (7:20 p.m. - 7:35 p.m.)****7.a. Motion to Close**[HCC-133-FY23](#)

I move the Mayor and Council close the Council Meeting of November 7, 2022, to consult with the City Attorney to receive legal advice.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305 (b)(7) consult with counsel to obtain legal advice.

Sponsors: City Administrator**Department:** City Clerk**8. City Administrator Update (7:35 p.m. - 8:05 p.m.)****9. Proclamations****9.a. Proclamation Recognizing Native American Heritage Month**[HCC-113-FY23](#)

I move that Mayor and Council adopt a proclamation to declare November 2022 as Native American Heritage Month in the City of Hyattsville.

Sponsors: City Administrator**Department:** City Clerk**Attachments:** [CM 1107 Native American Heritage Month 2022](#)

9.b. Proclamation Recognizing Municipal Government Works Month [HCC-114-FY23](#)

I move that the Mayor and Council adopt a proclamation recognizing November 2022 as Municipal Government Works Month in the City of Hyattsville.

Sponsors: City Administrator

Department: City Clerk

Attachments: [CM 1107 Municipal Government Works Month 2022](#)

9.c. Proclamation Recognizing Veterans Day [HCC-115-FY23](#)

I move that the Mayor and Council proclaim November 11, 2022, to be Veterans Day in the City of Hyattsville.

Sponsors: City Administrator

Department: City Clerk

Attachments: [CM 1107 Veterans Day Proclamation 2022](#)

9.d. Proclamation Recognizing American Education Week [HCC-116-FY23](#)

I move that the Mayor and Council adopt a proclamation in honor of American Education Week, November 13 - 19, 2022.

Sponsors: City Administrator

Department: City Clerk

Attachments: [CM 1107 American Education Week 2022](#)

10. Appointments

10.a. Appointments to the Compensation Review Committee[HCC-123-FY23](#)

I move that the Mayor, with Council approval, appoint Juan Castillo (Ward 1), Melinda Baldwin (Ward 2), Bette Dickerson (Ward 2), Michael Horlick (Ward 2), Tom Wright (Ward 3), Alexi Boado (Ward 4), and Patricia Page (Ward 5) to the Compensation Review Committee.

Sponsors: City Administrator

Department: City Clerk

Attachments: [Castillo Comp Committee Application Ward 1 redacted](#)
[Dickerson Comp Committee Application Ward 2 redacted](#)
[Baldwin Comp Committee Application Ward 2 redacted](#)
[Horlick Comp Committee Application Ward 2 redacted](#)
[Wright Comp Committee Application Ward 3 redacted](#)
[Boado Comp Committee Application Ward 4 redacted](#)
[Page Comp Committee Application Ward 5](#)

11. Consent Items (8:05 p.m. - 8:10 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.

11.a. Purchase of an Electric Trash Truck[HCC-34-FY23](#)

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with Potomac Truck Center for the purchase of an electric trash truck, and authorize an expenditure not to exceed \$680,000 of American Rescue Plan Act funds. The Treasurer is authorized to make the required modification to the budget to facilitate this purchase, pending legal review.

Sponsors: City Administrator

Department: Public Works

Attachments: [SKM C250i22101011330](#)

11.b. Purchase of Road Salt[HCC-111-FY23](#)

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with Morton Salt for an expenditure not to exceed \$35,000, pending legal review. This procurement will utilize the State of Maryland blanket purchase order #001B3600124 issued September 21, 2022.

Sponsors: City Administrator

Department: Public Works

Attachments: [221025 - Sate of Maryland - Road Salt PO 001B3600124](#)

11.c. Agreement with the United States Department of Treasury[HCC-118-FY23](#)

I move that the Mayor and Council authorize the City Administrator upon legal review to approve an agreement between the City of Hyattsville and the United States Department of Treasury. The agreement will require the Department of Treasury to reimburse the City for HPD officers who will provide additional security surrounding the Department of Treasury premises. The agreement will be for a three (3) year term.

Sponsors: City Administrator

Department: Police Department

Attachments: [Agt City of Hyattsville Dept of Treasury.docx](#)

11.d. 2023 Council Regular and Budget Meeting Calendar[HCC-121-FY23](#)

I move that the Mayor and Council adopt the 2023 Council Meeting Schedule and the FY-2024 Budget Meeting Schedule.

Sponsors: City Administrator

Department: City Clerk

Attachments: [Calendar of Budget Presentations FY24 draft](#)
[2023 Council Meeting Calendar - DRAFT](#)

11.e. FY23 CIP Budget Amendment: Adjust FY23 DPW CIP Budget Appropriations [HCC-124-FY23](#)

I move that the Mayor and Council amend the FY23 DPW Capital Improvements Budget and adjust budget appropriations for 3505 Hamilton Street not to exceed \$18.7 million to cover the cost of the Whiting-Turner contract previously approved by Council on April 4, 2022, in motion HCC-299-FY22.

Sponsors: City Administrator

Department: Finance

11.f. FY23 Special Revenues Funds Grant Budget Appropriation Amendment: FEMA COVID-19 Reimbursement Grant [HCC-125-FY23](#)

I move that the Mayor and Council amend the FY23 Special Revenues Funds Budget to appropriate estimated COVID-19 FEMA Reimbursement Grant Funds in the amount not to exceed \$244,583 for vaccine costs and an additional amount not to exceed \$291,997 for testing site costs for a combined total of \$536,580 in estimated COVID costs that will be 100% reimbursable by FEMA for the period July 1, 2022, to June 30, 2023.

Sponsors: City Administrator

Department: Finance

11.g. Small Business Emergency Relief Program Funding Increase [HCC-126-FY23](#)

I move that the Mayor and Council allocate and authorize the expenditure of an additional \$500,000 for the Small Business Emergency Relief program using American Rescue Plan Act funds, bringing the total allocation for Small Business Relief Programs under ARPA to \$1,500,000.

Sponsors: City Administrator

Department: Finance

11.h. Purchase of Covid-19 Test Kits for Public Distribution [HCC-127-FY23](#)

I move that the Mayor and Council allocate and authorize the expenditure of an amount not to exceed \$125,000 for the purchase of COVID-19 test kits directly for public distribution, using American Rescue Plan Act funds.

Sponsors: City Administrator

Department: Finance

11.i. Rebuild of the engine for Trash Truck #SW67 [HCC-128-FY23](#)

I move that the Mayor and Council authorize an increase in expenditure not to exceed (NTE) \$30,000 approved in Sept 2022 (HCC-73-FY23) to NTE \$50,000 to Beltway International Trucks for the rebuilding of the engine of the trash truck numbered SW67. This increase is to cover additional parts and labor for unknown issues discovered during the repair process.

Sponsors: City Administrator

Attachments: [EST 3698552 CITY OF HYATTSVILLE](#)
[Unit 109281 \(Inframe rebuild\)](#)

11.j. Street Signage Replacement in University Hills [HCC-130-FY23](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$30,000.00 to Shannon-Baum Signs for furnishing and installing street signs in the University Hills area of the City. The replacement of the street signs is the final work to be completed as part of the University Hills Street and Sidewalk projects, and will be completed under their existing rider contract with the City.

Sponsors: City Administrator

Department: Public Works

Attachments: [221027 - shannonbaum - uhills sign estimate](#)

11.k. Healthy Trees Hyattsville Program Implementation [HCC-131-FY23](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$10,000 to Casey Trees to provide structural pruning, training, and public tree plantings as part of the implementation of the Healthy Trees Hyattsville program.

Sponsors: City Administrator

Department: Public Works

Attachments: [Memo DawnTaft 220829](#)

12. Action Items (8:10 p.m. - 9:10 p.m.)

12.a. WSSC Water and Sewer Utility Easement[HCC-119-FY23](#)

I move the Mayor and Council deny the request for a water and sewer utility easement along sections of the northeast quadrant of David C. Driskell Community Park and authorize the City Administrator to provide correspondence to the Washington Sanitary Sewer Commission (WSSC) notifying the agency of the City's decision.

Sponsors: City Administrator

Department: Community & Economic Development

Attachments: [WSSC Easement Request](#)
[6538Z18 Approved Sketch#1](#)
[Memo - WSSC Public Use Easement - 2022](#)

12.b. Zoning Variance Request: V-57-22 - 3510 Lancer Drive, Hyattsville[HCC-120-FY23](#)

I move the City Council authorize the Mayor to send correspondence to the Prince George's County Board of Zoning Appeals (BZA) requesting the denial of a variance request for the subject property at 3510 Lancer Drive, Hyattsville. The correspondence shall (1) cite the applicant's existing conditions which significantly exceed the maximum net lot area coverage of 35% and (2) recommend that the applicant be required to remediate the site with the incorporation of pervious materials and/or supplemental stormwater management.

Sponsors: City Administrator

Department: Community & Economic Development

Attachments: [Memo - V-57-22 FINAL](#)
[V-57-22 Application and Supporting Documents](#)
[City of Hyattsville Zoning Variance Policy Statement](#)

12.c. City of Hyattsville Ward Redistricting: Selection of Ward Boundary Map [HCC-129-FY23](#)

I move the Mayor and Council direct the City Attorney to draft a Charter Amendment Resolution adjusting the Ward Boundaries of the City as indicated in the INSERT NAME OF MAP presented by the 2022 Redistricting Commission. I further move that the Mayor and Council schedule a Public Hearing on the proposed Charter Amendment Resolution to be held at 6 PM on Monday, December 5 2022

Sponsors: City Administrator

Department: City Clerk

Attachments: [coh_redistricting_commission_recommendation_memo_nov2022](#)
[Growth Conscious Map \(version 3\)](#)
[Minimal Adjustments Map \(1\)](#)

13. Discussion Items (9:10 p.m. - 9:25 p.m.)**13.a. Hyattsville Ordinance 2022-06: 5G Permits** [HCC-112-FY23](#)

Discussion Only

Sponsors: City Administrator

Department: Public Works

Attachments: [Final Memo - 5G Draft Ordinance](#)
[221026 - Ordinance amending Chapter 105 - small cell - Council Draft](#)
[221026 - Small cell regulations and application - Council draft](#)

14. Council Dialogue (9:25 p.m. - 9:35 p.m.)**15. Motion to Adjourn**



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Agenda Item Report

File #: HCC-117-FY23

11/7/2022

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 Council Meeting Minutes of May 16, 2022, October 3, 2022, October 17, 2022 and the Public Hearing Minutes of October 17, 2022.

Summary Background:

Action summaries for Council Meetings are posted to the City website within 48 hours of the meeting. Please see attached minutes.

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

Monday, May 16, 2022

7:00 PM

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Virtual

City Council

Robert S. Croslin, Mayor
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
Joseph Solomon, Ward 5
Rommel Sandino, Ward 5

ADMINISTRATION

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1. Call to Order and Council Roll Call

The meeting was called to order at 7:06 p.m.

Also Present:

City Administrator-Tracey Douglas

Assistant City Administrator-Jim Chandler

City Treasurer-Ron Brooks

Director of Public Works-Lesley Riddle

Director of Community Services-Sandra Shepherd

City Clerk-Laura Reams

Present:

Mayor Robert Croslin

Councilmember Joseph Solomon

Council Vice-President Danny Schaible

Councilmember Sam Denes

Councilmember Joanne Waszczak

Councilmember Ben Simasek

Councilmember Jimmy McClellan

Councilmember Daniel Peabody

Councilmember Rommel Sandino

Absent:

Councilmember Edouard Haba

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

City Clerk Laura Reams read the motion to remove item 10.f Suffrage Point Development - Land Dedication for Preliminary Plan of Subdivision 4-21052 from the agenda. Councilmember Schaible seconded the motion. The motion was approved unanimously.

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

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

Absent: Haba

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

Sarah Weber spoke in support of the Council's letter addressing the Prince George's County Public School's Boundary Initiative.

Greg Smith spoke in support of the Council sending a letter to the County Planning Board reiterating its position in regards to the Suffrage Point Development.

Claire Panak spoke about her concern regarding the amount of money that families with children receive from the ARPA individual relief program.

David Marshall provided a written comment in opposition to the City tax rate and in opposition to the funds used for police mobile support trailers. He raised a question about the amount of members proposed for the redistricting commission.

Chuck Perry provided a written comment in opposition to the proclamation regarding mental health awareness, the police mobile support trailers, and renewal of the contract with Axon Enterprise, Inc.

5. Community Notices and Meetings

5.a. Main City Calendar: May 17 - June 6, 2022

[HCC-378-FY22](#)

N/A

Sponsors: City Administrator

Attachments: [City Calendar May 17, 2022 - June 6, 2022](#)

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

City Administrator Tracey Douglas provided an update on City related news and events.

7. Treasurer Update (7:35 p.m. - 7:45 p.m.)

City Treasurer Ron Brooks provided an update on the City's year to date financial position and the status of the FY20 and FY21 audits.

American Rescue Plan Program Manager Patrick Paschall gave an update on ARPA funds and timelines for related City programs.

8. Proclamations (7:45 p.m.)

- 8.a.** Proclamation Celebrating May 2022 as Mental Health Awareness Month in the City of Hyattsville [HCC-377-FY22](#)

I move that the Mayor and Council proclaim May 2022 as Mental Health Awareness Month in the City of Hyattsville.

Sponsors: City Administrator

Attachments: [CM 0516 Mental Health Month 2022](#)

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

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

Absent: Haba

9. Consent Items (7:45 p.m. - 7:50 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 Vice-President Schaible, seconded by Councilmember Denes, to approve the Consent Agenda. The motion carried unanimously.

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

Absent: Haba

- 9.a. Annual Service Agreement with Motorola for Radio Communications Dispatch System, Portable and Mobile Radios.** [HCC-362-FY22](#)

I move that the Mayor and Council authorize the expenditure of \$34,861.31 for the one year renewal of the Annual Motorola Service Agreement for maintenance on our dispatch console, portable and mobile radios.

Sponsors: City Administrator

Attachments: [Hyattsville SA FY22-23](#)

- 9.b. Driskell Park Tennis and Pickleball Court Resurfacing** [HCC-364-FY22](#)

I move that the Mayor and Council authorize the City Administrator to accept the proposal from American Paving and Striping LLC for the resurfacing of the tennis courts at Driskell Park, and authorize an expenditure not to exceed \$30,000, pending legal review.

Sponsors: City Administrator

Attachments: [Estimate 386 from American Paving and Striping LLC \(002\)](#)

9.c. Landscape Maintenance Contract Change Order [HCC-365-FY22](#)

I move that the Mayor and Council authorize the City Administrator to issue a change order to Professional Lawn Maintenance Services existing contract to provide landscaping services to change the maximum contract value from \$320,000 to \$500,000 over the four year term of the contract.

Sponsors: City Administrator

Attachments: [210326 - contract DPW21-002 - PLMS landscape maintenance - plms signed](#)

9.d. Purchase of a Key Management System [HCC-366-FY22](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$40,000 to Keyper Systems for the purchase, installation, and setup of a digital key management system, pending legal review.

Sponsors: City Administrator

Attachments: [2022.03.21 - KeyPER System Quote](#)

9.e. Mobile Police Support Trailers [HCC-370-FY22](#)

I move that the Mayor and Council authorize the purchase of two Police Department Mobile Support Trailers and upgrades to existing mobile support trailers at a cost not to exceed \$175,000 using American Rescue Plan Act Funds.

Sponsors: City Administrator

Attachments: [Mobile Police Trailer Features Brochure 1 Quote - Mobile Police Trailers 2 Upgrades](#)
[Quote - Mobile Police Trailers 2 New](#)
[Mobile Police Trailer Features Brochure 2](#)

10. Action Items (7:50 p.m. - 9:45 p.m.)**10.a. Hyattsville Ordinance 2022-01: Fiscal Year 2023 Budget (Introduction)** [HCC-371-FY22](#)

I move the Mayor and Council introduce Hyattsville Ordinance 2022-01, an ordinance adopting an annual budget for the Fiscal Year July 1, 2022 through June 30, 2023, for the general purpose, fixing the tax rates for the Fiscal Year beginning July 1, 2022; authorizing collection of taxes herein levied, and appropriating funds for the fiscal year (INTRODUCTION AND FIRST READING).

Sponsors: City Administrator

Attachments: [HO 2022-01 Fiscal Year 2023 Budget](#)

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, Waszczak, Simasek, McClellan, and Peabody

Nay: Sandino

Absent: Haba

10.b. Hyattsville Resolution 2022-03: Establishing a Redistricting Commission

[HCC-376-FY22](#)

I move the Mayor and Council adopt Hyattsville Resolution 2022-03, a resolution whereby the City Council establishes a seven (7) person Redistricting Commission to make recommendations on the reapportionment of the City's five (5) wards based on population data from the 2020 U.S. Census (INTRODUCTION & ADOPTION)

Sponsors: City Administrator

Attachments: [Resolution 2022-03- Redistricting Commission](#)

Councilmember Solomon expressed his desire to see the number of members allowed to serve on the Redistricting Committee be increased.

Councilmember Simasek expressed his support for the committee to anticipate future development when determining boundaries.

Councilmember Denes expressed his concern about the committee's ability to reach a quorum in the summer months if the number of committee members were to be increased.

Councilmember Waszczak asked if there was precedent for setting a range of committee members rather than a finite number.

City Clerk Laura Reams stated the City Staff's support for the increase in number of members to serve on the Redistricting Committee.

Councilmember Solomon motioned to amend the number of members on the Redistricting Committee from seven to nine. The motion was seconded by Councilmember Denes. The amendment to the motion passed unanimously.

Councilmember Waszczak asked if there is any reason that a person may be ineligible to serve on the Redistricting Committee.

Ms. Reams replied that the Council has the discretion to create stricter requirements than what is already stated in the resolution.

Councilmember Waszczak asked if there was a general set of criteria that City Staff is already using to determine membership of the committee.

Ms. Reams listed the general considerations that will be evaluated when assessing potential members.

Council Vice-President Schaible expressed his preference to set the final number of members in the beginning of the process rather than try to add more later.

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

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

Absent: Haba

10.c. Renewal of Axon Enterprise, Inc. Contract and Upgrade of Axon Program

[HCC-349-FY22](#)

I move the Mayor and Council to authorize the City Administrator to execute a renewal contract for a period of 5 years, at a cost not to exceed \$138,729.72 in FY22 with Axon Enterprise and approve an upgrade of the Police Department's taser program with Axon, upon the review and approval by the City Attorney for legal sufficiency.

Sponsors: City Administrator

Attachments: [Axon Enterprise Contract Renewal](#)

Lieutenant Zach Nemser of the Hyattsville Police Department provided information about the improvements to body camera activation and taser functionality as a result of the technology provided through this contract.

Councilmember Waszczak asked about the amperage control of the taser in relation to the new technology.

Mr. Nemser replied that the new technology allows the taser to reduce amperage based on quality of contact.

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

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

Absent: Haba

10.d. Individual Emergency Relief Program - ARPA[HCC-368-FY22](#)

I move that the Mayor and Council allocate and authorize expenditure of \$1,200,000 during FY22-FY23 for the establishment of an individual emergency relief program to support Hyattsville residents who have experienced pandemic-related negative economic consequences, with amounts designated for the following purposes:

- \$1,000,000 for individual relief payments, which consist of \$2,500 per adult individual and \$750 per child (up to a cap of \$5,000 per household) upon showing that the individual is a resident of the City of Hyattsville and experienced pandemic-related negative economic consequences eligible for relief under the American Rescue Plan Act.
- An amount NTE \$100,000 for program administration through a local-serving non-profit organization selected through a public Request for Proposals outlining the criteria needed for implementation.
- An amount NTE \$100,000 for outreach and application assistance programs to ensure relief programs are accessible for all communities within the City.

Sponsors: City Administrator

Councilmember Simasek asked how about the application process and supporting documentation that would be required.

American Rescue Plan Program Manager Patrick Paschall provided details regarding required documents and security of sensitive information contained in provided documents.

Mr. Paschall shared information about the administration of the Individual Emergency Relief Program.

Councilmember Waszczak asked about the structure of family payments and the plan for supporting small businesses.

Mr. Paschall responded that Council has the authority to change the amount of family payments.

Councilmember Sandino proposed the definition of household be changed to account for multiple families living at the same address.

Councilmember Solomon expressed his support for altering the definition of household.

Mr. Paschall responded that the definition change of household can be an administrative change made after the motion passes.

Council Vice-President Schaible made a motion to amend the motion to raise the child benefit from \$750 to \$1,250. Councilmember Peabody seconded the amendment to the motion. The amendment to the motion to passed unanimously.

A motion was made by Council Vice-President Schaible, seconded by Councilmember Denes, that this

agenda item be Approved as Amended. The motion carried by the following vote:

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

Absent: Haba

10.e. Emergency Food Assistance Relief Programs - ARPA

[HCC-369-FY22](#)

I move that the Mayor and Council allocate \$200,000 to establish a non-profit food assistance programs serving Hyattsville residents, and authorizing expenses in the form of grants up to \$25,000 per food assistance provider for the purpose of providing free meal programs to Hyattsville residents in need.

Sponsors: City Administrator

American Rescue Plan Program Manager Patrick Paschall provided the Council with information about the Emergency Food Assistance Relief Program.

Councilmember Waszczak asked about the requirement to be in good standing with the Maryland State of Assessment and Taxation.

Mr. Paschall replied that this requirement is not related to taxes but rather in regards to verifying the legitimacy of a business in the State of Maryland.

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, Waszczak, Simasek, McClellan, Peabody, and Sandino

Absent: Haba

10.f. Suffrage Point Development - Land Dedication for Preliminary Plan of Subdivision 4-21052

[HCC-375-FY22](#)

I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission regarding land dedication for Preliminary Plan of Subdivision 4-21052. The correspondence shall include the following language as conditions for approval:

1. The applicant shall dedicate a portion of Parcel B2 to the City of Hyattsville as conditions adopted by the Planning Board. The land area shall be donated at no cost to the City and deed to be recorded in the Prince George's County land records.
2. No portion of this dedication land shall include compensatory storage.

Sponsors: City Administrator

Attachments: [Memo - PPS 4-21052 - Suffrage Point - 05.11.2022 Final](#)
[PPS-4-21052- possible donation area - hm markup with traffic circle](#)

This item was removed from the agenda during the approval of the agenda.

This agenda item was Withdrawn.

11. Discussion Items (9:45 p.m. - 10:20 p.m.)

11.a. PGCPs School Boundary Initiative Recommendations[HCC-344-FY22](#)

I move that the Council authorize the Mayor to send a letter to PGCPs CEO, Dr. Goldson, and Board of Education Members on behalf of the City Council to request the consideration of school boundary recommendations that prioritizes keeping our Hyattsville PGCPs communities intact and with minimum disruptions.

Sponsors: Sandino, Croslin, Schaible and Solomon

Attachments: [PGCPs School Boundary Initiative Recommendations](#)

Councilmember Sandino provided the Council with information regarding the Prince George's County Public School District school boundary initiative and a draft of the letter he proposes sending to PGCPs outlining the City's position.

Councilmember Denes expressed his concern that the letter opposes and supports aspects of each proposed boundary shift, rather than selecting which plan the City prefers.

Councilmember Waszczak expressed her support for the letter and advocated for more Ward 1 residents to be placed in the Hyattsville Elementary School boundary. She asked Councilmember Sandino to clarify the community outreach that has been done on this issue.

Councilmember Sandino explained the efforts of other community groups to address the boundary initiative.

Councilmember Denes reiterated his concern that the City is not providing a reasonable alternative through this letter.

Councilmember Simasek expressed his support for the letter.

Councilmember Solomon clarified that the motion is to authorize a letter and that the current version of the letter is a draft that could be changed.

Council Vice-President Schaible expressed his support for Hyattsville residents to stay in Hyattsville Schools.

The motion was moved to action and approved.

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

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

Absent: Haba

Abstain: Denes

11.b. Hyattsville Ordinance 2022-02: Municipal Gas-Powered Leaf Blower Ban[HCC-356-FY22](#)

FOR DISCUSSION

Sponsors: Schaible, McClellan, Simasek and Solomon

Attachments: [Amended Chapter 79 - Leaf Blower - 5.11.2022](#)
[Recommendation to Address Noise and other Impacts from GPLB](#)

Councilmember Denes asked for clarity around the projected cost to administer the rebate program.

Director of Public Works Lesley Riddle replied that the City will have to go through the RFP process to determine the final cost.

Councilmember Waszczak asked about feedback from landscape companies regarding this proposed change.

Ms. Riddle responded that many in the industry are beginning to change in favor of electric run equipment due to municipalities enacting similar restrictions on gas-powered tools.

Councilmember Schaible added that he has received mixed reaction from landscape contractors about the proposed change.

Councilmember Solomon asked if gas-powered leaf blowers will only be prohibited on residential property but allowed to be used on commercial property.

Assistant City Administrator Jim Chandler commented that the City did not add in language to include use restrictions on commercial property. He added the City did add language to clarify the hour restrictions related to noise.

Council Vice-President Schaible moved to place the discussion item on action for a vote.

City Clerk Laura Reams reminded the Council of the need to give public notice prior to the first reading of a new City ordinance, therefore the first action vote on this item should be held at the next Council Meeting.

12. Council Dialogue (10:20 p.m. - 10:30 p.m.)**14. Motion to Adjourn**

The meeting was adjourned at 10:45 PM.

A motion was made by Councilmember Solomon, seconded by Councilmember Peabody, that the motion to adjourn be Approved. The motion carried by the following vote:

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

Absent: Haba

City of Hyattsville

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



Meeting Minutes

Monday, October 3, 2022

7:00 PM

Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_RDY6JMv2QsGybW1fFw778A

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
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.

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:

As we continue to take precautions due to the COVID-19 (Coronavirus) pandemic, the Hyattsville City Council will hold its meeting on Monday, October 3, 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_RDY6JMv2QsGybW1fFw778A

1. Call to Order and Council Roll Call

The meeting was called to order at 7:03 p.m.

Also Present:

City Administrator-Tracey Douglas
 Assistant City Administrator-Jim Chandler
 Chief of Police-Jarod Towers
 Director of Community Services-Sandra Shepherd
 Director of Human Resources-Vivian Snellman
 City Clerk-Laura Reams
 Deputy City Clerk-Nate Groenendyk
 City Planner-Taylor Robey
 American Rescue Plan Fund Program Manager-Patrick Paschall

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

2. Pledge of Allegiance to the Flag

3. Moment of Silence For David C. Harrington

4. 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, Denes, Waszczak, Simasek, and McClellan

Absent: Haba, Peabody, and Sandino

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

Melissa Schweisguth spoke in support of the Animal Welfare and Community Safety Act with recommendations to clarify the language to better align with County Code.

Chuck Perry provided a written comment expressing his concern regarding ADA accessibility for public meetings.

Michael Goudey provided written comment expressing his concern that the language in the Animal Welfare and Community Safety Ordinance lacks adequate standards and requires clarification.

Chuck Perry provided written comment in agreement to regulating pet noise but also his concern about a neighbor with possible code compliance violation.

Irene Marsh provided written comment in support of the Animal Welfare Act, adding Prince George's County Animal Control often does not respond as quickly as needed.

Camille Edwards Benehoff provided written comment in support of the Animal Welfare Act but is concerned the Act as written would not sufficiently address the needs of the community which requires more enforcement. She advocated for the animal liaison position and expanding the position beyond the current legislation to work in public engagement and outreach.

Ryan Pidgeon, on behalf of the Hyattsville Volunteer Fire Department, spoke to request support from the City to build a new firehouse. He added that the current County plan to provide only a renovation would not be adequate.

6. Community Notices and Meetings

6.a. Main City Calendar: October 3, 2022 - October 17, 2022

[HCC-81-FY23](#)

N/A

Sponsors: City Administrator

Attachments: [City Calendar October 3, 2022 - October 17, 2022](#)

7. City Administrator Update (7:20 p.m. - 8:00 p.m.)

City Administrator Tracey Douglas provided updates on various City programs and events.

American Rescue Plan Program Manager Patrick Paschall updated the Council on the City's ARPA programs.

Councilmember Waszczak suggested the City work with local property managers to offer emergency response training. She also asked for the City to remind the community about the roll out of the gas-powered leaf blower ban and rebate.

Council Vice-President Schaible spoke about the Gas-Powered Leaf Blower trade-in event on October 22.

Council President Solomon expressed his concern about the rejection rate for ARPA funding via businesses. Mr. Paschall responded that city staff has been working with applicants to review applications and provide them with support to meet the requirements of the program.

Councilmember Simasek inquired about outreach for the childcare assistance portion of the ARPA program, and asked about specific outreach to providers and the mechanisms of subsidized care.

Mr. Paschall replied with an overview of the subsidize care grant process and added that he will be reaching out to the Maryland Department of Education to get a list of licensed childcare providers within the City.

-Police Recruitment and Retention

Chief of Police Jarod Towers shared information regarding recent challenges relating to police office recruitment and retention.

8. Proclamations (8:00 p.m. - 8:05 p.m.)**8.a. Proclamation Recognizing Breast Cancer Awareness Month**[HCC-77-FY23](#)

I move that the Mayor and Council adopt a proclamation recognizing October 2022 as Breast Cancer Awareness Month in the City of Hyattsville.

Sponsors: City Administrator

Attachments: [CM1004 Breast Cancer Awareness Month 2021](#)

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, Denes, Waszczak, Simasek, and McClellan

Absent: Haba, Peabody, and Sandino

8.b. Proclamation Celebrating October 2022 as National Disability Employment Awareness Month [HCC-78-FY23](#)

I move that the Mayor and Council adopt a proclamation recognizing October 2022 as National Disability Employment Awareness Month in the City of Hyattsville.

Sponsors: City Administrator

Attachments: [CM 1004 National Disability Employment Awareness Month 2021](#)

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, Denes, Waszczak, Simasek, and McClellan

Absent: Haba, Peabody, and Sandino

8.c. Proclamation Recognizing Domestic Violence Awareness Month [HCC-79-FY23](#)

I move that the Mayor and Council adopt a proclamation recognizing October 2022 as Domestic Violence Awareness Month in the City of Hyattsville.

Sponsors: City Administrator

Attachments: [CM 1004 Domestic Violence Awareness Month 2021](#)

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, Denes, Waszczak, Simasek, and McClellan

Absent: Haba, Peabody, and Sandino

8.d. Proclamation Recognizing October 10, 2022 as Indigenous People's Day [HCC-80-FY23](#)

I move that the Mayor and Council adopt a proclamation recognizing October 10, 2022 as Indigenous People's Day in the City of Hyattsville.

Sponsors: City Administrator

Attachments: [CM 1003 Indigenous Peoples Day Proclamation](#)

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, Denes, Waszczak, Simasek, and McClellan

Absent: Haba, Peabody, and Sandino

8.e. Proclamation in Recognition of National Code Compliance Month[HCC-90-FY23](#)

I move the Mayor and Council adopt a proclamation to recognizing October 2022 as National Code Compliance Month

Sponsors: City Administrator

Attachments: [Proclamation - Code Compliance Month - October 2022](#)

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, Denes, Waszczak, Simasek, and McClellan

Absent: Haba, Peabody, and Sandino

9. Appointments (8:05 p.m. - 8:10 p.m.)

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

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

Absent: Haba, Peabody, and Sandino

9.a. Appointment to the Health, Wellness, and Recreation Advisory Committee[HCC-86-FY23](#)

I move that the Mayor and Council approve the appointment of Carole Plato (Ward 2) and the reappointments of Dyann Waugh (Ward 2) and Anita Shelton (Ward 2) to the Health, Wellness, and Recreation Advisory Committee for term of two (2) years to expire on October 31, 2024.

Sponsors: Denes, Waszczak and Solomon

Attachments: [Carole Plato appl May 9 redac](#)
[Anita Shelton Reappoint Oct 3 2022 redac](#)
[Dyann Waugh Reappoint Oct 3, 2022 redac](#)

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

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

Absent: Haba, Peabody, and Sandino

9.b. Appointment to the Code Compliance Advisory Committee [HCC-87-FY23](#)

I move that the Mayor and Council approve the appointment of Angel Dubose (Ward 1) and the reappointment of Arniee Flurry (Ward 1) to the Code Compliance Advisory Committee for a term of two (2) years to expire on October 31, 2024.

Sponsors: McClellan

Attachments: [Angel Dubose Oct 3 2022 redac](#)
[Arniee Flurry reappointment Oct 3 2022 redac](#)

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

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

Absent: Haba, Peabody, and Sandino

9.c. Appointment to the Hyattsville Environment Committee [HCC-88-FY23](#)

I move that the Mayor and Council approve the appointment of Joseph Demarco (Ward 5) to the Hyattsville Environment Committee for a term of two (2) years to expire on October 31, 2024.

Sponsors: Simasek

Attachments: [Joseph Demarco Oct 3 2022 redac](#)

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

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

Absent: Haba, Peabody, and Sandino

9.d. Reappointments to the Police and Public Safety Citizens' Advisory Committee [HCC-89-FY23](#)

I move that the Mayor and Council approve the reappointments of Patricia Page (Ward 5) and Jerome Brown (Ward 5) to the Police and Public Safety Citizen's Advisory Committee for a term of two (2) years to expire on October 30, 2024.

Sponsors: Solomon and Sandino

Attachments: [Jerome Brown redac reapp Oct 3, 2022](#)
[Patricia Page redac](#)

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, Denes, Waszczak, Simasek, and McClellan

Absent: Haba, Peabody, and Sandino

10. Action Items (8:10 p.m. - 9:40 p.m.)

10.a. CB-97-2022 - Amendment to Sec. 27-4204. Transit-Oriented/Activity Center Base Zones [HCC-82-FY23](#)

The City Council authorizes the Mayor to send correspondence to the Prince George's County Council, sitting as the District Council regarding the proposed amendment to the Prince George's County Zoning Ordinance, Section 27-4204 - Transit-Oriented/Activity Center Base Zones. The correspondence shall reflect the City of Hyattsville's positions as follows:

- The City of Hyattsville requests the County Council withdraw CB-97-2022, as the proposed revisions to the County Zoning Ordinance in no way furthers the vision of transit-oriented development and undermines the transparency of redevelopment with Local Transit-Oriented zones;
- If the County Council elects to adopt CB-97-2022, the City requests the Council amend CB-97-2022 to explicitly exempt parcels located within the City of Hyattsville.
- If the County Council's intent is to further specific redevelopment within certain land areas within Prince George's County, it is the City's recommendation that the County Council amend CB-97-2022 to limit the CB-97-2022 to those specific parcels or land-areas.

Sponsors: City Administrator

Attachments: [Memo - CB-97-2022 Final](#)
[CB-097-2022 AIS](#)
[B2022097](#)

Council President Solomon expressed his concern about the language of the first bullet point, stating it may be too strongly worded.

Assistant City Administrator Jim Chandler, provided background information on the bill and the underlying existing LTO zoning. He expressed significant concern regarding the potential removal of development standards from the zoning.

Council President Solomon sought to understand the potential benefit of the proposed bill in relation to areas which may be near to the Purple line. He suggested the City try to obtain more information and possible amendments to the bill before it left committee.

After the vote, Councilmember Waszczak asked Mr. Chandler to get more clarity from the County Councilmember sponsor on the reasoning behind the bill and to be updated at a future meeting.

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, Denes, Waszczak, Simasek, and McClellan

Absent: Haba, Peabody, and Sandino

10.b. West Hyattsville-Queens Chapel Sector Draft Plan and SMA[HCC-84-FY23](#)

I move the Mayor and Council authorize correspondence to the M-NCPPC Planning Board in support of and recommending the incorporation of the revisions as detailed in the staff memo dated September 7, 2022, to the West Hyattsville Queens Chapel Sector Plan and SMA.

Sponsors: City Administrator

Attachments: [Memo - WHQC Sector Plan and SMA 9.26.2022](#)
[WHQC Hyattsville 091922](#)

City Planner Taylor Robey gave an update on the City's response to the West Hyattsville-Queens Chapel Sector Plan.

Council President Solomon noted the disadvantages of the shortened timeline for feedback on the draft plan due to M-NCPPC's timeline. He added that he had prepared his feedback but yielded to Council Vice-President Schaible before proceeding.

Council Vice-President Schaible reiterated his comments about traffic recommendations.

Council President Solomon shared a list of recommendations in a supplemental to be added as an amendment to the motion. The amendment was seconded by Councilmember Denes.

Assistant City Administrator Jim Chandler responded to the proposed amendment and noted that some of the recommendations were already included in the sector plan.

Councilmember Denes offered commentary on the proposed amendments and emphasized that recommendations for affordable housing should be included in the City's comments.

City Administrator Douglas suggested an amendment to the proposed interior recreation center to a recreational amenity, citing the upcoming multigenerational center. Council President Solomon clarified his intent and advocated for the need for a facility within walking distance for residents in the sector plan.

Council Vice-President Schaible stated his support for retaining a recommendation in support of accessory dwelling units in the plan. Council President Solomon agreed to retain that recommendation and adjust the amendment document accordingly.

The amendment passed unanimously.

Council President Solomon proposed a second amendment to have the Mayor and Council endorse the recommendations from Washington Area Bicyclist Association (WABA), which he provided to Council as a second supplemental. Councilmember Waszczak seconded the amendment.

Councilmember Simasek encouraged WABA to directly submit their testimony stating that he did not have time to thoroughly review the proposed WABA amendments.

Councilmember Waszczak inquired if there were areas identified as priority in the WABA supplemental.

Mr. Chandler stated that support of WABA's items could be discussed at the next meeting and included

in the record for the written comments.

Mayor Croslin suggested to table the amendment.

Council President Solomon withdrew his motion to amend the motion with the WABA supplemental.

Please see the posted Summary of this Council Meeting on the City's website to review the Amended Correspondence.

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

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

Absent: Haba, Peabody, and Sandino

10.c. Contract Award: Household Emergency Relief Program Administration and Outreach Assistance

[HCC-85-FY23](#)

I move the Mayor and Council allocate an amount NTE \$100,000 to Hyattsville Community Development Corporation (HCDC) to administer Hyattsville Household Emergency Relief Program including an additional amount NTE \$50,000 to also administer Hyattsville Outreach and Application Assistance Program for a total of \$150,000 to administer both programs and to ensure relief programs are accessible for all communities within the City. The contract with the Hyattsville Community Development Corporation is contingent upon the review and approval by the City Attorney for legal sufficiency.

Sponsors: City Administrator

American Rescue Plan Program Fund Manager Patrick Paschall provided details on the selection of the Hyattsville Community Development Corporation (CDC) to assist with outreach and administration of the Household Emergency Program.

Councilmember Waszczak asked how equity played into the selection of the CDC.

Mr. Paschall responded regarding the ability of the CDC to reach diverse populations in the City.

Councilmember Waszczak encouraged the city to continue to consider equity in the process, specifically in terms of engaging other contractors who could assist in the efforts to build future capacity.

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, Denes, Waszczak, Simasek, and McClellan

Absent: Haba, Peabody, and Sandino

11. Discussion Items (9:40 p.m. - 10:00 p.m.)

11.a. Hyattsville Ordinance 2022-05: Animal Welfare and Community Safety[HCC-83-FY23](#)

For Council Discussion.

Sponsors: City Administrator

Attachments: [Animal Welfare Ordinance amending Chp. 52 - Draft for Council Discussion 092622](#)

Council Vice-President Schaible noted the intent for this action was to provide residents with better response and resources when dealing with dog attacks and reduce risks to public safety.

Councilmember Waszczak asked about the definition of excessive.

Council Vice-President stated that the term excessive was in the code prior to his proposed changes and that he is open to suggestions.

Council President Solomon suggested the City consult with legal staff to determine the appropriate definitions for terms such as excessive.

Council Vice-President Schaible expressed support for moving forward with the ordinance and noted discussions with City staff had helped to develop the draft before the Council. He added that he supports a review of the public nuisance categories, which may result in combining categories A and B.

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

The meeting adjourned at 9:37 p.m.

A motion was made by Councilmember Simasek, seconded by Council Vice-President Schaible, that the meeting be adjourned. The motion carried by the following vote:

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

Absent: 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, October 17, 2022

7:00 PM

Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_aBbo-sC7TXmBQINwfeGiQw

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
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.

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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, October 17, 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:

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1. Call to Order and Council Roll Call

The meeting was called to order at 7:02 p.m.

Also Present:

City Administrator-Tracey Douglas
 City Treasurer-Ron Brooks
 Director of Public Works-Lesley Riddle
 Director of Community Services-Sandra Shepherd
 Director of Human Resources-Vivian Snellman
 City Clerk-Laura Reams
 Deputy City Clerk-Nate Groenendyk
 Director of Human Resources-Jay Joyner

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

2. Pledge of Allegiance to the Flag

3. Approval of Agenda

Council Vice-President Schaible made a motion to move item 12.b Memorandum of Understanding: iMind Behavioral Health from the consent agenda to the action agenda. Councilmember Waszczak seconded the motion. The motion to move item 12.b to the action agenda was approved unanimously.

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

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

4. Approval of the Minutes**4.a. Approval of the Minutes**[HCC-94-FY23](#)

I move that the Mayor and Council approve the Council Meeting Minutes of September 19, 2022.

Sponsors: City Administrator

Attachments: [MeetingMinutes September19 2022](#)

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, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, and Sandino

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

David Marshall provided a written comment in opposition to converting any two-way street into a one-way street in the Church Place design. He added a comment requesting the City to pay for the increase in City Staff health care premiums. He also added his opposition to the proposed redistricting map that would change his ward.

6. Community Notices and Meetings**6.a. Main City Calendar: November 8, 2022 - November 21, 2022**[HCC-101-FY23](#)

N/A

Sponsors: City Administrator

Attachments: [City Calendar November 8, 2022 - November 21, 2022](#)

7. City Administrator Update (7:20 p.m. - 7:40 p.m.)

City Administrator Tracey Douglas gave an update on City related news and events.

Councilmember Sandino asked for an update on ARPA grants for childcare and food assistance.

American Rescue Plan Fund Manager Patrick Paschall, gave an update on the progress of the programs.

Council Vice-President Schaible asked about the time frame for the rent stabilization study.

Ms. Douglas replied that after receiving proposals, the details will be brought before Council to determine timing.

Councilmember Haba reiterated his request for the names of businesses that have applied for ARPA funds.

Councilmember Waszczak asked for an update on the progress of implementing a sliding scale property tax rate.

City Treasurer Ron Brooks replied that this issue will be discussed with a consultant.

8. Presentations (7:40 p.m. - 7:55 p.m.)

8.a. Special Ward 2 Election - Presentation of Results[HCC-95-FY23](#)

Presentation Only

Sponsors: City Administrator

Attachments: [Ward 2 Special Election Results Presentation](#)

Board of Supervisors of Elections Zach Peters gave a presentation recapping the Special Ward 2 election.

Council President Solomon commented on the success of the election and requested additional information into non-citizen voting.

Councilmember Waszczak asked about voting demographics by age.

City Clerk Laura Reams responded that the Clerk's Office has been and will continue to analyze voter data.

Councilmember Haba expressed his request for in-person voting to include a site west of Queen's Chapel Rd.

Council Vice-President Schaible asked if there any other ideas for improving voter turnout.

Mr. Peters replied that the turnout issue is one that the Board and the Clerk's Office is continually looking to address.

Ms. Reams added that the City continues to work on expanding its outreach.

9. Motion to Close (7:55 p.m. - 8:25 p.m.)

9.a. Motion to Close[HCC-102-FY23](#)

I move the Mayor and Council close the Council Meeting of October 17, 2022 to consult with the City Attorney and staff regarding possible litigation. The reasons for closing the meeting under these exceptions are to maintain legally required confidentiality regarding litigation.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305 (b)(8) consult with staff, consultants, or other individuals about pending or potential litigation.

Sponsors: City Administrator

Pursuant to the requirement of the Annotated Code of Maryland State Government Article 3- 104(1) (2); this statement is included in these minutes:

A closed session of the Council of the City of Hyattsville was held virtually at 8:14 p.m. on October 17, 2022.

In addition to the City Council, the following staff members were present: City Administrator Tracey Douglas, Assistant City Administrator Jim Chandler, City Attorney E.I. Cornbrooks IV, City Clerk Laura Reams, and Deputy City Clerk Nate Groenendyk.

The authority under which the session was closed was the Annotated Code of Maryland State Government General Provisions Article Section 3-305 (b)(8) consult with staff, consultants, or other individuals about pending or potential litigation.

Topics Discussed: Council received a briefing from City Attorney Cornbrooks and Assistant City Administrator Chandler in regard to the District Council's decision regarding CSP-10002-C/DSP-10011-C: Queens Chapel Town Center, LLC (KFC).

Action Taken: Council President Solomon made a motion to authorize City Attorney Cornbrooks to file a petition for judicial review appealing the district council's decision regarding CSP-10002-C/DSP-10011-C: Queens Chapel Town Center, LLC (KFC). The motion was seconded by Councilmember Peabody. The Council voted unanimously to approve the motion, with Mayor Croslin abstaining from the vote.

The closed session adjourned at 9:02 p.m. on a motion made by Councilmember Waszczak and seconded by Councilmember Denes. The motion to return to open session was approved, unanimously.

The open session recommenced at 9:06 p.m.

A motion was made by Council President Solomon, seconded by Councilmember Sandino, to move to Closed Session. The motion carried by the following vote:

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

10. Proclamations

10.a. Proclamation Recognizing Economic Development Week in the City of Hyattsville [HCC-91-FY23](#)

I move that the Mayor and Council adopt a proclamation recognizing the week of October 24 - 28, 2022, as Economic Development Week in the City of Hyattsville.

Sponsors: City Administrator

Attachments: [Economic Development Week 2022 Proclamation](#)

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

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

11. Appointments**11.a. Appointment to the Education Advisory Committee** [HCC-106-FY23](#)

I move that the Mayor and Council approve the reappointment of Melinda Baldwin (Ward 2) to the Education Advisory Committee for a term of two (2) years ending on October 31, 2024.

Sponsors: Schaible

Attachments: [Melinda Baldwin Oct 2022 redac](#)

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

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

12. Consent Items (8:30 p.m. - 8:35 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 Denes, to approve the Consent Agenda. The motion carried by the following vote:

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

12.a. Consultant Contract with Prince George's County Board of Education[HCC-92-FY23](#)

I move that the Mayor and Council authorize the City Administrator upon legal review to approve a contract between the City of Hyattsville and the Board of Education for Prince George's County. The contract will require the County to reimburse the City for HPD officers who support extra-curricular activities, sporting events, and night school at Northwestern High School. The contract will terminate on September 1, 2026.

Sponsors: City Administrator

Attachments: [PG Board of Ed Consultant Contract](#)

12.b. Memorandum of Understanding: iMind Behavioral Health[HCC-93-FY23](#)

I move that the Mayor and Council authorize the City Administrator to enter into a Memorandum of Understanding between the City and iMind Behavioral Health for 24/7 behavioral health crisis support, upon the review and approval by the City Attorney for legal sufficiency.

Sponsors: City Administrator

Attachments: [MOU iMind 2022.10.12](#)

This item was moved to action.

Mental Health Programs Manager Adrienne Augustus and City Administrator Tracey Douglas gave an overview of the program.

Council Vice-President Schaible proposed clarity in the language that determines when iMind would be requested to respond to a situation.

Ms. Augustus clarified the intent and agreed that the wording could be altered to be clearer.

Council Vice-President Schaible provided his preferred change to the language.

Councilmember Waszczak asked if there is a requirement that mental health responders need to live near the City of Hyattsville to improve response time.

Ms. Augustus replied that there is no requirement, and reiterated that iMind is a county-wide program which means response time will vary depending on where personnel have been previously deployed.

Council President Solomon asked if the motion needs to wait because there are questions regarding the language of the MOU.

Ms. Douglas clarified that the motion authorizes entering into an MOU and the language of the MOU may change, based on legal review and staff recommendations.

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

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

12.c Acceptance of the Certified Results for the 2022 Special Ward 2 Election [HCC-96-FY23](#)

I move that the Mayor and Council accept the certified election results from the Board of Supervisors of Elections for the Special Ward 2 Election held on Tuesday, October 4, 2022. This certification is provided for under Section C4-11 of the Hyattsville City Charter.

Sponsors: City Administrator

Attachments: [Certified Return Sheet 2022](#)

12.d. Third Party Inspection of 5812 40th Ave [HCC-98-FY23](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$65,000 to Johnson, Mirmiran, and Thompson (JMT) for the Third Party Inspection of the Teen Center project at 5812 40th Ave under their existing contract with the City.

Sponsors: City Administrator

Attachments: [Task Order 66 CM and 3rd Party Inspection Services \(1\)](#)

12.e. Leaf Collection services [HCC-99-FY23](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$35,000 to Professional Lawn Maintenance Service (PLMS) to provide up to 25 days of on-call leaf collection services under their existing contract with the City.

Sponsors: City Administrator

Attachments: [Estimate 1381 from Professional Lawn Maintenance Services](#)

12.f. Big Belly Solar FY23 Expenditure [HCC-100-FY23](#)

I move that the Mayor and Council authorize an expenditure in an amount not to exceed \$80,000 to Big Belly Solar for the FY23 service agreement.

Sponsors: City Administrator

Attachments: [Connect SX ESP for City of Hyattsville, MD Q38105-1](#)
[Connect SX Renewal ESP for City of Hyattsville MD Q20879-2 \(Combined Co-Term\)](#)

12.g. Disbursement of Ward 3 Discretionary Funds [HCC-103-FY23](#)

I move that the Mayor and Council authorize the disbursement of \$598.00 of Ward 3 FY22 discretionary funds to Councilmember Ben Simasek as reimbursement for the purchase of catering for the September 30, 2022, Ward 3 Check-in.

Sponsors: Simasek and McClellan

Attachments: [Cocineros Receipt 9-30-22](#)
[JAMMIES Catering Contract- Ward 3 update](#)

12.h. Purchase of replacement furniture for the Finance Department[HCC-104-FY23](#)

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with Douron for the purchase of office furniture for the Finance Department utilizing the pricing provided in the Mid Atlantic Purchasing Team (MAPT) Contract 2015-42 for an expenditure not to exceed \$20,000.

Sponsors: City Administrator

Attachments: [JN-15416 CITY OF HYATTSVILLE - PURCHASING OFC-FURN PLAN](#)

12.i. Command Central Community - Motorola Solutions[HCC-110-FY23](#)

I move that Mayor and Council authorize the expenditure of \$40,700.00 for a five-year agreement with Motorola Solutions Command Central Community, upon the review and approval by the City Attorney for legal sufficiency.

Sponsors: City Administrator

Attachments: [CommandCentral Community Bro-0121-mlw-v6.pdf](#)
[Motorola CC Community Proposal_091222.pdf](#)

13. Action Items (8:35 p.m. - 8:55 p.m.)**13.a. Health Care, Prescription Drug, and Dental Care Rates for CY23**[HCC-108-FY23](#)

I move that the Mayor and Council approve the 2023 calendar year health insurance premium rates which have increased an average of 5% in all plans. To address the increase, the City will increase its flat rate contribution from \$425 to \$439 for individuals; from \$746 to \$770 for individual plus one (1); and from \$967 to \$1,001 for individuals plus two (2) or more. This will result in the City absorbing more than ½ of the increase and the employees responsible for the remaining amount. Employees' contributions per pay on average, is approximately \$1.20 increase for single. \$2.44 for individual plus one (1), and \$3.13 for family. Prescription drug plans increased 9% on average and the City will continue to pay 80% and the employees 20% of this cost. The increase in the Dental PPO and HMO Plans for employees per pay, is less than \$5 depending on their level of elected coverage and will be paid by the employee.

Sponsors: City Administrator

Human Resources Director Vivian Snellman gave an explanation of the rate increases to the City employee health care premiums.

Councilmember Waszczak asked if the rate increases changed based on employee position.

Ms. Snellman replied that the increase was the same for all employees, depending on their level of coverage.

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, Denes, Waszczak, Simasek, McClellan, Haba, Peabody, and Sandino

14. Discussion Items (8:55 p.m. - 9:45 p.m.)**14.a. Church Place Redesign**[HCC-107-FY23](#)

Discussion Only

Sponsors: City AdministratorAttachments: [Memo - Church Place Redesign - October 2022](#)
[Church Place Alley 11x17 Board FINAL \(1\)](#)

Assistant City Administrator Jim Chandler gave an overview of the proposed redesign of Church Place.

Councilmember Waszczak asked for information about the timing and success indicators for the trial period.

Mr. Chandler replied that there is no planned trial period, rather this may be a trial for other similar spaces.

Councilmember Waszczak expressed her support for more signage and asked about safety features that may be implemented in the design. She finished by asking what type of public outreach will be done to seek feedback from the community.

Mr. Chandler replied that CitizenLab would be engaged to get feedback. He added that the signage will be addressed at a later stage in the process. He further clarified the plan for the driving lane that would prohibit vehicles from parking in the alley.

Councilmember Denes requested that painted bumpouts be accompanied with a vertical application to increase effectiveness.

Director of Public Works Lesley Riddle provided examples of vertical elements that could be used.

14.b. Council Discussion: Recommended Ward Maps for Redistricting[HCC-109-FY23](#)

Discussion Only

Sponsors: City Administrator

Attachments: [coh_redistricting_commission_summary_report_2022](#)
[Minimal Adjustments Map](#)
[Growth Conscious Map \(version 2\)](#)

Council President Solomon asked if there will be changes to the currently proposed maps.

Redistricting Commission member Carter Ross, responded that the commission would appreciate specific input from the Council to give direction on proposed changes.

Staff Liaison to the Redistricting Commission Cindy Zork reiterated the current timeline for feedback and map changes.

Council President Solomon requested more information on the population of specific area currently located in Ward 2.

Councilmember Haba requested that Ward 4 and Ward 2 remain in the upper end of the allowance to account for the lack of projected growth in those wards. He also asked for the commission to analyze the addition of specified areas to Ward 4 and Ward 5.

Mr. Ross responded that the commission has recently looked at Councilmember Haba's proposed scenario, but did not have enough time to put together a map representing that for the current presentation.

15. Council Dialogue (9:45 p.m. - 9:50 p.m.)**16. Motion to Adjourn**

The meeting adjourned at 10:22 p.m.

A motion was made by Councilmember Peabody, seconded by Councilmember Denes, that the meeting be adjourned. The motion carried by the following vote:

Aye: Croslin, Solomon, Schaible, 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, October 17, 2022

6:00 PM

Proposed City Ward Redistricting

Virtual

Register in advance for this webinar:

https://us06web.zoom.us/webinar/register/WN_pPJgFfKcT4e2kNpnFvAadQ

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 Public Hearing!
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Meeting Notice:

The City of Hyattsville Mayor and Council will conduct a virtual Public Hearing on Monday, October 17, 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 proposed Ward boundary changes created by the Hyattsville Redistricting Commission.

The Mayor and Council will weigh the recommendations from the Redistricting Commission as well as input from the community prior to voting on changes to the Ward boundaries in November.

The Public Hearing will be held virtually and can be accessed through the following link:

https://us06web.zoom.us/webinar/register/WN_pPJgFfKcT4e2kNpnFvAadQ

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.

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1. Call to Order

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

City Councilmembers Present:

Mayor Robert Croslin

Council President Joseph Solomon

Council Vice-President Danny Schaible

Councilmember Sam Denes

Councilmember Joanne Waszczak

Councilmember Ben Simasek

Councilmember Edouard Haba

Councilmember Daniel Peabody

Councilmember Rommel Sandino

Absent: Councilmember Jimmy McClellan

Also Present:

City Administrator-Tracey Douglas

Director of Community Services-Sandra Shepherd

City Clerk-Laura Reams

Deputy City Clerk-Nate Groenendyk

Communications Manager-Cindy Zork

2. Presentations (6:00 p.m. - 6:20 p.m.)**Redistricting Commission Presentation of Recommended Ward Maps**[HCC-97-FY23](#)

Presentation Only

Sponsors: City Administrator

Attachments: [coh_redistricting_commission_summary_report_2022](#)

[Minimal Adjustments Map](#)

[Growth Conscious Map \(version 2\)](#)

[hyattsville_redistricting_presentation_2022](#)

Communications Manager and staff liaison to the Redistricting Commission Cindy Zork, gave an overview of the anticipated timeline of the redistricting process.

Redistricting Commission Member Carter Ross, presented information about the Commission's process in conjunction with two maps for consideration.

3. Public Comment (6:20 p.m. – 6:35 p.m.) Complete Speaker Card, Limit 2 minutes per speaker

Will Seath provided a written comment in general support of the Growth Conscious Map that was created by the Redistricting Commission. Specifically, he noted that he would like to see both portions of the Suffrage Point development combined into a single ward, rather than split into separate wards.

David Marshall provided a written comment in opposition to changing his residence to Ward 4. He also expressed his belief that the public hearing will have no bearing on the Council's decision.

Emily Strab spoke in favor of the Council taking the previous comments into account to minimize the potential of needing to make significant changes in future years.

4. Council Comment (6:35 p.m. - 6:45 p.m.)

Councilmember Ben Simasek asked if the current maps are the final choices for Council.

Redistricting Commission Member Carter Ross replied that Council may provide feedback for the Commission to take into consideration as they continue their work.

Councilmember Waszczak asked if ward boundaries can be drawn along alleys or back yard fences so neighbors are in the same ward.

Mr. Ross responded that technical limitations make it impossible to do everywhere because the population numbers must be determined based on census block data which relies on street divisions.

Council President Solomon proposed moving sections of the City into Ward 4 and Ward 5 to align more with the County's West Hyattsville Sector Plan. He expressed his preference for future maps to not rely on Census track data.

Councilmember Haba expressed his support to increase the populations in Ward 2 and Ward 4 because there is no planned expansion for those two wards in the future.

Mr. Ross responded to Councilmember Solomon that there are technical limitation when trying to break apart Census track data and remain in compliance with the law.

Concilmember Waszczak asked when the cutoff for comments was for this presentation.

Mr. Ross replied that the deadline for comments this presentation was October 10th. Ms. Zork added that the Commission will continue to accept public feedback until the final recommendation is made.

Emily Strab provided a written comment that it seems very political for the Commission to redistrict a candidate in a recent close race out of that person's current ward.

Council President Solomon asked for a reply to his request to align wards with sector plans.

Mr. Ross replied that the sector plans extend outside the City and that it is difficult to obtain the needed population numbers when trying to align wards to the sector plans. He added that the Commission will take that into consideration as they move forward in the process.

Ms. Zork, in response to Ms. Strab's comment, explained that the addresses of any individual Council Member or candidate were not provided to the Commission and that information was given no consideration throughout the process.

5. Motion to Adjourn

The hearing adjourned at 6:45 p.m.

A motion was made by Peabody, seconded by Council Vice-President Schaible, that the public hearing be adjourned. The motion carried by the following vote:

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

Absent: McClellan



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-101-FY23

11/7/2022

6.a.

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

Item Title:

Main City Calendar: November 8, 2022 - November 21, 2022

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. [Environment Committee Meeting](#)

November 8, 2022, 7:00 PM

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

November 9, 2022, 10:00 AM - 11:00 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.

3. [Ethics Commission Meeting](#)

November 9, 2022, 5:00 PM

4. [Police and Public Safety Advisory Committee Meeting](#)

November 9, 2022, 7:30 PM

5. [Seniors on the Go: Trip to Annapolis Mall](#)

November 10, 2022, 9:00 AM - 3:00 PM

The City of Hyattsville offers special trips for seniors and people with a disability to experience local attractions like art museums, casinos, sports games, shopping centers, and more! Free transportation is provided. To reserve a seat, call (301) 985-5000 by 2 p.m. the Wednesday before the scheduled trip.

6. [City Offices Closed: Veterans Day](#)

November 11, 2022, All Day

7. [Hyattsville Ward 5 Virtual Chat](#)

November 12, 2022, 10:00 AM

Join Ward 5 Councilmembers Rommel Sandino & Joseph Solomon for a chat on Saturday, November 12, at 10 a.m., via Zoom!

8. [Lunch & Learn Workshop for Caregivers](#)

November 14, 2022, 11:00 AM - 1:00 PM

@City Building, 4310 Gallatin Street

On Monday, November 14, from 11 a.m. to 1 p.m., the City and area partners are offering a free workshop for family caregivers in recognition of National Family Caregivers Month. The workshop will be held at the City Building, 4310 Gallatin Street. To register, please contact seniors@hyattsville.org or call (301) 985-5000.

9. [Veteran Resources Workshop at Hyattsville Branch Library](#)

November 14, 2022, 1:00 PM - 3:00 PM

Veterans and their families are invited to this free session to connect and learn more about available resources from the Prince George's County Office of Veterans Affairs. Refreshments will be provided. Registration is not required but encouraged to ensure we have enough food and resources.

10. [Hyattsville Fresh Produce Distribution](#)

November 15, 2022, Distribution begins at noon.

@First United Methodist Church, 6201 Belcrest Road

11. [Planning Committee Meeting](#)

November 15, 2022, 7:00 PM

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

November 16, 2022, All Day

@the first floor of the City Building

13. [Code Compliance Advisory Committee Meeting](#)

November 16, 2022, 7:00 PM

14. [Seniors on the Go: Trip to Super Walmart in Alexandria, VA](#)

November 17, 2022, 9:00 AM - 3:00 PM

The City of Hyattsville offers special trips for seniors and people with a disability to experience local attractions like art museums, casinos, sports games, shopping

centers, and more! Free transportation is provided. To reserve a seat, call (301) 985-5000 by 2 p.m. the Wednesday before the scheduled trip.

15. [Diaper Distribution](#)

November 17, 2022, 1:00 PM - 4:00 PM

The City of Hyattsville and the Greater DC Diaper Bank are hosting a free diaper distribution on November 17, from 1 p.m. to 4 p.m., at the City Building (4310 Gallatin Street). No pre-registration or City residency is required, but families must provide one proof of the child's date of birth. Examples of proof include but are not limited to a birth certificate, insurance card, passport, immunization record, or childcare bill. Questions? Call us at (301) 985-5000 or email community@hyattsville.org.

16. [Education Facilities Task Force Meeting](#)

November 17, 2022, 7:00 PM

17. [Deadline for Third Campaign Finance Report - Ward 2 Special Election](#)

November 18, 2022, All Day

18. [Virtual Celebration of Native American & Indigenous Heritage Month](#)

November 18, 2022, All Day

Save the date for a virtual celebration of Native American & Indigenous Heritage Month on Friday, November 18! Additional details will be made available at hyattsville.org/nahm as they are confirmed.

19. [Bilingual Job & Resources Fair](#)

November 19, 2022, 10:00 AM - 2:00 PM

@Northwestern High School, 7000 Adelphi Road

Calling all job seekers! Meet with hiring recruiters offering government career opportunities at the City of Hyattsville and Prince George's County level as well as other statewide employers on Saturday, November 19, 10 a.m. – 2 p.m., at Northwestern High School (7000 Adelphi Road).

20. [Invasive Plant Removals](#)

November 19, 2022, 10:00 AM - 2:00 PM

@ Driskell Park



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-133-FY23

11/7/2022

7.a.

Submitted by: Laura Reams
Submitting Department: City Clerk
Agenda Section: Motion to Close

Item Title:
Motion to Close

Suggested Action:

I move the Mayor and Council close the Council Meeting of November 7, 2022, to consult with the City Attorney to receive legal advice.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305 (b)(7) consult with counsel to obtain legal advice.

Summary Background:

N/A

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend support.

Community Engagement:

N/A

Strategic Goals:

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

Legal Review Required?

Complete



City of Hyattsville

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(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-113-FY23

11/7/2022

9.a.

Submitted by: Nate Groenendyk
Submitting Department: City Clerk
Agenda Section: Proclamation

Item Title:

Proclamation Recognizing Native American Heritage Month

Suggested Action:

I move that Mayor and Council adopt a proclamation to declare November 2022 as Native American Heritage Month in the City of Hyattsville.

Summary Background:

Native American Heritage Month is an opportunity to celebrate the rich culture and traditions of Native Americans while recognizing the tremendous contributions that Native Americans have made to the United States.

Next Steps:

Adopt the 2022 Native American Heritage Month proclamation.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend adoption

Community Engagement:

Recognition of November 2022 as Native American Heritage Month

Strategic Goals:

Goal 5 - Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?

N/A

CITY OF HYATTSVILLE

PROCLAMATION

DECLARING NOVEMBER 2022 AS NATIVE AMERICAN HERITAGE MONTH IN THE CITY OF HYATTSVILLE

Native American Heritage Month, also known as American Indian Heritage Month, is an opportunity to celebrate the rich culture and traditions of Native Americans while recognizing the tremendous contributions that Native Americans have and continue to make to the United States.

WHEREAS, Native American Heritage Month has been advocated for and observed in many communities since the early 1900s, and nationally and officially established in 1990; and

WHEREAS, Native Americans have long called Maryland home before the first American colonial settlers; and

WHEREAS, despite a painful history marked by unjust federal and state policies of assimilation and termination, Native American people have persevered; and

WHEREAS, The City of Hyattsville celebrates the culture and history of all Native peoples, including members of the Maryland State Recognized Tribes: Piscataway Indian Nation, Piscataway Conoy Tribe and the Accohannock Indian Tribe; and

WHEREAS, the values and spirit celebrated this month are ones that resonate for Americans of every background and heritage, including respect for the natural world and the flourishing of future generations;

NOW, THEREFORE BE IT RESOLVED, that the City of Hyattsville hereby proclaims the month of November 2022 as Native American Heritage Month, and all residents are encouraged to learn about the lasting legacies of the original inhabitants of what is now the United States.

Robert Croslin
Mayor, City of Hyattsville

November 7, 2022





City of Hyattsville

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(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-114-FY23

11/7/2022

9.b.

Submitted by: Nate Groenendyk
Submitting Department: City Clerk
Agenda Section: Proclamation

Item Title:

Proclamation Recognizing Municipal Government Works Month

Suggested Action:

I move that the Mayor and Council adopt a proclamation recognizing November 2022 as Municipal Government Works Month in the City of Hyattsville.

Summary Background:

Municipal Government Works Month is an annual opportunity to raise Maryland residents' awareness of the many contributions that local government employees make to our communities each day.

Next Steps:

Recognize November 2022 as Municipal Government Works Month in the City of Hyattsville.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend adoption.

Community Engagement:

Recognition of Municipal Government Works Month throughout the City

Strategic Goals:

Goal 4 - Foster Excellence in all City Operations

Legal Review Required?

N/A

CITY OF HYATTSVILLE

PROCLAMATION

RECOGNIZING NOVEMBER 2022 AS MUNICIPAL GOVERNMENT WORKS MONTH IN THE CITY OF HYATTSVILLE

This proclamation declares the month of November 2022, to be Municipal Government Works Month in the City of Hyattsville. Municipal Government Works Month is an annual opportunity to raise Maryland residents' awareness of the many contributions that local government employees make to our communities each day.

WHEREAS, municipal government represents the most responsive level of government, allowing residents to have direct access to elected officials; and

WHEREAS, the City of Hyattsville became an incorporated Maryland municipality in April 1886; and

WHEREAS, the Maryland Municipal League established Municipal Government Works Month in 1993;

WHEREAS, municipalities have enhanced the quality of life for their respective residents by helping to make Maryland a great place to live, work, and pursue happiness; and

WHEREAS, Municipal Government Works Month is a time to celebrate the City of Hyattsville's unique contribution to Maryland's communities by shining a light on the services and programs city officials, elected and staff provide;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Hyattsville join the Maryland Municipal League in declaring November 2022 to be Municipal Government Works Month in the City of Hyattsville.

Robert Croslin

Mayor, City of Hyattsville

November 7, 2022





City of Hyattsville

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www.hyattsville.org

Agenda Item Report

File #: HCC-115-FY23

11/7/2022

9.c.

Submitted by: Nate Groenendyk
Submitting Department: City Clerk
Agenda Section: Proclamation

Item Title:
Proclamation Recognizing Veterans Day

Suggested Action:
I move that the Mayor and Council proclaim November 11, 2022, to be Veterans Day in the City of Hyattsville.

Summary Background:
This proclamation declares November 11, 2022, to be Veterans Day in the City of Hyattsville, honoring and recognizing those who have served, both past and present, in the United States' Armed Forces.

Next Steps:
Recognize November 11, 2022, as Veterans Day in the City of Hyattsville.

Fiscal Impact:
N/A

City Administrator Comments:
Recommend adoption.

Community Engagement:
Recognition of Veterans Day throughout the City.

Strategic Goals:
Goal 5 - Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?
N/A

CITY OF HYATTSVILLE

PROCLAMATION

RECOGNIZING NOVEMBER 11, 2022, AS VETERANS DAY IN THE CITY OF HYATTSVILLE

This proclamation declares November 11, 2022, to be Veterans Day in the City of Hyattsville, recognizing and honoring heroes past and present from the United States' Armed Forces.

WHEREAS, the contributions and sacrifices of veterans are a reminder that freedom is not free, and we are forever indebted to the millions of service members who fought and died in the line of duty; and

WHEREAS, significant sacrifices are also made by the family members who support the servicepeople who have fought to preserve our liberties; and

WHEREAS, so many of our veterans carry the scars from their service ---both visible and invisible---Veteran's Day is an opportunity to recommit to governance that is responsive to the needs of our veterans, their families, caregivers and survivors.

WHEREAS, Hyattsville and surrounding municipalities within Prince George's County have approximately 60,000 veterans who have served in the United States Armed Forces; and

WHEREAS, it is most appropriate that we honor and recognize the dedication and valor that veterans *continue* to display as they protect our freedom and democracy.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council, with the utmost respect and gratitude for the more than 21.8 million veterans who have faithfully served our country in the Armed Forces, hereby proclaim November 11, 2022, to be Veterans Day in the City of Hyattsville.

Robert Croslin

Mayor, City of Hyattsville

November 7, 2022





City of Hyattsville

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www.hyattsville.org

Agenda Item Report

File #: HCC-116-FY23

11/7/2022

9.d.

Submitted by: Nate Groenendyk
Submitting Department: City Clerk
Agenda Section: Proclamation

Item Title:
Proclamation Recognizing American Education Week

Suggested Action:
I move that the Mayor and Council adopt a proclamation in honor of American Education Week, November 13 - 19, 2022.

Summary Background:
American Education Week is an annual opportunity to celebrate public education and honor all who enlighten our City's youth.

Next Steps:
Adoption of proclamation.

Fiscal Impact:
N/A

City Administrator Comments:
Recommend adoption.

Community Engagement:
The City will recognize November 13 - 19, 2021, as American Education Week.

Strategic Goals:
Goal 5 - Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?
N/A

CITY OF HYATTSVILLE

PROCLAMATION

DECLARING THE WEEK OF NOVEMBER 13 – 19, 2022, TO BE AMERICAN EDUCATION WEEK IN THE CITY OF HYATTSVILLE

American Education Week is an annual opportunity to celebrate public education and honor all who enlighten our City's youth.

WHEREAS, progressive education is a pillar on which the United States was founded ; and

WHEREAS, from the first public school opening in 1635, to an approximate 98,000 that collectively form an enterprise that focuses on strengthening intellectual skills and core values for a better tomorrow; and

WHEREAS, we acknowledge education's power to transform lives, uplift communities, and fortify a just and diverse democratic society; and

WHEREAS, selfless educators, be they teachers, guidance counselors, librarians, instructional coaches, curriculum specialists, paraprofessionals, nurses, maintenance and grounds personnel, bus drivers, food service workers, school administrators and teachers, work tirelessly to serve our communities with care and professionalism; and work together to provide a safe and healthy learning environment for students;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Hyattsville recognize the impact all educators have on our City, and that our community celebrates them through this year's American Education Week.

Robert Croslin

Mayor, City of Hyattsville

November 7, 2022





City of Hyattsville

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Agenda Item Report

File #: HCC-123-FY23

11/7/2022

10.a.

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

Item Title:

Appointments to the Compensation Review Committee

Suggested Action:

I move that the Mayor, with Council approval, appoint Juan Castillo (Ward 1), Melinda Baldwin (Ward 2), Bette Dickerson (Ward 2), Michael Horlick (Ward 2), Tom Wright (Ward 3), Alexi Boado (Ward 4), and Patricia Page (Ward 5) to the Compensation Review Committee.

Summary Background:

Per City Charter Section C2-6.1., at least 180 days prior to a regular Mayoral election, the Mayor shall appoint, with Council approval, a seven person compensation review committee whose membership shall be comprised of at least one member from each Ward of the City, to review and make recommendations for the compensation of both the Mayor and all City Councilmembers.

The Committee must make its recommendation as to any compensation increase, decrease, or lack of change, at least 90 days prior to the election. This deadline for the 2023 Mayoral Election is Wednesday, February 8, 2023. The length of time covered by the committee's recommendation to the Mayor and Council shall be no less than (3) three fiscal years and no more than (6) six fiscal years. The 2019 Compensation Review Committee's recommendations currently run through June 30, 2025.

The Mayor and Council shall have no power to alter or amend the committee's recommendation but shall either accept it or reject it by motion, resolution, or ordinance.

The City's HR Director will serve as the staff liaison for the committee.

Next Steps

Appoint members and begin meetings.

Fiscal Impact:

TBD

City Administrator Comments:

Recommend Approval

Community Engagement:

Meetings of the committee are open to the public and attendance is encouraged.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

N/A

Board, Committee and Commission Application

Profile

Juan
First Name

Castillo
Last Name

Preferred Pronouns

[Redacted]
Email Address

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]
City

[Redacted]
Suite or Apt
[Redacted] [Redacted]
State Postal Code

Which Boards would you like to apply for?

Compensation Review Committee: Submitted

Please note that applications for the 2022 Compensation Review Committee will close at 5 PM on Tuesday, November 1. Applicants must be available for a virtual information session to be held on Wednesday, November 2 at 6 PM. Thank you for your interest.

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.

As a resident of Hyattsville, I would be honored to contribute to this committee by assisting and supporting the City of Hyattsville to review and make recommendations for compensation for both the Mayor and City Council. As an HR professional and Hyattsville resident, I find that financial compensation is the least motivating factor for candidates, Mayor, and Council to run for office. While the Mayor and City Council's roles and responsibilities are extensive, it is important to review and analyze the current structure to avoid pitfalls that could impact trust, commitment, and accountability, which link to performance. Therefore, it is critical, in my opinion, to have the right compensation or compensation structure that aligns with or considers current factors, city goals and objectives, and the current economy. With this in mind, reviewing and recommending compensation that is in line with current needs will help support, motivate, attract, and retain great candidates to continue meeting constituent demands and maintaining healthy, safe, and vibrant communities.

Board, Committee and Commission Application

Profile

Bette
First Name

Dickerson
Last Name

Preferred Pronouns

[Redacted]
Email Address

Please enter your address below.

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- 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]
City

[Redacted]
Suite or Apt
[Redacted] [Redacted]
State Postal Code

Which Boards would you like to apply for?

Compensation Review Committee: Submitted

Please note that applications for the 2022 Compensation Review Committee will close at 5 PM on Tuesday, November 1. Applicants must be available for a virtual information session to be held on Wednesday, November 2 at 6 PM. Thank you for your interest.

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

[REDACTED]
Primary Phone

Referred By:

Robert Croslin

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 would like to learn about the Compensation Review process and then contribute to the subsequent equitable decisionmaking.

Board, Committee and Commission Application

Profile

Melinda

First Name

Baldwin

Last Name

Preferred Pronouns

She/her

[Redacted]

Email Address

Please enter your address below.

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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?

Compensation Review Committee: Submitted

Please note that applications for the 2022 Compensation Review Committee will close at 5 PM on Tuesday, November 1. Applicants must be available for a virtual information session to be held on Wednesday, November 2 at 6 PM. Thank you for your interest.

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.

Educational Advisory Committee

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:

Laura Reams

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 have been serving on the Education Advisory committee for the city of Hyattsville. My husband and I moved here in 2012. We met so many kind and friendly people while walking our dog through the different neighborhoods - we knew this is where we wanted to set down roots in the DC area - purchasing a home in Hyattsville later that same year. I am interested in giving back to our community. I am a clinical social worker by training - and having been very active in Oak Park, IL (where we raised our family), am very interested in helping to continue the work to develop Hyattsville into a vibrant, active community.

Board, Committee and Commission Application

Profile

Michael

First Name

Horlick

Last Name

Preferred Pronouns

[Redacted]

Email Address

Please enter your address below.

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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]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

Which Boards would you like to apply for?

Compensation Review Committee: Submitted

Please note that applications for the 2022 Compensation Review Committee will close at 5 PM on Tuesday, November 1. Applicants must be available for a virtual information session to be held on Wednesday, November 2 at 6 PM. Thank you for your interest.

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:

T. Carter Ross

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 am a public finance professional, and am very interested in the deeper considerations associated with funding this particular decision. The City has my CV on file.

Board, Committee and Commission Application

Profile

Thomas

First Name

Wright

Last Name

Preferred Pronouns

[Redacted]

Email Address

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]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

Which Boards would you like to apply for?

Compensation Review Committee: Submitted

Please note that applications for the 2022 Compensation Review Committee will close at 5 PM on Tuesday, November 1. Applicants must be available for a virtual information session to be held on Wednesday, November 2 at 6 PM. Thank you for your interest.

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 3

[REDACTED]
Primary Phone

Referred By:

L Reams

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.

As a former Council Member, I feel I may have a unique perspective regarding the required commitments of this legislative body.

Board, Committee and Commission Application

Profile

Alexi

First Name

Boado

Last Name

Preferred Pronouns

My wife calls me "it"

[Redacted]

Email Address

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]

[Redacted]

City

State

[Redacted]

Postal Code

Which Boards would you like to apply for?

Compensation Review Committee: Submitted

Please note that applications for the 2022 Compensation Review Committee will close at 5 PM on Tuesday, November 1. Applicants must be available for a virtual information session to be held on Wednesday, November 2 at 6 PM. Thank you for your interest.

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 4

Primary Phone

Referred By:

USA

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.

because Ward 4 is chronically underrepresented.

Board, Committee and Commission Application

Profile

Patricia

First Name

Page

Last Name

Preferred Pronouns

[Redacted]

Email Address

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]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

Which Boards would you like to apply for?

Police & Public Safety Citizens' Advisory Committee: Submitted

Please note that applications for the 2022 Compensation Review Committee will close at 5 PM on Tuesday, November 1. Applicants must be available for a virtual information session to be held on Wednesday, November 2 at 6 PM. Thank you for your interest.

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 5

[REDACTED]
Primary Phone

Referred By:

Joseph Solomon

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.

Good Evening All, I would like to serve as a member of the Compensation Committee because I have approximately 25 years plus experience in federal government performance management, human resources and budget allocations. As Supervisory Staff Associate (Budget Analyst), I was responsible for advising senior leadership and administrative professionals on the interpretation and application of a variety of human resources policies, practices, and procedures including staffing, performance management, salary increases and incentive awards. More importantly, during the yearly performance management cycle, I was responsible for ensuring that the salary increases, bonuses and incentive awards for both the leadership team and administrative professionals were distributed fairly and equally. More importantly, I have lived in Hyattsville for the 26 years.



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-34-FY23

11/7/2022

11.a.

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

Item Title:

Purchase of an Electric Trash Truck

Suggested Action:

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with Potomac Truck Center for the purchase of an electric trash truck, and authorize an expenditure not to exceed \$680,000 of American Rescue Plan Act funds. The Treasurer is authorized to make the required modification to the budget to facilitate this purchase, pending legal review.

Summary Background:

The COVID-19 pandemic has caused a significant change in the waste collection and disposal in the City. Since March of 2020 the City has seen an increase in solid waste collected of up to 40%. This additional waste has increased the wear and tear on an aging fleet of trucks. Trash trucks have a typical service life of 5-7 years, with several of the City's fleet nearly double that age. Electric trash trucks are not as severely affected by COVID-19 related shipping and production issues. Current estimated delivery times can be as low as 6 months, while the delivery for a diesel truck is currently estimated to be as much as 2 years.

Next Steps:

Issue purchase order and complete the order

Fiscal Impact:

NTE \$680,000

City Administrator Comments:

Recommends approval

Community Engagement:

N/A

Strategic Goals:

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

Legal Review Required?

Pending



10/10/2022

CUSTOMER PURCHASE ORDER

City of Hyattsville

4310 Gallatin St.

Hyattsville, MD 20781

Potomac Truck Center is providing a Mack LR Battery Electric chassis with a Leach 2R111 Demolition rearload body, and a Heliox 50KW Portable charger:

	One Unit (1)	
Chassis Price	\$	429,789
Sourcewell Discount Factor		71.43%
Sourced Goods	\$	192,650
Added Protection Plans	\$	Included
Total	\$	622,439

This vehicle(s) is available under the Sourcewell (Formerly known as NJPA) Contract Number 060920-MAK. Please reference this Contract Number on all Purchase Number. City of Hyattsville member #33637.

Pricing on upfitted materials and chassis are subject to potential OEM surcharges. Should the OEM pass along a surcharge, it will be added to this purchase order amount with proof provided.

Sincerely,

Curt Wagner

Potomac Truck Center

TECHNICAL SPECIFICATION

LR 64R BE



		WEIGHT (LB)	
APPLICATION PACKAGES	DESCRIPTION	FRONT	REAR
CHASSIS CONFIGURATION PACKAGE	BODY BUILDER PREP PACKAGE (REQUIRES MBP SELECTION)	0	0
BODY BUILDER PACKAGE	LABRIE LEACH 25YD REAR LOADER 6*4, 185 WB	0	0

		WEIGHT (LB)		
CUSTOMER/VEHICLE INFO	DESCRIPTION	FRONT	REAR	
S CA	CHASSIS (BASE MODEL)	LR 64R BE DAYCAB	9,657	2,873
S	CUSTOMER FLEET SIZE	DEALER FLEET WITH LESS THAN 25 VEHICLES IN OWN FLEET OF ANY VEHICLE BRAND	0	0
	TYPE OF SERVICE	MUNICIPAL	0	0
S	WARRANTY REGISTRATION LOCATION	USA - WARRANTY REGISTRATION LOCATION	0	0
	EMISSION WARRANTY CERTIFICATION	Battery Electric	0	0
S	INITIAL REGISTRATION LOCATION	USA REGISTRATION	0	0
S	VEHICLE APPLICATION CLASS	CLASS B HIGHWAY-INNER CITY	0	0
	VEHICLE USE & BODY/TRAILER TYPE	REFUSE REAR LOADER TRUCK	0	0
S	TERRAIN GRADE	NORMAL HIGHWAY, STARTING GRADES<12%	0	0
S	LOADING SURFACE	CONCRETE LOADING AND / OR UNLOADING SURFACE	0	0
	VEHICLE VOCATION	REFUSE / LANDFILL OPERATION	0	0
	SALES PROMOTION	SOURCEWELL SALES PROGRAM	0	0

		WEIGHT (LB)		
ENGINE/TRANSMISSIONS	DESCRIPTION	FRONT	REAR	
S	ENGINE PACKAGE, COMBUSTION	MACK BE - 448 HP / 536 HP (PEAK), 4051LB-FT, ELECTRIC MOTOR, ZERO EMISSION	591	197
S	TRANSMISSION	MACK ELECTRIC PROPULSION TRANSMISSION 800 NM 2SPEED	276	150
S	ENERGY STORAGE SYSTEM	ESS TOTAL ENERGY 375 KWH (BOL)	0	0

		WEIGHT (LB)		
ENGINE EQUIPMENT	DESCRIPTION	FRONT	REAR	
S	WINTERFRONT	W/O BUG SCREEN/WINTER FRONT	-8	3
S	AIR COMPRESSOR/DRYER	WABCO HEATED SS TWIN W/ 2 SCROLL (10.6 CFM) AIR COMPRESSORS	351	91
S	BATTERIES	(2) MACK 12V 170/340 AH WET CHARGE	532	532
	ENGINE BRAKE	MACK BE MOTOR BRAKE WITH REGENERATION	0	0
S	COOLANT PROTECTION	ETHYLENE GLYCOL EXTENDED LIFE COOLANT (50/50 MIX DYED RED) TO -34DEG	0	0
	RADIATOR TYPE	EXTRA NARROW RADIATOR WITH LENGTH 1 (60 DM2)	0	0
S	HOSES - RADIATOR/HEATER	SILICONE W/ SPRING LOADED CLAMPS FOR BOTH RADIATOR & HEATER HOSE	3	0

		WEIGHT (LB)		
CLUTCH/TRANS EQUIPMENT	DESCRIPTION	FRONT	REAR	
S	DRIVELINE - MAIN	SPICER COMPACT SERIES	0	0
S	DRIVELINE - INTERAXLE	SPICER COMPACT SERIES - LARGE	0	0
S	LUBRICANTS, TRANSMISSION	TRANSYND SYNTHETIC LUBE FOR ALLISON TRANS	0	0

TECHNICAL SPECIFICATION *(cont.)*



			WEIGHT (LB)	
FRONT AXLE EQUIPMENT	DESCRIPTION		FRONT	REAR
S	FRONT AXLE	20000# (9100 KG) MACK FXL20 TAPERED SPINDLE / TAPERED BEARINGS	325	0
S	SPRINGS - FRONT	MACK TAPERLEAF 20000# (9100 KG) GROUND LOAD RATING, EQUAL BIAS	0	0
S	FRONT AXLE BRAKES	MERITOR EX+ AIR DISC BRAKES 430MM (17") H-TYPE	25	0
S	FRONT BRAKE ADJ. MANUFACTURE	AUTOMATIC FOR AIR DISC BRAKES	0	0
S	FRONT BRAKE CHAMBER MFG.	FRONT BRAKE CHAMBER MANUFACTURER, WABCO	0	0
S	HUB MATERIAL, FRONT	IRON CONMET PRESET-PLUS W/PREMIUM SEAL	0	0
S	SHOCK ABSORBER, FRONT	DOUBLE ACTING TYPE	20	0
S	STEERING	TAS-65 PLUS RIGHT SIDE ASSIST CYLINDER	175	0
S	BUMP STOP, FRONT SUSPENSION	STATIC LOAD CUSHIONS	12	0

			WEIGHT (LB)	
REAR AXLE EQUIPMENT	DESCRIPTION		FRONT	REAR
S	REAR AXLE	46000# (20900kg) MACK S462R CAST DUCTILE HOUSING	0	1,614
S	CARRIER - REAR AXLE	CRDP150/151 AVAILABLE WITH OPTIONAL DRIVER CONTROLLED INTERWHEEL DIFFERENTIAL LOCKS, SEE 254 SYMBOL	0	0
	REAR AXLE RATIO	6.12 RATIO	0	0
S	REAR SUSPENSION	MACK mRIDE 46 PARABOLIC 3-LEAF, 46,000 lb, STANDARD DUTY	0	1,674
S	BOGIE SPREAD, REAR	54" AXLE SPACING (BOGIE WHEELBASE)	0	3
S	REAR SHOCK ABSORBER	REAR SHOCK ABSORBER	0	27
S	TRANSVERSE TORQUE RODS, R SUSP	WITHOUT TRANSVERSE TORQUE RODS	0	-66
S	BRAKES - REAR	MERITOR EX+ AIR DISC BRAKES, 430MM (17") - H TYPE (Total for QTY = 2)	0	-61
S	BRAKE, DRIVE, REAR	BRAKE DRIVE, REAR, DISC LIGHTWEIGHT	0	0
S	REAR BRAKE ADJ MANUFACTURE	AUTOMATIC SLACK ADJUSTERS FOR REAR AIR DISC BRAKES	0	0
	SPRING BRAKE CHAMBERS - SIZE	REAR SPRING BRAKE CHAMBERS 24/24 TYPE	0	0
	BRAKE ORI REAR-MOST DRIVE AXLE	DISC BRAKE CHAMBER ORIENTATION: Middle Mount - Forward of Axle - Chamber Inward	0	0
S	PARKING BRAKE CHAMBER	WABCO BRAKE CHAMBERS VENDOR (Total for QTY = 2)	0	0
S	HUB MATERIAL, DRIVE	CONMET IRON HUBS W/PRESET BEARINGS & SEALS	0	0
S	POWER DIVIDER LOCKOUT	POWER DIVIDER LOCKOUT, W/BUZZER & LIGHT	0	40
S	LUBRICANTS, REAR AXLE(s)	FACTORY OPTION LUBE - REAR AXLE 80W-90	0	0
	ABS SENSOR & MODULATOR	6S/6M SYSTEM SENSING BOTH REAR AXLES W/WHEEL END SENSORS	5	0
S	ANTILOCK BRAKE SYSTEM	BENDIX WITH TRACTION CONTROL 6S6M	0	0

			WEIGHT (LB)	
FRAME EQUIPMENT/FUEL TANKS	DESCRIPTION		FRONT	REAR
	WHEELBASE	185"	170	170
	AF (OVERHANG)	67"	-17	106
S	FRAME RAILS & LINERS	9.5 x 82 x 340mm - (0.375" x 3.25" x 13.38")W/ Full Liner; RBM 3,122,400 LB-IN	0	0
S	FRONT FRAME LENGTH	FRONT FRAME LENGTH 1525MM	146	-19
S	CROSSMEMBERS	STEEL 1/2" PL BOLTED BOC & INTERMDT 1/8" BELOW TOP OF RAIL	0	0
	AUX CROSSM. IN REAR OVERH TYPE	WITHOUT AUXILIARY CROSSMEMBER	0	0
S	REAR CROSSMEMBER OPTIONS	STEEL CLOSING REAR CROSSMEMBER	-11	60
S	FRONT BUMPER	FLUSH-PAINTED STEEL	0	0

TECHNICAL SPECIFICATION *(cont.)*



			WEIGHT (LB)	
FRAME EQUIPMENT/FUEL TANKS	DESCRIPTION		FRONT	REAR
S	GUARD	SKID PLATE UNDER BUMPER AND RADIATOR	128	-8
S	TOWING DEVICE, FRONT	CENTER TOW CAPABILITY BASED ON BUMPER SELECTION	0	0

			WEIGHT (LB)	
AIR/BRAKE	DESCRIPTION		FRONT	REAR
S	AIRTANK DRAIN VALVE	AUTO DRAIN VALVE, HEATED ON SUPPLY TANK, MANUAL (PETCOCK) ON ALL OTHER TANKS	0	0
S	AIRTANK MATERIAL	STEEL AIR TANK PAINTED CHASSIS COLOR	0	0
S	PARKING BRAKE VALVE	SINGLE VALVE SYSTEM	0	0
S	AUXILIARY BRAKE CONTROL	AUXILIARY WORK BRAKE HAND CONTROL, ACCESSIBLE FROM RIGHT SIDE ONLY	0	0

			WEIGHT (LB)	
ELECTRICAL	DESCRIPTION		FRONT	REAR
S	BACK-UP ALARM	PRECO, MODEL 1059	0	3
S	ROOF & SIDE MARKER LIGHTS	TRUCKLIGHT TYPE ROOF MARKER for LR	0	0
S	HEADLAMP BULB TYPE	HEADLAMP BULB TYPE, LED	0	0
S	HEADLAMP PROTECTION	HEADLAMP PROTECTION	0	0
S	DAYTIME RUNNING LIGHTS	ENGINE RUNNING ACTIVATED	0	0
S	AUX. POWER OUTLET, INTERIOR (CA in PC28 only)	COMPUTER AND 2-WAY RADIO DEDICATED CIRCUIT	0	0
S	FRONT & SIDE INDICATOR LMP TYP	FRONT AND SIDE DIRECTION IND & MARKER, LED TYPE	3	0

			WEIGHT (LB)	
PTO	DESCRIPTION		FRONT	REAR
S	BODY BUILDER MODULE	Controllink III BODY BUILDER EL PREP KIT, REFUSE, RP170 ELECT. INTERFACE (3 CON 54 PINS)	0	0
	ELECTRIC PTO POSITION	ELECTRIC PTO POSITION, RIGHT HAND SIDE	111	265

			WEIGHT (LB)	
SPECIALTY EQUIPMENT	DESCRIPTION		FRONT	REAR
S	PASSIVE SAFETY SYSTEM	WITHOUT PASSIVE SAFETY SYSTEM	0	0

			WEIGHT (LB)	
CAB INTERIOR (A THRU G)	DESCRIPTION		FRONT	REAR
S	AIR CONDITIONING/HEATER	(LR) AUXILLARY COOLER W/ STANDARD HEATER	106	0
S	SURVEILLANCE CAMERA OPTIONS (CA)	WITHOUT CAMERA	0	0
S	DOME LAMP, INTERIOR	DOME LIGHTS (2) W/SELF-CONTAINED SWITCHES (ONE EACH SIDE)	0	0
S	FLOOR MATS	FLOOR MAT, RUBBER	0	0
S	SPEEDOMETER -&- GAUGES - UNIT(S) OF MEASURE	U.S. UNITS (PREDOMINANT)	0	0

			WEIGHT (LB)	
CAB INTERIOR (H THRU R)	DESCRIPTION		FRONT	REAR
S	KEY TYPES FOR DOORS	BASIC UNIQUE KEY	0	0

TECHNICAL SPECIFICATION *(cont.)*



			WEIGHT (LB)	
CAB INTERIOR (H THRU R)	DESCRIPTION		FRONT	REAR
S	IGNITION TYPE	KEY TYPE	0	0
S	AUDIO ACCOMMODATION	PREMIUM STEREO, AM/FM, MP3, WEATHER BAND, BLUETOOTH	0	0
S	ANTENNA - RADIO	RADIO ANTENNA, CH STYLE COWL MOUNTED ON LH SIDE	0	0
S	AUDIO SHUTOFF	AUTO SHUTOFF FOR RADIO ENTERTAINMENT SYSTEM WHEN VEHICLE IS ENGAGED IN REVERSE	0	0
S	POWER LEADS	POWER LEADS (5-WAY BINDING POSTS FOR CB RADIO) MOUNTED ON TOP OF DASH	0	0

			WEIGHT (LB)	
CAB INTERIOR (S THRU Z)	DESCRIPTION		FRONT	REAR
S	SEAT - DRIVER'S	AIR-SEARS MID-BACK SEAT C-2 W/FABRIFORM CUSHIONS	0	0
S	SEAT - PASSENGER'S	FOLD-UP SEARS SEATING, LOW BACK PASSENGER SEAT	0	0
S	SEAT COVERING	DRIVER- FABRIFORM CLOTH, BLACK RIDER- CLOTH, BLACK	0	0
S	SEAT BELT(S)	SEAT BELTS (ORANGE)/RETRACTORS, LAP AND SHOULDER FOR DRIVER AND LAP BELT FOR FOLD-UP RIDER SEAT	0	0
S	STEERING WHEEL	DIAMETER 450MM STEERING WHEEL, RUBBER GRIP V1	0	0
S	STEERING WHEEL ADJUSTMENT	ADJUSTABLE LH STEERING WHEEL RH FIXED	0	0
S	TURN SIGNALS	SELF CANCELLING TURN SIGNALS	0	0
S	WASHER RESERVOIR POSITION	W/O WINDSHIELD WASHER OPTION	0	0
S	WINDSHIELD PROTECTOR	FURNISH WINDSHIELD PROTECTOR	16	0

			WEIGHT (LB)	
CAB EXTERIOR	DESCRIPTION		FRONT	REAR
S	FRONT GRILLE	LR ELECTRIC BLACK GRILLE WITH GREY SURROUND AND BRIDGE	0	0
S	CAB	LH DRIVE WITH RH STAND UP OPERATING POSITION, EXTENDED CAB VERSION	0	0
S	CAB DOOR OPTIONS	LH FRONT HINGED DOOR W/PWR WINDOW: RH FOLD-UP DOOR W/ SLIDABLE WINDOW	0	0
S	CAB TILT PUMP	LOCATED IN STD LOCATION	0	0
S	CAB INSTEP VERSION	Cab Low Entry Step	0	0
S	PASSENGER SIDE VISIBILITY OPTIONS	WITHOUT AUXILIARY WINDOW IN RH DOOR WITHOUT SIDE CLOSE VIEW MIRROR	0	0
S	HORN - AIR	(1) TWIN-UNDER CAB TRUMPET W/DUAL LANYARD CONTROL	0	0
S	HORN - ELECTRICAL	DUAL TONE	5	0
S	MIRRORS - LEFT SIDE EXTERIOR	LH BLACK AERO MIRROR ELECTRICAL OPERATED & HEATED, W/ HEATED SQUARE BLACK CLOSE VIEW	0	0
S	MIRRORS - RIGHT SIDE EXTERIOR	RH BLACK AERO MIRROR ELECTRICAL OPERATED & HEATED, W/ HEATED SQUARE BLACK CLOSE VIEW	0	0

			WEIGHT (LB)	
WHEELS & TIRES	DESCRIPTION		FRONT	REAR
	TIRES BRAND/TYPE - FRONT	315/80R22.5 L BRIDGESTONE M870 (20000 lbs) (Total for QTY = 2)	336	0
	WHEELS - FRONT	22.5x9.00 ACCURIDE WHITE POWDER COATED STEEL, 5.75" OFFSET, 5 HAND HOLE (Total for QTY = 2)	208	0
S	FRONT AXLE TIRE & WHEEL QUANTITY	TWO FRONT TIRES & WHEELS	0	0
	TIRES BRAND/TYPE - REAR	11R22.5 H BRIDGESTONE M799 (24020 lbs) (DRIVE ONLY) (Total for QTY = 8)	0	988
	WHEELS - REAR	22.5x8.25 ACCURIDE ACCU-LITE WHITE POWDER COAT STEEL, 6.60" OFFSET, 5 HAND HOLE (Total for QTY = 8)	0	547
S	REAR AXLE TIRE & WHEEL QUANTITY	EIGHT REAR AXLE TIRES & WHEELS	0	0

TECHNICAL SPECIFICATION *(cont.)*



			WEIGHT (LB)	
WHEELS & TIRES	DESCRIPTION		FRONT	REAR
S	DRIVE WHEEL STUDS	DRIVE WHEEL STUDS LONGER LENGTH	0	0
S	TIRE INFLATION VALVE	STANDARD VALVE STEMS AND CAPS	0	0

			WEIGHT (LB)	
COMMUNICATION SYSTEMS	DESCRIPTION		FRONT	REAR
S	DIAGNOSTICS DISPLAY IN CLUSTER	DIAGNOSTICS DISPLAY IN CLUSTER, BASIC	0	0
S	TELEMATIC GATEWAY	TELEMATICS GATEWAY, 4G/LTE AND WLAN SYSTEM WITHOUT DIAGNOSTIC SERVICES	0	0

			WEIGHT (LB)	
ENGINE ELECTRONICS	DESCRIPTION		FRONT	REAR
S	EL HD THROTTLE,MAX ROAD SPEED	ELECTRONIC HAND THROTTLE, MAX ROAD SPEED, 16 KM/H (10 MPH)	0	0

			WEIGHT (LB)	
TRANSMISSION ELECTRONICS	DESCRIPTION		FRONT	REAR
S	TRANSM AUTO NEUTRAL ON P-BRAKE	ALLISON PARK BRAKE AUTO NEUTRAL-REQUIRES PARK BRAKE TO BE DISENGAGED PRIOR TO SELECTING A GEAR TO DR	0	0

			WEIGHT (LB)	
VEHICLE ELECTRONICS	DESCRIPTION		FRONT	REAR
	ROAD SPEED LIMITER SETTING	81 KM/H ROAD SPEED LIMITER (50MPH)	0	0
S	CRUISE CONTROL	CRUISE CONTROL	0	0
	CRUISE CONTROL, MAX SPEED	MAX CRUISE, 81 KPH (50MPH)	0	0
S	CRUISE CONTROL MIN SPEED	MIN CRUISE, 32 KPH (20 MPH)	0	0
	PDLO ENGAGED VLS	POWER DIVIDER LOCK OUT (PDLO) ROAD SPEED LIMIT 24KM/H (15MPH)	0	0
S	VEHICLE OVERSPEED,ALL COND,LOG	VEHICLE OVERSPEED,ALL COND, TIME LOG IF ABOVE 75MPH (121KM/H)	0	0
S	VEHICLE OVERSPEED, FUELED, LOG	VEHICLE OVERSPEED, FUELED, TIME LOG IF ABOVE 70MPH (113KM/H)	0	0
S	PERIODIC TRIP LOG DAY OF MONTH	PERIODIC TRIP LOG, DAY 1 OF THE MONTH	0	0
S	VEHICLE APP SERVICE INTERVALS	SERVICE INTERVALS, VOCATIONAL APPLICATION	0	0
S	SERVICE ALERT	WITH SERVICE ALERT	0	0
S	MAINTENANCE DUE ALERT %	ACTIVATE ALERT AT 90% OF THE TIME/DISTANCE SETTING	0	0

			WEIGHT (LB)	
PTO ELECTRONICS	DESCRIPTION		FRONT	REAR
S	PTO1 SINGLE SPEED CONTROL RPM.	PTO 1ST, SINGLE SPEED SETTING, 1000 RPM	0	0
S	PTO 1ST, MAX ROAD SPEED	1ST PTO, MAX ROAD SPEED, 10 MPH (16 KPH)	0	0
S	PTO 1ST, SPEED RAMP RATE	PTO 1ST, SPEED RAMP RATE 100 RPM/SEC	0	0
	PTO 1ST, ROAD SPEED LIMIT	PTO 1ST, ROAD SPEED LIMIT, 81 KM/H (50 MPH)	0	0

TECHNICAL SPECIFICATION *(cont.)*



PAINT	DESCRIPTION	WEIGHT (LB)		
		FRONT	REAR	
S	PAINT DESIGN	LR ELECTRIC (MULTI-TONE)	0	0
S	PAINT TYPE	SOLID PAINT	0	0
S	PAINT COLOR - FIRST COLOR	MACK BLACK; P3036	0	0
S	PAINT COLOR - SECOND COLOR	MACK WHITE; P9188	0	0
S	PAINT COLOR - THIRD COLOR	NO THIRD TRUCK COLOR PROVIDED; NO COLOR	0	0
S	CAB COLOR	MULTI-TONE - CAB	0	0
S	PAINT - CAB PAINT SYSTEM	PAINT - CAB, URETHANE CLEAR COAT	0	0
S	CHASSIS RUNNING GEAR	MACK BLACK (URETHANE); P3036	0	0
S	BUMPER	PAINT BUMPER SAME COLOR AS CHASSIS RUNNING GEAR	0	0
S	HUBS & DRUMS-FRONT	SAME AS CHASSIS RUNNING GEAR	0	0
S	HUBS & DRUMS-REAR	SAME AS CHASSIS RUNNING GEAR	0	0

BASE WARRANTY & PURCHASED COVERAGES	DESCRIPTION	WEIGHT (LB)		
		FRONT	REAR	
S	BASIC CHASSIS COVERAGE	NORMAL DUTY STANDARD BASE COVERAGE 12 MONTHS/100,000 MILES (160,934 KM)	0	0
	EMISSION - SURCHARGE	Battery Electric	0	0
S	CHASSIS TOWING WARRANTY	BASE CHASSIS TOWING COVERAGE, ELECTRIC TRUCK, 12 MO/100K MILES	0	0
S	ENGINE TOWING WARRANTY	ELECTRIC CONTROL SYSTEM & ELECTRIC POWERTRAIN TOWING, 36 MO/150K MILES	0	0
S	ELECTRIC CONTROL SYSTEM	36 MO/150K MILES - BASE ELECTRIC CONTROL SYSTEM COVERAGE	0	0
S	ELECTRIC POWERTRAIN	36 MO/150K MILES - BASE ELECTRIC POWERTRAIN COVERAGE	0	0
S	BATTERY - ELECTRIC TRUCK	36 MO/150K MILES - BASE BATTERY COVERAGE	0	0
	MACK ULTRA SERVICE	60 MO/250K MILES/500K kWh - MACK ULTRA SERVICE AGREEMENT	0	0

ADDITIONAL ENGINEERING (Included)	DESCRIPTION	WEIGHT (LB)	
		FRONT	REAR
CA		0	0

FRONT / REAR AXLE WEIGHTS (LB)

13151

9178

TOTAL WEIGHT (LB)

22329



Mack Trucks
www.macktrucks.com

GranTurk equipment co., inc.

home office:
one schuylkill parkway
building b
bridgeport, pa 19405-1069
phone (610) 239-9800
fax (610) 239-9806

branch office:
1415 bush street
baltimore, md 21230
phone (410) 837-5570
fax (410) 837-1024

QUOTATION

August 4, 2022

Potomac Mack
610 Nursery Road
Linthicum Heights, MD 21090
Attention: Curt Wagner

Reference: City of Hyattsville

Our Sales Representative, Steve Provenza has requested that we offer the following for your consideration.

One (1) Leach 2R111 25 Yard Demolition Rear Load Body – Factory Mounted on Customer Supplied Mack LR EV Electric Chassis :

Winch 12,000 Lb Latch & Ears
Dual Leach Cart Tipper Installation
Chromium Carbide Packer Shoes & Rails
Broom & Shovel Holders Both Sides Tailgate
Side Door Ladder w/Grab Handle
Work Lights Hopper Flush Mtd LED Qty 2
Trapezoidal Lights Under Body Front LED Qty 2
Alternating Strobing Lights 6" Oval Amber
Front of Body Qty 2
Alternating Strobing Lights 6" Oval Amber on
Tailgate Upper Bar LED Qty 2
Single Zone Defense Camera w/Heater
Zone Defense 7" Color Monitor

Carrier Panel Face Liner 3/16" GR50
Hopper Floor Liner (Partial) 1/4" Hardox 450
Packer Panel Face Liner 1/4" GR50
Ramp Liners 1/4" Hardox 450
Rear Body Roof Liner 10 Ga GR80
Rear Body Side Liners 10 Ga GR80
Paint Urethane White
Non Standard Material & Additional Mounting
Time for an Electric Vehicle
Replace Std 1/4" Thick Hopper Lower Side Wall
Sheets w/ 1/2" Thick Same Steel Grade
One Year Standard Warranty
Freight, Prep, Delivery & Training

- TERMS – C.O.D.
- PRICE DOES NOT INCLUDE ANY APPLICABLE TAXES

• ACR:lc

DATE OF ACCEPTANCE _____

By _____

GranTurk equipment co., inc.



ANNE C. RITCHIE – PRESIDENT

Quotation Valid Only if Approved By An Officer of GranTurk equipment co., inc.



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-111-FY23

11/7/2022

11.b.

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

Item Title:
Purchase of Road Salt

Suggested Action:

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with Morton Salt for an expenditure not to exceed \$35,000, pending legal review. This procurement will utilize the State of Maryland blanket purchase order #001B3600124 issued September 21, 2022.

Summary Background:

The State of Maryland issued Blanket Purchase Order 001B3600124 on September 21, 2022 to Morton Salt to provide the procurement and delivery of Bulk Road Deicing Salt to Prince George's County, amongst other Counties in this region of the State. The negotiated rate is \$78.19 per ton for the current term of the purchase order.

Next Steps:

Issue Purchase Order.

Fiscal Impact:

\$35,000

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

Pending

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B3600124

PRINT DATE: 09/21/22

PAGE: 01

SHIP TO: AS SPECIFIED ON INDIVIDUAL ORDERS	
VENDOR ID: MORTON SALT INC 444 WEST LAKE ST CHICAGO, IL 60606 (312)807-2737	REFER QUESTIONS TO: DAVID RENFRO (410)767-7064 DAVID.RENFRO@MARYLAND.GOV
ITB:	EXPR DATE: 10/01/23 POST DATE: 09/20/22
DISCOUNT TERMS: . NET 30 DAY CONTRACT AMOUNT: .00	

TERMS:

ARTICLES HEREIN ARE EXEMPT FROM MARYLAND SALES AND USE TAXES BY EXEMPTION CERTIFICATE NUMBER 3000256-3 AND FROM FEDERAL EXCISE TAXES BY EXEMPTION NUMBER 52-73-0358K. IT IS THE VENDOR'S RESPONSIBILITY TO ADVISE COMMON CARRIERS THAT AGENCIES OF THE STATE OF MARYLAND ARE EXEMPT FROM TRANSPORTATION TAX.

* STATEWIDE CONTRACT FOR ROAD SALT TO BE USED IN *
* MONTGOMERY, PRINCES GEORGE'S, HARFORD, BALTIMORE,
* FREDERICK CARROLL AND HOWARD COUNTIES
* *****

THIS IS A STATEWIDE CONTRACT AND MAY BE USED BY ALL STATE AGENCIES, COUNTIES, MUNICIPALITIES, AND OTHER ELIGIBLE ENTITIES.

THIS IS THE FINAL RENEWAL OPTION.

OPTION FINAL TERM: OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023, WITH THE SAME CONTRACT TERMS, CONDITIONS, PROVISIONS AND PRICE.

THERE ARE NO REMAINING RENEWAL OPTIONS LEFT UNDER ORIGINAL 001B9400169.

MARYLAND LAW PREVAILS:
THE PROVISIONS OF THIS CONTRACT SHALL BE GOVERNED BY THE LAWS OF MARYLAND.

ORDERING
CUSTOMER SERVICE
855-665-4540
VENDOR EMAIL ADDRESS:

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STATE OF MARYLAND

***** STATE OF MARYLAND *****

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TERMS (cont'd):

BUYROADSALT@MORTONSALT.COM
CONTRACT CONTACT: ANDREW LORENZINI
TELEPHONE : 312-807-2859
EMAIL: ALORENZINI@MORTONSALT.COM

EMERGENCY CONTACT : BOB GEORGE
TELEPHONE: 607-759-4324
EMERGENCY: RGEORGE@MORTONSALT.COM
STATE OF MARYLAND

SCOPE OF CONTRACT:
REQUIREMENTS CONTRACT FOR SUPPLYING THE STATE OF MARYLAND AND
USING AUTHORITIES WITH THEIR NEEDS FOR ROAD SALT.

CONTRACT REQUIREMENTS:
QUANTITIES ARE ESTIMATES ONLY AND ARE NOT TO BE CONSTRUED AS ANY
MINIMUM OR MAXIMUM GUARANTEE.

PRICE ESCALATION:

FOR EACH OPTION YEAR, THE CONTRACTOR MAY REQUEST AN INCREASE OF
THE PRICES THEN PREVAILING. THE REQUEST FOR A PRICE INCREASE MUST BE
SUBMITTED WITHIN EIGHT (8) WEEKS OF THE ANNIVERSARY DATE OF THE
CONTRACT.

THE INCREASE IS NOT TO EXCEED THE CURRENT RATE OF INFLATION, AS
DETERMINED BY THE (APPROPRIATE INDEX AND LINK). FOR EXAMPLE:
PPI FOUND AT WWW.BLS.GOV/PPI/.COM . USE THE MOST RECENT FINAL INDEX
AVAILABLE ON THE WEBSITE AT THE TIME OF THE REQUEST.
ALL OTHER TERMS, CONDITIONS AND SPECIFICATIONS WILL REMAIN THE SAME.

ONCE A PRICE INCREASE HAS BEEN APPROVED, NO FURTHER INCREASES SHALL BE
CONSIDERED FOR TWELVE (12) MONTHS. SUBSEQUENT INCREASES WILL BE BASED
ON THE FINAL INDEX VALUE USED ON THE PRECEDING ADJUSTMENT AND THE MOST
RECENT FINAL INDEX VALUE AVAILABLE ON THE BLS WEBSITE AT THE TIME OF
THE CURRENT REQUEST. THE STATE RESERVES THE RIGHT NOT TO ALLOW A
PRICE INCREASE.

THE INCREASED CONTRACT PRICE SHALL NOT APPLY TO ORDERS RECEIVED BY THE
CONTRACTOR PRIOR TO THE EFFECTIVE DATE OF THE APPROVED INCREASED
CONTRACT UNIT PRICE. ORDERS PLACED VIA PURCHASE ORDER, SHALL BE
CONSIDERED TO HAVE BEEN RECEIVED BY THE CONTRACTOR AFTER THE FIFTH

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TERMS (cont'd):

(5TH) CALENDAR DAY FOLLOWING THE DATE OF ISSUANCE. THE PROCUREMENT OFFICER MAY CANCEL, WITHOUT LIABILITY TO EITHER PARTY, ANY PORTION OF THE CONTRACT AFFECTED BY THE REQUESTED INCREASE AND ANY MATERIALS, SUPPLIES OR SERVICES UNDELIVERED AT THE TIME OF SUCH CANCELLATION. INVOICES REFLECTING "NEW" PRICES WILL NOT BE PROCESSED FOR DELIVERIES OF GOODS RECEIVED PRIOR TO THE INCREASE APPROVAL DATE.

PRICE DECREASES SHALL ALSO BE PASSED ON TO THE STATE AND DO NOT REQUIRE VERIFICATION. DECREASES BECOME EFFECTIVE IMMEDIATELY UPON NOTIFICATION.

THE PRICE ADJUSTMENTS FOR THE RENEWALS SHALL BE NEGOTIATED AND MUTUALLY AGREED UPON BY DGS AND THE CONTRACTORS. ALTHOUGH EACH NEGOTIATION WILL BE CARRIED OUT INDEPENDENTLY, THE PERCENTAGE INCREASE OR THE MONETARY INCREASE SHALL BE THE SAME FOR ALL VENDORS. DGS RESERVES THE RIGHT TO RENEW ANY AND/OR ALL CONTRACTOR'S CONTRACTS. UPON RENEWAL, THE EXISTING CONTRACT TERMS AND CONDITIONS WILL APPLY.

TERMINATION FOR CONVENIENCE:

THE PERFORMANCE OF WORK UNDER THIS CONTRACT MAY BE TERMINATED BY THE STATE IN ACCORDANCE WITH THIS CLAUSE IN WHOLE, OR FROM TIME TO TIME IN PART, WHENEVER THE STATE SHALL DETERMINE THAT SUCH TERMINATION IS IN THE BEST INTEREST OF THE STATE.

THE STATE WILL PAY ALL REASONABLE COSTS ASSOCIATED WITH THIS CONTRACT THAT THE CONTRACTOR HAS INCURRED UP TO THE DATE OF TERMINATION.

HOWEVER, THE CONTRACTOR SHALL NOT BE REIMBURSED FOR ANY ANTICIPATORY TERMINATION HEREUNDER, INCLUDING THE DETERMINATION OF THE RIGHTS AND OBLIGATIONS OF THE PARTIES, SHALL BE GOVERNED BY THE PROVISIONS OF COMAR 21.07.01.12A(2).

ESTIMATED SALT USAGE:

THE SHA GUARANTEES TO ACCEPT AT LEAST 10% OF ITS ESTIMATED AVERAGE USAGE IN EACH OF ITS COUNTIES. ESTIMATED TOTALS ARE AS FOLLOWS:

MONTGOMERY ESTIMATED TOTAL TONS USED
32471

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TERMS (cont'd):

PRINCES GEORGE'S
29408

HARFORD
17018

BALTIMORE
35888

FREDERICK
28798

CARROLL
15274

HOWARD
18415

VENDOR SALT HAULERS

EACH OF THE VENDOR'S SALT HAULERS ASSIGNED TO A PARTICULAR SHOP MUST BE AVAILABLE TO DELIVER SALT TO ANY SHA SALT STORAGE WITHIN THE SHOP'S AREA OF RESPONSIBILITY. THE VENDOR SHALL PROVIDE SHA WITH A LIST OF HAULERS, MONTHLY, THAT WILL BE USED TO SHIP MATERIAL TO SHA FACILITIES. THE HAULER LIST WILL BE E-MAILED TO COLLEEN ROBINSON AND SCOTT SIMONS AT CROBINSON@SHA.STATE.MD.US AND SCOTT SIMONS AT SSIMONS@SHA.STATE.MD.US, RESPECTIVELY ON THE FIRST OF EACH MONTH, BEGINNING IN NOVEMBER. SHA WILL REVIEW THE LIST TO DETERMINE IF ANY OF THE SALT HAULERS ARE UNDER CONTRACT WITH SHA FOR ITS SNOW AND ICE CONTROL OPERATIONS. SHA WILL MAKE THE VENDOR AWARE OF ANY POTENTIAL CONFLICTS

SHA MAINTENANCE SHOP CONTACTS

TO ASSURE GOOD COMMUNICATION, SHA WILL PROVIDE THE VENDOR WITH A LISTING OF SHA'S SHOPS ALONG WITH A CONTACT NAME AND PHONE NUMBER.
MATERIALS:

SODIUM CHLORIDE (ROCK OR SOLAR SALT) OFFERED SHALL MEET ALL OF THE REQUIREMENTS OF ASTM DESIGNATION D632 (LATEST REVISION), TYPE 1, GRADE 1. THE SODIUM CHLORIDE (SOLAR OR ROCK SALT) SHALL CONTAIN A MINIMUM OF 20 PARTS PER MILLION OF SODIUM FERRO CYANIDE UNIFORMLY MIXED WITH THE SALT TO PREVENT CAKING. THE MOISTURE CONTENT OF ROCK SALT AND SOLAR SALT SHALL NOT EXCEED THREE PERCENT (3.0%) BY WEIGHT.

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TERMS (cont'd):

IN THE EVENT THAT THE MATERIAL FAILS TO MEET THE MINIMUM SPECIFICATION, THE AUTHORIZED REPRESENTATIVE RESERVES THE RIGHT TO REQUIRE THE SUPPLIER TO TAKE WHATEVER CORRECTIVE ACTION IS DEEMED NECESSARY TO BRING THE MATERIAL UP TO SPECIFICATION, OR REQUIRE THE SUPPLIER TO REMOVE AND REPLACE THAT MATERIAL WHICH FAILS TO MEET THE SPECIFICATIONS, AT THE VENDOR'S EXPENSE.

FAILURE OF THESE SAMPLES TO MEET SPECIFICATIONS MAY RESULT IN THE VENDOR BEING REQUIRED TO REMOVE THE UNACCEPTABLE MATERIAL AND REPLACING IT WITH SPECIFICATION MATERIAL, ALL AT THE VENDOR'S EXPENSE. AS AN ALTERNATIVE, SHA RESERVES THE RIGHT TO REQUIRE FULL PLANT REPRESENTATION BY PERSONNEL OF SHA'S OFFICE OF MATERIALS AND TECHNOLOGIES. IN ADDITION, SHA RESERVES THE RIGHT TO SAMPLE THE MATERIAL AS IT IS UNLOADED FROM EACH ARRIVING SHIP.

THE VENDOR SHALL BE ALLOWED TO SHIP MATERIAL BASED ON CERTIFICATION. THIS CERTIFICATION MUST INCLUDE ACTUAL TEST DATA FROM THE MANUFACTURER AND REPRESENT THE MATERIAL BEING SHIPPED. CERTIFIED TEST VALUES MUST MEET ALL REQUIREMENTS OF THIS SPECIFICATION. SHA RESERVES THE RIGHT TO, AND WILL SAMPLE SHIPMENTS AT, THE FINAL POINT OF DELIVERY FOR TEST TESTING BY THE SHA LABORATORY.

WEIGHING:

THE VENDOR SHALL PROVIDE ACCURATE APPROVED SCALES TO BE USED FOR WEIGHING SHIPMENTS OF SODIUM CHLORIDE. THE PLATFORM OF THE TRUCK SCALES SHALL BE OF SUFFICIENT LENGTH AND WIDTH TO CONVENIENTLY ACCOMMODATE ANY TRUCKS OR COMPLETE HAULING UNITS THAT MAY BE USED TO TRANSPORT THE SODIUM CHLORIDE IN SUCH A MANNER THAT THE COMPLETE UNIT LOAD CAN BE WEIGHED AT ONE DRAFT. NO SPLIT WEIGHING WILL BE ALLOWED.

ALL DELIVERIES MUST BE MADE IN BULK BY COVERED TRUCKS. A CERTIFIED WEIGHT SLIP FROM THE SUPPLIER MUST ACCOMPANY EACH TRUCK. ALL WEIGHING OPERATIONS WILL BE CONDUCTED IN ACCORDANCE WITH TC-7.01 MEASUREMENT OF QUANTITIES OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS (CURRENT EDITION). A LINK TO THIS EDITION OF THE SPECIFICATIONS BOOK IN PDF FORM IS:

[HTTP://WWW.ROADS.MARYLAND.GOV/INDEX.ASPX?PAGEID=44](http://www.roads.maryland.gov/index.aspx?pageid=44)

CUSTOMER PICKUP:

SHA HAS IDENTIFIED ON ATTACHMENT "A" SALT STRUCTURES THAT ARE NORMAL PRIORITY FOR DELIVERIES DURING THE COURSE OF THIS CONTRACT.

DELIVERIES WILL BE MADE ONLY DURING NORMAL WORKING HOURS (MONDAY - FRIDAY, 7:30AM-3:30PM), UNLESS THE SUPPLIER MAKES ARRANGEMENTS IN ADVANCE OF ANTICIPATED DELIVERY DURING NON-WORK HOURS.

SHA WILL CONSIDER EXTENDED DELIVERY HOURS, OVERNIGHT IF NEEDED, PROVIDED THE VENDOR COMMITS TO A VERY HIGH TONNAGE TO SPECIFIC SALT

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TERMS (cont'd):

STRUCTURES. THE VENDOR MUST CONTACT A SHA REPRESENTATIVE WITH THE START TIME OF DELIVERY, NUMBER OF TRUCKS, AND ANTICIPATED TONNAGE. IN ADDITION, THE LAST LOAD MUST BE IDENTIFIED. THE VENDOR SHALL GIVE THE SHOP 24 HOURS NOTICE PRIOR TO BEGINNING ITS SHIPMENTS.

ONCE A VENDOR COMMITS TO HAULING TO A LOCATION, HE OR SHE SHALL DELIVER A MINIMUM OF 200 TONS TO THE SITE PER DAY. THE MINIMUM 200 TONS OF SALT DOES NOT HAVE TO BE ON CONTINUOUS DAYS. THE 200 TON MINIMUM DELIVERY WILL NOT APPLY WHEN THE REMAINING UNSHIPED MATERIAL IS LESS THAN 200 TONS, HOWEVER, THE REMAINING BALANCE SHALL BE SHIPPED IN ONE DAY. THE INTENT OF THE MINIMUM DELIVERY IS TO ALLOW SHA RECEIVING PERSONNEL TO BE SCHEDULED EFFICIENTLY.

DELIVERIES ARE TO BE COMPLETED WITHIN EIGHT (8) CALENDAR DAYS AFTER THE SUPPLIER RECEIVES AN ORDER, ORALLY OR IN WRITING, FROM THE USING AUTHORITY. IN THE EVENT THE DELIVERY IS NOT COMPLETED WITHIN THE SPECIFIED TIME, IN ADDITION TO ALL OTHER DAMAGES FOR WHICH THE VENDOR MAY BE LIABLE AND IN ADDITION TO ALL OTHER REMEDIES WHICH MAY BE AVAILABLE TO THE STATE, THE VENDOR SHALL BE LIABLE TO PAY \$6.00 PER SHORT TON IN LIQUIDATED DAMAGE, REFLECTING THE COST OF SHA MOVING SALT FROM ONE OF ITS FACILITIES TO ANOTHER.

LIQUIDATED DAMAGES CAN ONLY BE INSTITUTED BY THE MARYLAND DEPARTMENT OF GENERAL SERVICES (DGS).

IF IT BECOMES APPARENT TO THE VENDOR THAT IT CANNOT MEET A DELIVERY SCHEDULE, THE VENDOR SHALL NOTIFY THE SHA MAINTENANCE SHOP(S) IT SERVICES. IF THE VENDOR CANNOT MEET THE DELIVERY SCHEDULE ON A REGIONAL OR STATEWIDE BASIS, IT SHALL CONTACT THE CHIEF OF THE HIGHWAY MAINTENANCE DIVISION, (410-582-5565), OR DESIGNEE. THE VENDOR MAY SEEK RELIEF FROM THE LIQUIDATED DAMAGES BY EXPLAINING THE REASONS FOR NOT MEETING THE DELIVERY SCHEDULE, AS WELL AS ACTIONS BEING TAKEN TO CORRECT OR IMPROVE THE SHIPMENTS. THE CHIEF OF THE HIGHWAY MAINTENANCE DIVISION OR HIS DESIGNEE, IN CONSULTATION WITH DGS, WILL MAKE THE FINAL DETERMINATION OF THE REQUEST FOR WAIVER OF THE LIQUIDATED DAMAGES.

SHA WILL MAKE EVERY EFFORT TO MAINTAIN ADEQUATE INVENTORY LEVELS THROUGHOUT THE WINTER. IT IS IMPERATIVE THAT THE VENDOR AND SHA WORK TOGETHER TO MEET SHA'S DELIVERY REQUIREMENTS DURING PERIODS OF OF MINIMAL WINTER STORM ACTIVITY IN ORDER TO MINIMIZE THE OCCURRENCE OF SALT SHORTAGE DURING PERIODS OF BACK-TO-BACK STORMS.

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ELECTRONIC TRANSACTION FEE:

- A. CONTRACTOR SHALL PAY AN ELECTRONIC TRANSACTION FEE TO THE STATE IN THE AMOUNT OF ONE PERCENT (1%) OF THE TOTAL CONTRACT SALES. THE ELECTRONIC TRANSACTION FEE IS CALCULATED BASED ON ALL SALES TRANSACTED UNDER THE CONTRACT, MINUS ANY RETURNS OR CREDITS. THE ELECTRONIC TRANSACTION FEE SHALL NOT BE CHARGED DIRECTLY TO THE CUSTOMER, E.G., AS A SEPARATE LINE ITEM, FEE OR SURCHARGE, BUT SHALL BE INCLUDED IN THE CONTRACT'S UNIT PRICES.
- B. THE ELECTRONIC TRANSACTION FEE SHALL BE SUBMITTED TO THE DEPARTMENT OF GENERAL SERVICES, FISCAL SERVICES DIVISION, 301 W. PRESTON STREET, ROOM 1309, BALTIMORE, MD, 21201, WITHIN TEN (10) CALENDAR DAYS FOLLOWING THE END OF EACH CALENDAR MONTH ALONG WITH A MONTHLY USAGE REPORT DOCUMENTING ALL CONTRACT SALES. AN EXCEL VERSION OF THE MONTHLY USAGE REPORT SHALL BE EMAILED TO : DGS.STATEWIDECONTRACTSUSAGEREPORT@MARYLAND.GOV.
- C. FAILURE TO REMIT TRANSACTION FEES IN A TIMELY MANNER OR REMITTANCE OF FEES INCONSISTENT WITH THE CONTRACT'S REQUIREMENTS MAY RESULT IN THE STATE EXERCISING ALL RECOURSE AVAILABLE UNDER THE CONTRACT INCLUDING, BUT NOT LIMITED TO, A THIRD PARTY AUDIT OF ALL CONTRACT ACTIVITY. SHOULD AN AUDIT BE REQUIRED BY THE STATE, THE CONTRACTOR SHALL REIMBURSE THE STATE FOR ALL COSTS ASSOCIATED WITH THE AUDIT UP TO \$10,000.00 OR ONE (1%) PERCENT OF THE CONTRACT'S ESTIMATED ANNUAL VALUE, WHICHEVER IS HIGHER.
- D. PRIOR TO AWARD, CONTRACTORS WILL BE ASKED TO CONFIRM IN WRITING THAT THEIR UNIT PRICES INCLUDE THE ONE PERCENT (1%) ELECTRONIC TRANSACTION FEE.

YOU MUST COORDINATE THE UPLOAD OF YOUR PRODUCT CATALOG TO ENSURE MAXIMUM USE OF YOUR PRODUCTS AND SERVICES PER CONTRACT TERMS. PAYMENTS TO THE CONTRACTOR PURSUANT TO THIS CONTRACT SHALL BE MADE NO LATER THAN 30 DAYS AFTER THE STATE'S RECEIPT OF A PROPER INVOICE FROM THE CONTRACTOR. CHARGES FOR LATE PAYMENT OF INVOICES, OTHER THAN AS PRESCRIBED BY TITLE 15, SUBTITLE 1, OF THE STATE FINANCE AND PROCUREMENT ARTICLE, ANNOTATED CODE OF MARYLAND, OR BY THE PUBLIC SERVICE COMMISSION OF MARYLAND WITH RESPECT TO REGULATED PUBLIC UTILITIES, AS APPLICABLE, ARE PROHIBITED. ELECTRONIC FUNDS TRANSFER: THIS PROVISION ON ELECTRONIC FUNDS TRANSFER APPLIES TO CONTRACTS OF OVER \$200,000 FOR WHICH PAYMENTS ARE MADE THROUGH THE STATE COMPTROLLER. ELECTRONIC FUNDS TRANSFER WILL BE USED BY THE STATE TO PAY CONTRACTOR FOR THIS CONTRACT AND ANY OTHER STATE PAYMENTS DUE CONTRACTOR UNLESS

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TERMS (cont'd):

THE STATE COMPTROLLER'S OFFICE GRANTS CONTRACTOR AN EXEMPTION.
INVOICES:

FOLLOWING DELIVERY AND ACCEPTANCE OF ANY MATERIALS, EQUIPMENT,
SUPPLIES OR SERVICES (COMPANY NAME) SHALL SUBMIT AN ORIGINAL INVOICE
TO THE AGENCY FOR PAYMENT. VENDOR MUST INCLUDE THE 9-DIGIT ZIP CODE
OF COMPANY ADDRESS ON ALL INVOICES. FAILURE TO DO
SO MAY RESULT IN DELAY OF PAYMENT.

BPO/PO AS CONTRACT:

THIS PROVISION APPLIES TO ALL PROCUREMENT CONTRACTS PROCURED BY THE
DEPARTMENT OF GENERAL SERVICES EXCEPT CONTRACTS FOR THE PROCUREMENT
OF ARCHITECTURAL AND ENGINEERING SERVICES FOR A PRICE OF GREATER
THAN \$200,000. THE BIDDER'S EXECUTION AND SUBMISSION OF A
RESPONSIVE BID CONSTITUTES A PROMISE BY THE BIDDER TO PERFORM THE
CONTRACT SOLICITED BY THE DEPARTMENT IN ACCORDANCE WITH THE TERMS
AND CONDITIONS STATED IN THE SOLICITATION. THE BID SHALL BE
IRREVOCABLE FOR THE PERIOD STATED IN THE SOLICITATION OR FOR SUCH
LONGER PERIOD AS THE BIDDER AND THE DEPARTMENT MAY
AGREE.

.GREE.

UPON ACCEPTANCE OF A BID, THE PROCUREMENT OFFICER MAY ISSUE
A BLANKET PURCHASE ORDER (BPO), IN A FORM TO BE DETERMINED
BY THE DEPARTMENT, TO THE BIDDER ACCEPTING THE BID AND BINDING
THE BIDDER TO A CONTRACT. THE EXECUTION AND ISSUANCE OF A BPO
BY THE PROCUREMENT OFFICER, SUBJECT TO ALL NECESSARY APPROVALS,
SHALL CONSTITUTE ACCEPTANCE OF THE BID AND FINAL AWARD OF THE
CONTRACT. THE CONTRACT OF THE PARTIES WILL BE EMBODIED IN THE
CONTRACT DOCUMENTS, WHICH SHALL CONSIST OF THE EXECUTED BPO OF
THE PROCUREMENT OFFICER, INCLUDING ALL DOCUMENTS, TERMS,
AND CONDITIONS INCORPORATED INTO THOSE DOCUMENTS BY THE
TERMS OF THE SOLICITATION, THE BPO, THE BID, OR BY OPERATION OF LAW,
AND THE EXECUTED BID OF THE BIDDER. IF THE PROCUREMENT OFFICER
ISSUES A BPO, AT THE OPTION OF THE PROCUREMENT OFFICER IT WILL NOT
BE NECESSARY FOR THE BIDDER TO EXECUTE THE BPO OR ANY OTHER FORM OF
CONTRACT OR AGREEMENT. THE PROCUREMENT OFFICER MAY REQUIRE THAT
THE PARTIES BOTH EXECUTE A SINGLE DOCUMENT
AS THE EMBODIMENT OF THE CONTRACT BETWEEN THE PARTIES.

THE DEPARTMENT OF GENERAL SERVICES' "TERMS AND CONDITIONS FOR
COMMODITY CONTRACTS OVER \$25,000" AND ALL SPECIFICATIONS, TERMS AND
CONDITIONS OF SOLICITATION # 001IT820886/ MDDGS31039634 INCORPORATED

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0001	77545	TN	75.3400
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ROAD MAINTENANCE SALT
SODIUM CHLORIDE (ROCK OR SOLAR SALT) OFFERED IN THIS BID SHALL MEET ALL THE REQUIREMENTS OF ASTM DESIGNATION D632 (LATEST REVISION), TYPE 1, GRADE 1. THE SODIUM CHLORIDE (SOLAR OR ROCK SALT) SHALL CONTAIN A MINIMUM OF 20 PARTS PER MILLION OF SODIUM FERRO CYANIDE UNIFORMLY MIXED WITH THE SALT TO PREVENT CAKING. THE MOISTURE CONTENT OF ROCK SALT AND SOLAR SALT SHALL NOT EXCEED THREE PERCENT (3.0%) BY WEIGHT.
.BALTIMORE COUNTY AND BALTMORE CITY

SALT COST PER TON: \$64.35

TRANSPORTATION COST PER TON: \$10.99

UNIT COST SALT DELIVERED PER TON: \$75.34

0002	77545	TN	79.4300
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ROAD MAINTENANCE SALT
SODIUM CHLORIDE (ROCK OR SOLAR SALT) OFFERED IN THIS BID SHALL MEET ALL THE REQUIREMENTS OF ASTM DESIGNATION D632 (LATEST REVISION), TYPE 1, GRADE 1. THE SODIUM CHLORIDE (SOLAR OR ROCK SALT) SHALL CONTAIN A MINIMUM OF 20 PARTS PER MILLION OF SODIUM FERRO CYANIDE UNIFORMLY MIXED WITH THE SALT TO PREVENT CAKING. THE MOISTURE CONTENT OF ROCK SALT AND SOLAR SALT SHALL NOT EXCEED THREE PERCENT (3.0%) BY WEIGHT.
MONTGOMERY COUNTY

SALT COST PER TON: \$63.27

TRANSPORTATION COST PER TON: \$16.16

UNIT COST SALT DELIVERED PER TON: \$79.43

0003	77545	TN	78.1900
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ROAD MAINTENANCE SALT
SODIUM CHLORIDE (ROCK OR SOLAR SALT) OFFERED IN THIS BID SHALL MEET ALL THE REQUIREMENTS OF ASTM DESIGNATION D632 (LATEST REVISION), TYPE 1, GRADE 1. THE SODIUM CHLORIDE (SOLAR OR ROCK SALT) SHALL

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CONTAIN A MINIMUM OF 20 PARTS PER MILLION OF SODIUM FERRO CYANIDE UNIFORMLY MIXED WITH THE SALT TO PREVENT CAKING. THE MOISTURE CONTENT OF ROCK SALT AND SOLAR SALT SHALL NOT EXCEED THREE PERCENT (3.0%) BY WEIGHT. .
PRINCE GEORGES COUNTY

SALT COST PER TON: \$64.72

TRANSPORTATION COST PER TON: \$13.47

UNIT COST SALT DELIVERED PER TON:\$ 78.19

0004	77545	TN	77.1300
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ROAD MAINTENANCE SALT

SODIUM CHLORIDE (ROCK OR SOLAR SALT) OFFERED IN THIS BID SHALL MEET ALL THE REQUIREMENTS OF ASTM DESIGNATION D632 (LATEST REVISION), TYPE 1, GRADE 1. THE SODIUM CHLORIDE (SOLAR OR ROCK SALT) SHALL CONTAIN A MINIMUM OF 20 PARTS PER MILLION OF SODIUM FERRO CYANIDE UNIFORMLY MIXED WITH THE SALT TO PREVENT CAKING. THE MOISTURE CONTENT OF ROCK SALT AND SOLAR SALT SHALL NOT EXCEED THREE PERCENT (3.0%) BY WEIGHT. .
HARFORD COUNTY

SALT COST PER TON: \$63.74

TRANSPORTATION COST PER TON: \$13.39

UNIT COST SALT DELIVERED PER TON:\$ 77.13

0005	77545	TN	77.1300
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ROAD MAINTENANCE SALT

SODIUM CHLORIDE (ROCK OR SOLAR SALT) OFFERED IN THIS BID SHALL MEET ALL THE REQUIREMENTS OF ASTM DESIGNATION D632 (LATEST REVISION), TYPE 1, GRADE 1. THE SODIUM CHLORIDE (SOLAR OR ROCK SALT) SHALL CONTAIN A MINIMUM OF 20 PARTS PER MILLION OF SODIUM FERRO CYANIDE UNIFORMLY MIXED WITH THE SALT TO PREVENT CAKING. THE MOISTURE CONTENT OF ROCK SALT AND SOLAR SALT SHALL NOT EXCEED THREE PERCENT (3.0%) BY WEIGHT.

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HOWARD COUNTY

SALT COST PER TON: \$67.06

TRANSPORTATION COST PER TON: \$10.07

UNIT COST SALT DELIVERED PER TON:\$ 77.13

0006	77545	TN	83.3900
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ROAD MAINTENANCE SALT
SODIUM CHLORIDE (ROCK OR SOLAR SALT) OFFERED IN THIS BID SHALL MEET ALL THE REQUIREMENTS OF ASTM DESIGNATION D632 (LATEST REVISION), TYPE 1, GRADE 1. THE SODIUM CHLORIDE (SOLAR OR ROCK SALT) SHALL CONTAIN A MINIMUM OF 20 PARTS PER MILLION OF SODIUM FERRO CYANIDE UNIFORMLY MIXED WITH THE SALT TO PREVENT CAKING. THE MOISTURE CONTENT OF ROCK SALT AND SOLAR SALT SHALL NOT EXCEED THREE PERCENT (3.0%) BY WEIGHT.

FREDERICK COUNTY

SALT COST PER TON: \$64.34

TRANSPORTATION COST PER TON: \$19.05

UNIT COST SALT DELIVERED PER TON:\$ 83.39

0007	77545	TN	78.4900
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ROAD MAINTENANCE SALT
SODIUM CHLORIDE (ROCK OR SOLAR SALT) OFFERED IN THIS BID SHALL MEET ALL THE REQUIREMENTS OF ASTM DESIGNATION D632 (LATEST REVISION), TYPE 1, GRADE 1. THE SODIUM CHLORIDE (SOLAR OR ROCK SALT) SHALL CONTAIN A MINIMUM OF 20 PARTS PER MILLION OF SODIUM FERRO CYANIDE UNIFORMLY MIXED WITH THE SALT TO PREVENT CAKING. THE MOISTURE CONTENT OF ROCK SALT AND SOLAR SALT SHALL NOT EXCEED THREE PERCENT (3.0%) BY WEIGHT.

CARROLL COUNTY

SALT COST PER TON: \$64.05

TRANSPORTATION COST PER TON: \$14.44

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UNIT COST SALT DELIVERED PER TON:\$ 78.49

_____ END OF ITEM LIST _____

***** LAST PAGE *****

AUTHORIZED BY: _____ **DATE:** _____

BUYER AUTHORIZED DESIGNEE



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
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Agenda Item Report

File #: HCC-118-FY23

11/7/2022

11.c.

Submitted by: Allison Swift
Submitting Department: Police Department
Agenda Section: Consent

Item Title:

Agreement with the United States Department of Treasury

Suggested Action:

I move that the Mayor and Council authorize the City Administrator upon legal review to approve an agreement between the City of Hyattsville and the United States Department of Treasury. The agreement will require the Department of Treasury to reimburse the City for HPD officers who will provide additional security surrounding the Department of Treasury premises. The agreement will be for a three (3) year term.

Summary Background:

The Department of Treasury has an office located at 6505 Belcrest Road, Hyattsville, Maryland and employs approximately 200 plus employees. The Department has contracted guards for each of their floor entrances, but due to the recent and past crimes in the area, the Department is looking for additional security measures. Hyattsville Police Officers will work these assignments on an overtime basis at \$75.00 per hour and will be reimbursed by the Department of Treasury. This agreement is for a three (3) year term.

Next Steps:

Click or tap here to enter text.

Fiscal Impact:

\$75.00 an hour per officer

City Administrator Comments:

Recommend Approval

Community Engagement:

None

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

Pending

**AGREEMENT
THE CITY OF HYATTSVILLE
&
THE UNITED STATES DEPARTMENT OF TREASURY**

AGREEMENT

THIS AGREEMENT is made this ____ day of _____, 2022, by and between **THE CITY OF HYATTSVILLE**, a municipal corporation of the State of Maryland, hereinafter referred to as the “City,” and the **UNITED STATES DEPARTMENT OF THE TREASURY** hereinafter referred to as “Contractor”.

RECITALS

WHEREAS, the United States Department of Treasury is located at 6505 Belcrest Road, Hyattsville, Maryland 20782 and employs approximately 200 plus employees. The facility is located across from Prince George’s Mall, an area where crime has increased recently.

WHEREAS, The United State Department of Treasury is seeking additional security measures for the surrounding areas of their building.

WHEREAS, the Hyattsville City Council authorized the City Administrator to enter into a contract regarding police presence at the U.S. Department of Treasury located at 6505 Belcrest Road, Hyattsville, Maryland 20782.

WHEREAS, the Contractor and the City pursuant to that authorization are entering into this Agreement for the above pursuant to a need of police presence due to recent crime in the area.

TERMS

NOW, THEREFORE, in consideration of the mutual covenants and obligations contained herein and other good and valuable consideration, the sufficiency of which is hereby mutually acknowledged, the City and Contractor agree as follows:

This Contract shall be for a period three (3) year beginning _____, 2022 and, unless sooner terminated as provided in this contract or extended with the approval of the City of Hyattsville, will end on _____ when the monetary amount of the contract is fully expended, or when the services are no longer needed. No services shall be performed before the City of Hyattsville approves the Contract or after the Contract ends.

There are no auto renewals permitted under this Contract.

ARTICLE I. SCOPE OF SERVICES

The agreement shall include all work outlined in the recitals above and the following:

Section 1.1. The Police Department will provide uniformed police officers to provide additional security for the surrounding areas of the United States Department of Treasury building.

- a. Police officers will work these assignments on an overtime basis at the agreed rate of \$75.00 per hour.
- b. If there are insufficient officers available, the Chief of Police will make necessary duty assignments.
- c. The minimum compensated time for this assignment is _____.

- d. The maximum pay shall be for a four (4) hour duty period, five days a week, unless exceptional circumstances occur; in which case the pay shall be for the total period.
- e. All police officers assigned to work this assignment shall be protected by the City of Hyattsville's medical, retirement, liability and related benefits.

Section 1.2 It shall be the responsibility of the individual officers working these events to notify communications that they are working off-duty. This notification shall cover those officers whose names have been received prior to working the assignment, as well as any other officer working off-duty whose name was not included on the initial list.

- a. Prior to reporting to their assignments, officers should make an inquiry to their commander as to the status of the assignment.
- b. The Department of Treasury will be responsible for notifying the Chief of the City of Hyattsville Police Department or their designee of any changes or cancellations of the assignment.

ARTICLE II. PERIOD OF PERFORMANCE

Contractor agrees to commence work immediately upon execution of the Agreement and shall perform all other services required by this Agreement or by the City as expeditiously as is consistent with good professional skill and best industry practice. Time is critical factor in the successful execution of the terms of this Agreement.

ARTICLE III. FEE FOR SERVICES

The Contractor agrees to the City, and the City agrees to accept as full compensation for City's services under this agreement, the approved amount not to exceed \$375,000.00 for the services described herein during the term of this agreement.

ARTICLE IV. CONTRACTOR SERVICES

During the term of this Agreement, the City of Hyattsville Police Department shall provide services which are set forth in Article 1 - Scope of Services.

ARTICLE V. CITY'S RESPONSIBILITY

The City shall provide information regarding its requirements, including related budgetary information. However, the Contractor shall notify the City in writing of any information or requirements provided by the City, which the Contractor believes to be inappropriate.

ARTICLE VI. COOPERATION

The Contractor agrees to perform its services under this Contract in such manner and at such times so that City and/or any contractor who has work to perform, or contracts to execute, can do so without unreasonable delay. Contractor further agrees to coordinate its work under this Agreement with any and all other contractors deemed necessary by the City.

ARTICLE VII. SPECIAL PROVISIONS

A. Contractor may not assign or transfer any interest in this Agreement except with City's written approval.

B. City may waive specific minor provisions of the Agreement on Contractor's request in the interest of expediting the contract. Waiver shall not constitute a waiver of any liability ensuing there from.

C. Except as otherwise provided in the contract documents, the City Administrator, shall decide all disputes after consultation with Contractor, and any other appropriate parties. The City Administrator's decision shall be reduced to writing and delivered to Contractor and such dispute resolution shall not be considered a Change pursuant to this contract unless the dispute resolution modifies either the services rendered or the total fee for services as provided herein.

D. The City Administrator's decision shall be final and conclusive.

E. Until a dispute is finally resolved, Contractor shall proceed to meet the terms of this Agreement and comply with City Administrator's orders.

F. Contractor shall not hire or pay any employee of the City or any department, commission agency or branch thereof.

ARTICLE VIII. TERMINATION

A. This Agreement may be terminated by the City at the City's convenience upon not less than thirty (30) days written notice to the Contractor.

B. In the event of termination, which is not the fault of Contractor, the City shall

pay to Contractor the compensation properly due for services properly performed or goods properly delivered prior to the effective date of the termination and for reasonable reimbursable expenses properly incurred prior to the termination. The City shall not be liable for any damages, costs or expenses for lost profit, overhead or discontinuation of contract or equitable adjustment in the event of termination by the City.

C. In the event the Contractor, through any cause fails to perform any of the terms, covenants or provisions of this Agreement on his part to be performed, or if Contractor for any cause, fails to make progress in work hereunder in a reasonable manner, or if the conduct of Contractor impairs or prejudices the interest of the City, or if Contractor violates any of the terms, covenants, or provisions of this Agreement, the City shall have the right to terminate this Agreement for cause by giving notice in writing of the termination and date of such termination to Contractor. The City shall have the sole discretion to permit the Contractor to remedy the cause of the contemplated termination without waiving the City's right to terminate the Agreement. The City may take over work to be done under this Agreement and prosecute the work to completion, or procure the good or service, by contract or otherwise, and Contractor shall be liable to the City for all reasonable cost in excess of what the City would have paid the Contractor had there been no termination. The City shall not be liable for any damages, costs or expenses for lost profit, overhead or discontinuation of contract or equitable adjustments in the event of such termination.

ARTICLE VX. APPLICABLE LAW

The laws of the State of Maryland, excluding conflicts of law rules, shall govern this Agreement as if this Agreement were made and performed entirely within the State of Maryland. Any suit to enforce the terms hereof or for damages or other relief as a consequence of the breach or alleged breach hereof shall be brought exclusively in the courts of the State of Maryland in Prince George's County, and the parties expressly consent to the jurisdiction thereof and waive any right which they have or may have to bring such elsewhere.

ARTICLE X. CHANGES

A. The City Administrator may, at any time, by written order designated or indicated to be a change order, make any change in the work within the general scope of this Agreement, provided any change is co-signed by the City Treasurer, or in his or her absence, the Mayor.

B. Any other written order from City, which causes any change, shall be treated as a change order under this clause, provided that Contractor gives City written notice stating the date, circumstance, and source of the order and the City consents to regard the order as a change order.

C. Except as herein provided, no order, statement, or conduct of the City shall be treated as a change under this clause or entitle Contractor to an equitable adjustment hereunder.

D. If any change under this clause causes an increase or decrease in the cost of, or

the time required for, the performance of any part of this Agreement, whether or not changed by any order, an equitable adjustment shall be made and the Agreement modified in writing accordingly. If Contractor intends to assert a claim for an equitable adjustment under this clause, Contractor shall, within thirty (30) days after receipt of a written change order under (A) above, or the furnishing of written notice under (B) above, submit to the City Administrator a written statement setting forth the general nature and monetary extent of such claim, unless this period is extended by the City Administrator. The statement of claim hereunder may be included in the notice under (B) above.

E. The amount of any adjustment to the contract sum under this clause shall be a negotiated fixed fee.

F. No claim by Contractor for an equitable adjustment hereunder shall be allowed if asserted after final payment under this Agreement or if made later than thirty (30) days after receipt as required herein.

ARTICLE XI. SUCCESSORS AND ASSIGNS

The parties each binds itself, its partners, successors, assigns and legal representatives to this Agreement and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Agreement. Neither party shall assign, sublet or transfer his interest, including but not limited to the proceeds thereof, in this Agreement, without the written consent of the other party.

ARTICLE XII. INSURANCE

A. All Contractors shall obtain and maintain liability insurance coverage. The Contractor shall, within ten (10) days of the execution of this Agreement, file with the City Administrator, the Certificate from an insurance company authorized to do business in the State of Maryland and satisfactory to the City showing issuance of liability insurance in the amount of _____ (\$) coverage with a deductible no greater than _____ (\$). Contractor shall be fully and completely responsible to pay the deductible. Unless waived in writing by the City, the Certificate shall bear an endorsement in words exactly as follows:

The insurance company certifies that the insurance covered by this certificate has been endorsed as follows: "The insurance company agrees that the coverage shall not be canceled, changed, allowed to lapse, or allowed to expire until thirty (30) days after notice to: City Administrator, 4310 Gallatin Street, Hyattsville, Maryland 20781 (City's Representative)."

B. In addition, Contractor shall, throughout the term of this Agreement, maintain comprehensive general liability insurance in the following amounts and shall submit an insurance certificate as proof of coverage prior to final Agreement approval:

1. Personal injury liability insurance with a limit of _____ for each occurrence and _____ aggregate, where insurance aggregates apply; and
2. Property damage liability insurance with limits of _____ for each occurrence and _____ aggregate, where aggregates apply.

C. Comprehensive general liability insurance shall include completed operations and contractual liability coverage. The Certificates of Insurance evidencing this insurance shall provide that the City shall be given at least thirty (30) days prior written notice of the cancellation of, intention not to renew, or material change in coverage.

D. Contractor shall comply with the requirements and benefits established by the State of Maryland for the provision of Workers' Compensation insurance and shall submit an insurance certificate as proof of coverage prior to beginning work under this Agreement.

E. Contractor shall obtain both performance and Restoration bonds, acceptable to the City prior to commencing any public works construction project.

ARTICLE XIII. INDEMNIFICATION

Contractor hereby acknowledges and agrees that it shall be responsible for and indemnify, defend, and hold the City harmless against any claim for loss, personal injury and/or damage that may be suffered as a result of their own negligence or willful misconduct in the performance of the services herein contracted for or for any failure to perform the obligations of this Agreement, including, but not limited to, attorneys fees and any other costs incurred by the City, in defending any such claim. Contractor further agrees to notify the City in writing within ten (10) days of receipt of any claim or notice of claim made by third parties against the Contractor or any subcontractor regarding the services and work provided to the City pursuant to this

Contract. Contractor shall provide the City copies of all claims, notice of claims and all pleadings as the matter progresses. This Article shall survive termination of the Contract.

ARTICLE XV. ADA COMPLIANCE

In performance of this Agreement for public works construction projects, or where there is an ADA component involved, the Contractor acknowledges that it is acting on behalf of the City and warrants to the best of its professional information, knowledge, and belief that its design, product or completed infrastructure, will conform to, and comply with, the applicable provisions of the Americans with Disabilities Act. The Contractor hereby indemnifies and holds harmless the City from damages and costs arising from any claim that the Contractor's has failed to conform to the applicable provisions of the Americans with Disabilities Act.

ARTICLE XVI. CERTIFICATIONS OF CONTRACTOR

The Contractor and the individual executing this Agreement on the Contractor's behalf warrants it has not employed or retained any person, partnership, corporation, or other entity, other than a bona fide employee or agent working for it, to solicit or secure this Agreement, and that it has not paid or agreed to pay any person, partnership, corporation, or other entity, other than a bona fide employee or agent, any fee or any other consideration contingent on the making of this Agreement.

ARTICLE XVII. SET-OFF

In the event that the Contractor shall owe an obligation of any type whatsoever to the City at any time during the term hereof, or after the termination of the relationship created hereunder, the City shall have the right to offset any amount so owed the Contractor against any compensation due to the Contractor for the provision of Construction, Goods or Services covered by the terms of this Agreement.

ARTICLE XIII. MISCELLANEOUS

A. This Agreement is subject to audit by the City, and the Contractor agrees to make all of its records relating to the goods or services provided to the City available to the City upon request and to maintain those records for six (6) years following the date of substantial completion of this Agreement; or a longer period, if reasonably requested by the City.

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

C. The person executing this Agreement on behalf of the Contractor hereby covenants, represents and warrants that he/she is duly authorized to execute and deliver this Agreement on behalf of the Contractor.

D. All representations, warranties, covenants, conditions and agreements contained herein which either are expressed as surviving the expiration and termination

of this Agreement or, by their nature, are to be performed or observed, in whole or in part, after the termination or expiration of this Agreement shall survive the termination or expiration of this Agreement. This Agreement is entered into as of the day and year first written above.

E. This Agreement represents the entire and integrated Agreement between the City and Contractor and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by the duly authorized representatives of the City and the Contractor.

F. The recitals above are hereby incorporated into this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their proper and duly authorized officers, on the day and year first above written.

C

C CONTRACTOR

WITNESS/ATTEST:

By: _____(SEAL)
Date

THE CITY OF HYATTSVILLE

WITNESS/ ATTEST:

Clerk

By: _____(SEAL)
Date



City of Hyattsville

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Agenda Item Report

File #: HCC-121-FY23

11/7/2022

11.d.

Submitted by: Nate Groenendyk
Submitting Department: City Clerk
Agenda Section: Consent

Item Title:
2023 Council Regular and Budget Meeting Calendar

Suggested Action:
I move that the Mayor and Council adopt the 2023 Council Meeting Schedule and the FY-2024 Budget Meeting Schedule.

Summary Background:
Please see attached meeting schedule.

Next Steps:
Upon adoption, the Council Meeting Calendar will be published on the City's website.

Fiscal Impact:
None

City Administrator Comments:
The City Administrator and Treasurer will provide an FY2023 state of current budget affairs update prior to the start of the FY2024 budget season.

Community Engagement:
Council meeting agendas are posted a minimum of 48 hours in advance of each meeting. Subscribers to the City's Notify Me system also receive email and text alerts of upcoming meetings.

Strategic Goals:
Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?
N/A

City of Hyattsville – FY2024 Budget Calendar

Deadline for Submission of Council Budget Priorities

Tuesday, January 10, 2023, 5:00 PM

Council Meeting

Monday, February 6, 2023, 7:00 PM @ Virtual Meeting

- Discussion of Council Budget Priorities

Council Budget Work Session

Wednesday, March 29, 2023, 7:00 PM @ Virtual Meeting

- FY-24 Budget Review: All Departments
- FY-24 Budget Review: Capital Improvement Plan (CIP)
- Five-Year Forecast
- Introduction & Overview of the Draft Budget for Fiscal Year 2024

Deadline for Submission of Council Budget Amendments

Thursday, April 20, 2023, 5:00 PM

Public Hearing on the Real Property Tax Rate for Fiscal Year 2024

Monday, May 1, 2023, 6:30 PM - 7:00 PM @ Virtual Meeting

Council Meeting

Monday, May 1, 2023, 7:00 PM @ Virtual Meeting

- Discussion/Vote on Submitted Council Budget Amendments

Council Meeting

Monday, May 15, 2023, 7:00 PM @ Virtual Meeting

- Introduction & First Reading: FY24 Budget Ordinance

Council Meeting

Monday, June 5, 2023, 7:00 PM @ Virtual Meeting

- Second Reading & Adoption: FY24 Budget Ordinance



CITY OF HYATTSVILLE, MD
2023 COUNCIL REGULAR & BUDGET MEETING SCHEDULE

*This schedule may be subject to change. The first and third Monday of the month are reserved for City Council Meetings per City Charter. Meetings & Work Sessions begin at 7:00 p.m. and are held virtually, unless otherwise noted. Adopted by the Mayor & Council on **INSERT DATE.***

JANUARY				JUNE			
Tuesday	3	7:00 PM	Regular Council Meeting	Monday	5	7:00 PM	Regular Council Meeting: Adoption of FY24 Budget
Tuesday	17	7:00 PM	Regular Council Meeting				
FEBRUARY				JULY			
Monday	6	7:00 PM	Regular Council Meeting: FY24 Council Budget Priorities	Monday	17	7:00 PM	Regular Council Meeting
Tuesday	21	7:00 PM	Regular Council Meeting				
MARCH				AUGUST			
Monday	6	7:00 PM	Regular Council Meeting	Monday	7	7:00 PM	Regular Council Meeting
Monday	20	7:00 PM	Regular Council Meeting				
Wednesday	29	7:00 PM	Budget Work Session: FY24 Departmental Presentations/Introduction FY24 Budget	SEPTEMBER			
APRIL				Monday	18	7:00 PM	Regular Council Meeting
Monday	3	7:00 PM	Regular Council Meeting				
Monday	17	7:00 PM	Regular Council Meeting: Council Budget Amendments	OCTOBER			
MAY				Monday	2	7:00 PM	Regular Council Meeting
Monday	1	6:30 PM	Public Hearing: FY24 Real Property Tax Rate	Monday	16	7:00 PM	Regular Council Meeting
Monday	1	7:00 PM	Regular Council Meeting	NOVEMBER			
Monday	15	7:00 PM	Regular Council Meeting: 1st Reading of FY24 Budget	Monday	6	7:00 PM	Regular Council Meeting
				Monday	20	7:00 PM	Regular Council Meeting
				DECEMBER			
				Monday	4	7:00 PM	Regular Council Meeting
				Monday	18	7:00 PM	Regular Council Meeting



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Agenda Item Report

File #: HCC-124-FY23

11/7/2022

11.e.

Submitted by: Ron Brooks - Treasurer
Submitting Department: Finance
Agenda Section: Consent

Item Title:

FY23 CIP Budget Amendment: Adjust FY23 DPW CIP Budget Appropriations

Suggested Action:

I move that the Mayor and Council amend the FY23 DPW Capital Improvements Budget and adjust budget appropriations for 3505 Hamilton Street not to exceed \$18.7 million to cover the cost of the Whiting-Turner contract previously approved by Council on April 4, 2022, in motion HCC-299-FY22.

Summary Background:

In the spring of 2016, the Council authorized staff to contract with JMT to provide for the design and engineering of the renovation of 3505 Hamilton St. In the Summer of 2017, the Council approved of the concept that was presented and authorized funding to proceed with the full architectural and engineering design. During this phase of the project the City completed several related projects including a full environmental remediation of the building, installing an upgraded water service, and soliciting a new security and access control vendor. Plans were finalized and the permitting phase of the project began in mid-2021. The City conducted a two-part solicitation. A Request for Qualifications (RFQ) was solicited in Summer of 2021.

The City received a number of RFQ responses, and after review, determined that four (4) firm's proposals were responsive and responsible and demonstrated the minimum qualifications requested. In January 2022 the four (4) firms were provided the Request for Proposals (RFP) and given the opportunity to participate in the second part of the solicitation process. The RFP responses were received in March 2022. Of the four (4) prequalified firms approved to participate in the RFP, two (2) firms submitted proposals. Both proposals were responsive to the project needs. After review, the selection committee determined that the Whiting-Turner Contracting Company had the best proposed schedule and budget to successfully complete the project for the City.

Next Steps:

Adjust DPW FY23 CIP Budget Appropriations for 3505 Hamilton Street not to exceed \$18.7 million.

Fiscal Impact:

Increase DPW FY23 CIP Budget Appropriations not to exceed \$18.7 million.

City Administrator Comments:

Recommends approval.

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



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Agenda Item Report

File #: HCC-125-FY23

11/7/2022

11.f.

Submitted by: Ron Brooks - Treasurer

Submitting Department: Finance

Agenda Section: Consent

Item Title:

FY23 Special Revenues Funds Grant Budget Appropriation Amendment: FEMA COVID-19 Reimbursement Grant

Suggested Action:

I move that the Mayor and Council amend the FY23 Special Revenues Funds Budget to appropriate estimated COVID-19 FEMA Reimbursement Grant Funds in the amount not to exceed \$244,583 for vaccine costs and an additional amount not to exceed \$291,997 for testing site costs for a combined total of \$536,580 in estimated COVID costs that will be 100% reimbursable by FEMA for the period July 1, 2022, to June 30, 2023.

Summary Background:

In response to the COVID-19 public health emergency, the City of Hyattsville utilized City employees, materials, and contracts and/or MOUs/mutual aid agreements to administer the COVID-19 vaccine to the public. The City of Hyattsville directly operated a vaccination site launched on February 24, 2021 and a testing site that launched on June 15, 2020. The site was operated as a partnership between Hyattsville, Luminis Health, the Prince George's County Health Department, and First United Methodist Church of Hyattsville. These entities also provide facilities, equipment, staffing, supplies, communications, security, and other activities as needed for reduction of the immediate threat of COVID-19 by providing vaccination clinic facilities and associated support. The vaccine costs estimated at \$244,583 and testing site costs estimated at \$291,997 are reimbursed 100% by FEMA. The FEMA COVID-19 Reimbursement Grant total of \$536,580 for both programs are for COVID related expenses from July 1, 2022, to June 30, 2023.

Next Steps:

Appropriate the FY23 vaccine cost estimated at \$244,583 and testing site costs estimated at \$291,997 for COVID related costs expensed from July 1, 2022, to June 30, 2023, that will be 100% reimbursed by FEMA.

Fiscal Impact:

Increase the FY23 Special Revenues Funds Budget by \$536,580.

City Administrator Comments:

Recommends approval.

Community Engagement:

N/A

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

N/A



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Agenda Item Report

File #: HCC-126-FY23

11/7/2022

11.g.

Submitted by: Patrick A. Paschall
Submitting Department: Finance
Agenda Section: Consent

Item Title:

Small Business Emergency Relief Program Funding Increase

Suggested Action:

I move that the Mayor and Council allocate and authorize the expenditure of an additional \$500,000 for the Small Business Emergency Relief program using American Rescue Plan Act funds, bringing the total allocation for Small Business Relief Programs under ARPA to \$1,500,000.

Summary Background:

On June 6, 2022 the City Council authorized the establishment of a Small Business Emergency Relief program to provide financial assistance to Hyattsville small businesses that experienced financial harm during the Covid-19 pandemic. The fund began with \$900,000 dedicated to providing emergency relief payments to small businesses, with a plan to regularly review utilization and give the Council an opportunity to increase funding for this program if utilization warrants additional funding.

The program has been very successful. There are more than 500 licensed businesses in Hyattsville, with about half of them likely eligible for this emergency relief program.

Since the program opened in August, we have received 110 applications. To date, we have awarded 37 grants to small businesses totaling \$545,000. At the time this memo was written, the sixth batch of applications is being processed, which will likely award an additional \$185,000 to eligible applicants, bringing the total amount awarded to \$730,000.

This does not include applications that are still under review, and some applicants may be eligible to reapply with a Hyattsville business address. If all the applications we have received are ultimately awarded, staff estimates an additional \$180,000 in grant awards, bringing the total over the \$900,000 allocated for the program.

In addition, staff continues to conduct outreach to businesses in our community, and expect to continue to see an increase in applications for the Small Business Emergency Relief Program. Accordingly, staff recommends increasing the program allocation by \$500,000.

Next Steps:

Staff will continue to process applications, conduct outreach, and provide regular updates to Council about program utilization.

Fiscal Impact:

An additional \$500,000 will be added to the existing \$1,000,000 allocation for Small Business Relief Programs, paid for using American Rescue Plan Act funds.

City Administrator Comments:

Recommend Approval

Community Engagement:

An extensive community outreach process has begun, and staff continue to conduct directed outreach to small businesses to invite them to apply for the program.

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-127-FY23

11/7/2022

11.h.

Submitted by: Patrick A. Paschall
Submitting Department: Finance
Agenda Section: Consent

Item Title:

Purchase of Covid-19 Test Kits for Public Distribution

Suggested Action:

I move that the Mayor and Council allocate and authorize the expenditure of an amount not to exceed \$125,000 for the purchase of COVID-19 test kits directly for public distribution, using American Rescue Plan Act funds.

Summary Background:

The Hyattsville Household Emergency Relief Program began accepting applications on October 31, 2022. The program is administered by the Hyattsville Community Development Corporation (Hyattsville CDC) after a public Notice of Funding Availability and contract award approved by Council.

Hyattsville CDC plans to send application assistance outreach workers to every residential address in Hyattsville to inform residents about the Household Emergency Relief program and invite them to apply. To enhance these outreach efforts and earn trust among community members, staff and Hyattsville CDC intend to also distribute COVID-19 test kits to every residence within the City during the outreach efforts.

This will achieve multiple goals. First, as a public health matter, ensuring everyone in the City has access to COVID-19 test kits will help limit the spread of the COVID-19 virus by helping to more quickly identify when a family member contracts the virus. Second, providing a free COVID test kit, along with information about the Household Emergency Relief Program, will help residents view the information they receive as coming from a trusted source.

If a resident is not home, a bag branded with the City of Hyattsville's logo, along with the test kit and a flyer promoting the program, will be left at their door.

These test kits will be purchased using American Rescue Plan Act funds and distribution will be managed by the American Rescue Plan Program Manager in consultation with Hyattsville CDC and City departments.

Per our procurement policies, staff has solicited quotes for the bulk purchase of COVID-19 test kits. Thanks to a connection made directly to the manufacturer, we were able to get pricing at wholesale costs. The manufacturer has quoted \$8 per test kit (plus shipping, minimum order of 7,560 tests kits), each test kit with two tests inside the box. Staff intends to purchase 15,120 test kits (30,240 tests) for distribution. Most will be distributed directly to homes in Hyattsville through Hyattsville CDC's outreach efforts, and others will be provided to local schools and distributed at community events.

Costs for other expenses related to distribution, such as the purchase of flyers and bags, are covered by the existing allocation for outreach efforts.

Next Steps:

Place a Purchase Order with iHealthLabs for the purchase of two pallets (15,120) of test kits.

Fiscal Impact:

Not to exceed \$125,000, using American Rescue Plan Act Funds

City Administrator Comments:

Recommend Approval

Community Engagement:

Test kits will be delivered to every residential address in Hyattsville by outreach workers via Hyattsville CDC under the existing contract for administration of the Household Emergency Relief Program, and at community events.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



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Agenda Item Report

File #: HCC-128-FY23

11/7/2022

11.i.

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

Item Title:

Rebuild of the engine for Trash Truck #SW67

Suggested Action:

I move that the Mayor and Council authorize an increase in expenditure not to exceed (NTE) \$30,000 approved in Sept 2022 (HCC-73-FY23) to NTE \$50,000 to Beltway International Trucks for the rebuilding of the engine of the trash truck numbered SW67. This increase is to cover additional parts and labor for unknown issues discovered during the repair process.

Summary Background:

Trash truck numbered SW67 is one of the City's oldest trucks at nearly 14 years old and has some major engine repairs required. The Council recently authorized the purchase of two new diesel truck, one of which will be a replacement for SW67. While the City has placed the order for the new trucks, we have been informed that delivery of the new trucks could take up to 2 years from the order date. Typically the City maintains 1 or 2 spare trucks in order to maintain the City's high level of service when it comes to trash and compost waste collection. With SW67 currently out of service, and regular and unplanned maintenance keeping the other trucks active, most days there is no spare truck available. If another truck were to go out of service the level of service for residents would be severely impacted. To accommodate the needs of residents one or more trucks would have to make Additional trips to the landfill each day. To do this, overtime would be required and the extra trips would cause additional wear and tear on the remaining trucks. This will cost additional money and over a 2 year span could exceed the cost of repair to SW67.

Next Steps:

Issue purchase order and repair the truck.

Fiscal Impact:

Not to exceed \$50,000

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A

Currency: USD

Unit No: 9J091184

City Of Hyattsville

VIN: 1HTWGAZT19J091184
Model: 7400 SBA 6X4
Engine: MAXXFORCE 9 300HP/2200 GOV
Make: International
Delivered: 11/10/2008
In Service: 13 Years 11 Months
Mileage: 97656 Eng Hrs: 15441

Recall/AFC: No

Contact Name: MIKE SCHMIDL
Position: service-primary
Phone:
E-Mail: MSCHMIDL@HYATTSVILLE.ORG
PO Number:

Operation Section A	Labor Cost	Parts Cost	Core Charge	Total Cost
REINSTALL DRIVE SHAFT (1) STRAP KIT, U-JOINT, DRIVE SHAFT, HALF ROUND YOKES, 1710, 1760, 1810	\$89.50	\$52.49	\$0.00	\$141.99

Complaint:	TOWED IN- DRIVE SHAFT REMOVED-EST #3698552
Cause:	Need to replace U-joints when drive shaft is pulled.
Correction:	Not Available

Operation Section B	Labor Cost	Parts Cost	Core Charge	Total Cost
DIAG BLOWN ENGINE FOR REBUILD/REPLACEMENT ESTIMATE	\$358.00	\$0.00	\$0.00	\$358.00

Complaint:	C/S MOTOR IS BLOWN-EST #3698552
Cause:	Unit was torn apart when it got here. Had to check to see what needed replaced for a rebuild.
Correction:	Not Available

Operation Section C	Labor Cost	Parts Cost	Core Charge	Total Cost
Stripped (LONG BLOCK) Service Engine Parts, Transfer [Customer declined repair] (1) ENGINE, TRIMMED REMAN MY08-09 (6) COOLANT, ENGINE, ROTELLA ELC NF 50/50 1GALLON J (8) FLUID,ROTT4TRIPRO10W30CK4 BULK	\$2,327.00	\$41,897.35	\$0.00	\$0.00
Transfer parts to new engine [Customer declined repair]	\$1,790.00	\$0.00	\$0.00	\$0.00

Complaint:	Engine worn out.
Cause:	Customer diagnosed needing an engine
Correction:	Quoted a remanufactured engine

Operation Section D	Labor Cost	Parts Cost	Core Charge	Total Cost
Fuel Injector(S) (ELECTRONIC ENGINES), Replace (1) INJECTOR, ASSY REMAN DT570 I32	\$823.40	\$632.49	\$0.00	\$1,455.89

Works Kit, Install (1) COOLER,KIT, EGR COOLER ASY 330 (1) COOLER,KIT, REMAN EGR COOLER I (1) KT OVRHL,KIT ENGINE OVERHAUL 5 (1) BREATHER,KIT BREATHER ASSEMBLY (1) HOUSING,BREATHER, REMAN SUPPOR (14) BOLT BEARING CAP (12) BOLT CONNECTING ROD (8) COOLANTS,SHELL ROTELLA ELC NIT (8) FLUID,ROTT4TRIPRO10W30CK4 BULK (1) CLAMP EXHAUST PIPE (1) POCKET STAKE RACK (6) RED BRAKLEEN (COB4.10, 5.52)	\$7,518.00	\$14,794.45	\$0.00	\$22,312.45
Machining - Fixed Cost	\$0.00	\$0.00	\$0.00	\$950.00
ROAD TEST	\$179.00	\$0.00	\$0.00	\$179.00
REPLACE CAM LIFTERS AND GASKETS (12) PUSHROD, ENGINE (1) CAMSHAFT AND TAPPETS KIT, ENGINE, I-326 (1) TAPPET,KIT TAPPETS & GUIDES I- (1) THRMOSTA,THERMOSTAT ASSEMBLY (1) COVER,KIT FRONT COVER FRONT HL	\$1,521.50	\$5,116.59	\$0.00	\$6,638.09

Complaint:	<i>Customer says engine is worn out</i>
Cause:	<i>Customer did diagnosis and says the engine is worn out./ During repair tech found Cam, Lifters and Push Rods are worn out and cannot be re-used/ Also found Engine Thermostat broken</i>
Correction:	<i>Install engine rebuild works kit/ Replace Cam, Lifters and Push Rod all related Parts Gaskets required for repair/ Replace Push Rods/ Replace Thermostat</i>

Notes: [7/19/2022 4:17 PM] - Dealer: TOWED IN- DRIVE SHAFT REMOVED-EST #3698552
C/S MOTOR IS BLOWN-EST #3698552

Summary	
Parts:	\$20,596.02
Core:	\$0.00
Labor:	\$10,489.40
Other Items:	\$950.00
Shop:	\$180.00
Tax:	\$0.00
Haz. Waste:	\$2.00
TOTAL:	\$32,217.42

This estimate is subject to teardown and inspection and is valid for 30 days from date above. I, the undersigned, authorize you to perform the repairs and furnish the necessary materials. I understand any costs verbally quoted are an estimate only and not binding. Your employees may operate vehicle for inspecting, testing and delivery at my risk. You will not be responsible for loss or damage to vehicle or articles left in it.

AUTHORIZED BY: _____ DATE: ___/___/___

Currency: USD

Unit No: 9J091184

City Of Hyattsville

VIN: 1HTWGAZT19J091184
Model: 7400 SBA 6X4
Engine: MAXXFORCE 9 300HP/2200 GOV
Make: International
Delivered: 11/10/2008
In Service: 13 Years 8 Months
Mileage: 97656 Eng Hrs: 15441

Recall/AFC: No

Contact Name: MIKE SCHMIDL
Position: service-primary
Phone:
E-Mail: MSCHMIDL@HYATTSVILLE.ORG
PO Number:

Operation Section A	Labor Cost	Parts Cost	Core Charge	Total Cost
REINSTALL DRIVE SHAFT (1) STRAP KIT, U-JOINT, DRIVE SHAFT, HALF ROUND YOKES, 1710, 1760, 1810	\$89.50	\$52.49	\$0.00	\$141.99

Complaint:	TOWED IN- DRIVE SHAFT REMOVED-EST #3698552
Cause:	Need to replace U-joints when drive shaft is pulled.
Correction:	Not Available

Operation Section B	Labor Cost	Parts Cost	Core Charge	Total Cost
DIAG BLOWN ENGINE FOR REBUILD/REPLACEMENT ESTIMATE	\$358.00	\$0.00	\$0.00	\$358.00

Complaint:	C/S MOTOR IS BLOWN-EST #3698552
Cause:	Unit was torn apart when it got here. Had to check to see what needed replaced for a rebuild.
Correction:	Not Available

Operation Section C	Labor Cost	Parts Cost	Core Charge	Total Cost
Stripped (LONG BLOCK) Service Engine Parts, Transfer [Customer declined repair] (1) ENGINE, TRIMMED REMAN MY08-09 (6) COOLANT, ENGINE, ROTELLA ELC NF 50/50 1GALLON J (8) FLUID,ROTT4TRIPRO10W30CK4 BULK	\$2,327.00	\$41,897.35	\$0.00	\$0.00
Transfer parts to new engine [Customer declined repair]	\$1,790.00	\$0.00	\$0.00	\$0.00

Complaint:	Engine worn out.
Cause:	Customer diagnosed needing an engine
Correction:	Quoted a remanufactured engine

Operation Section D	Labor Cost	Parts Cost	Core Charge	Total Cost
Fuel Injector(S) (ELECTRONIC ENGINES), Replace (1) INJECTOR, ASSY REMAN DT570 I32	\$823.40	\$632.49	\$0.00	\$1,455.89

Works Kit, Install	\$7,518.00	\$14,794.45	\$0.00	\$22,312.45
(1) COOLER,KIT, EGR COOLER ASY 330 (1) COOLER,KIT, REMAN EGR COOLER I (1) KT OVRHL,KIT ENGINE OVERHAUL 5 (1) BREATHER,KIT BREATHER ASSEMBLY (1) HOUSING,BREATHER, REMAN SUPPOR (14) BOLT BEARING CAP (12) BOLT CONNECTING ROD (8) COOLANTS,SHELL ROTELLA ELC NIT (8) FLUID,ROTT4TRIPRO10W30CK4 BULK (1) CLAMP EXHAUST PIPE (1) POCKET STAKE RACK (6) RED BRAKLEEN (COB4.10, 5.52)				
Machining - Fixed Cost	\$0.00	\$0.00	\$0.00	\$950.00

Complaint:	Customer says engine is worn out
Cause:	Customer did diagnosis and says the engine is worn out.
Correction:	Install engine rebuild works kit

Operation Section E	Labor Cost	Parts Cost	Core Charge	Total Cost
Road Test / Test Drive - Final Road test	\$0.00	\$0.00	\$0.00	\$125.00

Complaint:	Not Available
Cause:	Not Available
Correction:	Not Available

Notes: [7/19/2022 4:17 PM] - Dealer: TOWED IN- DRIVE SHAFT REMOVED-EST #3698552
C/S MOTOR IS BLOWN-EST #3698552

Summary	
Parts:	\$15,479.43
Core:	\$0.00
Labor:	\$8,788.90
Other Items:	\$1,075.00
Shop:	\$180.00
Tax:	\$0.00
Haz. Waste:	\$2.00
TOTAL:	\$25,525.33

This estimate is subject to teardown and inspection and is valid for 30 days from date above. I, the undersigned, authorize you to perform the repairs and furnish the necessary materials. I understand any costs verbally quoted are an estimate only and not binding. Your employees may operate vehicle for inspecting, testing and delivery at my risk. You will not be responsible for loss or damage to vehicle or articles left in it.

AUTHORIZED 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-130-FY23

11/7/2022

11.j.

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

Item Title:
Street Signage Replacement in University Hills

Suggested Action:

I move that the Mayor and Council authorize an expenditure not to exceed \$30,000.00 to Shannon-Baum Signs for furnishing and installing street signs in the University Hills area of the City. The replacement of the street signs is the final work to be completed as part of the University Hills Street and Sidewalk projects, and will be completed under their existing rider contract with the City.

Summary Background:

In 2015 the Council authorized the beginning of the University Hills Street and Sidewalk replacement and installation project. The work was completed in multiple phases over the past 6 years. The final phase of the project, the Wells Blvd/Pkwy Green Street is being completed this fall, with road striping being finalized at the time of this writing. Now that all of the roads, curbs, and sidewalks are complete the only work remaining is the replacement of the street signs. Many of the signs in the neighborhood were originally installed by Prince George's County and are 30 or more years old. Many of the signs do not meet current reflectivity standards and should be replaced.

Next Steps:

Issue purchase order and schedule installation of signs

Fiscal Impact:

Not to exceed \$30,000

City Administrator Comments:

Recommend Support

Community Engagement:

Many community meeting were held throughout the University Hills project over the past 10+ years.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A

SHANNON-BAUM SIGNS & GRAPHICS, INC.
Since 1950



105 Competitive Goals Drive
Eldersburg, Maryland 21784
(410) 781-4000 Fax (410) 781-4673

A MD & DE CERTIFIED MINORITY COMPANY

TO: CITY OF HYATTSVILLE
ATTN: JOE B.

Ship To: UNIVERSITY HILLS
CUSTOMER WILL SUPPLY THE MAP OR LOCATIONS
TO US DIRECTLY AND ALSO BE ON SITE DURING
OUR SCOPE OF WORK.

SALESPERSON	SHIPPING VIA	INQUIRY DATE	ESTIMATED SHIPPING DATE	F.O.B	PAYMENT TERMS	VALID FOR
SANDY	INSTALLATION	10/27/2022	TO BE DET.	DESTINATION	NET 30	30 DAYS

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
62.00	62 REMOVALS ON SITE OF EXISTING SIGNS/POSTS	\$ 155.00	\$ 9,610.00
62.00	FURNISH REGULATORY SIGNS AND INSTALL ONTO NEW SUPPORTS	\$ 159.00	\$ 9,858.00
7.00	FURNISH REGULATORY SIGNS (2) AND INSTALL ONTO NEW SUPPORTS	\$ 161.00	\$ 1,127.00
6.00	REMOVE/REPLACE EXISTING SIGN WITH NEW SUPPORTS	\$ 155.00	\$ 930.00
2.00	FURNISH NEW SIGNS AND INSTALL ON EXISTING SUPPORTS (BANDED)	\$ 145.00	\$ 290.00
			\$ -
			\$ -
	NOTE: THE TOTALS LISTED ABOVE ARE BASED ON THE EMAIL SENT		\$ -
	ON 12-15-2021 BY HAL.		\$ -
			\$ -
	ANYTHING EXTRA THAT MAY BE NEEDED WHILE WE ARE ON SITE WILL		\$ -
	BE BILLED ACCORDINGLY AND BASED OFF OF THE CONTRACT PRICE.		\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -

WE ARE PLEASED TO SUBMIT THE ABOVE QUOTATION FOR YOUR CONSIDERATION. SHOULD YOU PLACE AN ORDER, BE ASSURED IT WILL RECEIVE OUR PROMPT ATTENTION. THIS QUOTE IS VALID FOR THE NUMBER OF DAYS LISTED ABOVE. THEREAFTER IT IS SUBJECT TO CHANGE WITHOUT NOTICE.

To accept this quotation, sign here and return: _____

SUBTOTAL	\$ 21,815.00
SALES TAX	
TOTAL	

THANK YOU FOR YOUR BUSINESS!



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-131-FY23

11/7/2022

11.k.

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

Item Title:
Healthy Trees Hyattsville Program Implementation

Suggested Action:

I move that the Mayor and Council authorize an expenditure not to exceed \$10,000 to Casey Trees to provide structural pruning, training, and public tree plantings as part of the implementation of the Healthy Trees Hyattsville program.

Summary Background:

In the FY23 budget the Council authorized the Healthy Trees Hyattsville program to work on improving and growing the City's tree canopy to meet short and long term goals for canopy coverage throughout the City. Casey Trees is a Washington DC based non-profit committed to restoring, enhancing, and protecting the tree canopy in metropolitan area. As a local non-profit partner with the City, Casey Trees had been an important part of the process to increase the City's canopy. They have helped with many tree planting campaigns and providing training and maintenance to staff and residents. Working with City staff as part of the Healthy Trees Hyattsville program, Casey Trees will be providing tree care training to residents and staff, provide structural pruning for City trees, and plant trees in the City right of way. Each of these items are low cost individually, but will cost up to \$10,000 in aggregate this fiscal year.

Next Steps:

Issue purchase order and setup trainings, trimmings, and plantings

Fiscal Impact:

Not to exceed \$10,000

City Administrator Comments:

Recommend Support

Community Engagement:

Selected training will be offered to residents. Residents may also request a City tree be planted in front of their homes.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



8/29/2022

Casey Trees Background

Dear Dawn:

Casey Trees is a Washington DC based nonprofit, established in 2002, committed to restoring, enhancing, and protecting the tree canopy of the nation's capital. The mission of Casey Trees is what separates us from other commercial tree contractors. We are committed to allocating time, human capital, and educational resources towards the betterment of the arboriculture field in the great DC metropolitan area. This includes but is not limited to offering educational tree training sessions with outside agencies.

A Washington Post article chronicling DC's canopy decline from 50% to 35% between 1950 and 2001 encouraged Betty Brown Casey, a longtime area resident, to establish Casey Trees in 2002. To fulfill our mission, we plant trees, engage thousands of volunteers in tree planting and care, provide year-round continuing education courses, monitor the city's tree canopy, develop interactive online tree tools and work with elected officials, developers, and community groups to protect and care for existing trees and to encourage the addition of new ones.

Since our founding, we have planted over 45,000 trees, and installed 4,665 trees in the last year alone. Several hundred of these trees have been planted in accordance with Hyattsville Department of Public Works. Casey Trees strives to increase the total number of trees planted in and around DC, while simultaneously improving tree equity across the region. Trees are a vital piece of urban infrastructure and are often not distributed equitably. People of color and low-income families are more likely to live in areas with low canopy coverage, preventing these communities from experiencing the many benefits mature trees provide. Casey Trees has prioritized installing trees and increasing community engagement in areas that have been historically under-resourced to increase community resiliency and reduce the severity of climate change impacts.

Casey Trees provides a maintenance program on newly planted trees to promote establishment and long-term tree survival, including watering, weeding the tree ring (drip line), mulching, deer protection, staking and guying, and pruning. The maintenance program is specific to the partner and the project. After trees have been in the ground for three years Casey Trees completes a structural prune on each tree to remove dead, diseased, damaged, or crossing limbs. Casey Trees will also remove competing leaders, and complete elevation pruning to allow lawn mowers or other pedestrian and vehicular traffic to easily maneuver underneath the tree without contact.

Sincerely,

A handwritten signature in black ink that reads "R. Shaut".

Robert Shaut
Director of Tree Operations
301-633-2339



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-119-FY23

11/7/2022

12.a.

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

Item Title:

WSSC Water and Sewer Utility Easement

Suggested Action:

I move the Mayor and Council deny the request for a water and sewer utility easement along sections of the northeast quadrant of David C. Driskell Community Park and authorize the City Administrator to provide correspondence to the Washington Sanitary Sewer Commission (WSSC) notifying the agency of the City's decision.

Summary Background:

The City has received a request for the granting of a sewer and water utility easement from the Washington Suburban Sanitary Commission (WSSC) via Werrlein Properties, for the utility to perform maintenance of an existing sanitary sewer, which is 12'-15' below grade. There is no recordation of an existing sewer and water or other public utility easement.

WSSC has determined that if built the proposed development will need to relocate and upgrade the existing sewer line across the property. Werrlein Properties would be responsible for the construction of this new sewer.

City Staff has reviewed the request, applicable State code pertaining to WSSC 'Right of Entry Procedures' and is recommending denial of this request. WSSC will still be able to make required repairs without the easement, per the Maryland Public Utilities Code Sections 27-101 and 102 grants the Washington Suburban Sanitary Commission (WSSC) broad authority to make improvements or repairs to water and sewer infrastructure within public roadways, with notification to applicable political subdivisions without reference to a requirement for a public utility easement.

(a) The Commission may:

- (1) enter on a public roadway to install, maintain, and operate the Commission system; and**
- (2) construct a water main, sewer, or an appurtenance of a water main or sewer in a public roadway in Montgomery County and Prince George's County, subject to the regulation and permit provisions of § 27-102 and 27-108 of this title.**

Next Steps:

No additional action is required.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend approval.

Community Engagement:

N/A

Strategic Goals:

Goal 4 - Foster Excellence in all City Operations

Legal Review Required?

N/A



COMMISSIONERS
 Keith E. Bell, Chair
 Howard A. Denis, Vice Chair
 Fausto R. Bayonet
 T. Eloise Foster
 Chris Lawson
 Regina Y. Speed-Bost

GENERAL MANAGER
 Carla A. Reid

May 2, 2022

Jim Chandler
 Assistant City Administrator and Director
 City of Hyattsville
 4310 Gallatin Street
 Hyattsville, MD 20781

Re: Werrlein - Suffrage Point
 WSSC DA 6538 B18

Dear Mr. Chandler:

Please see the responses to the questions you sent concerning the extent of the easement requested by the developer for a new sewer main (replacing an existing sewer main) under WSSC project DA6538B18.

1. Is the PUE that WSSC is requesting limited to this line or are there other sections of line that are absent a PUE. Is the scope of the PUE limited to addition of this one specific water and sewer line OR are there other existing lines in the vicinity that also exist without the benefit of a PUE.

This is not a Public Utility Easement. Public Utility Easements contain the dry utilities and this will be a WSSC easement. The dry utilities and WSSC mains cannot be located in the same easements. The WSSC easement is being requested for a new sewer main that will be replacing an existing sewer line. The existing pipe already carries existing flow. The replacement pipe will be carrying existing flow in addition to new flow.

WSSC asks that easements be granted to it wherever water or sewer pipes are located. This is to ensure that WSSC has authority to be in a particular location and for future inspection, operation, and maintenance of the pipes.

2. Can you provide me with a pdf of the existing network from 40th Avenue, through the south boundary of Driskell (formerly Magruder) Park.

A map has been provided via e-mail on March 30, 2022.

3. Please confirm the dimensions of the requested easement.

WSSC is proposing a 30-foot easement from the east and a variable width easement from the north, totaling an area of 2886 square feet. The easement is for a new 15- inch sewer main that will be connecting to an existing manhole near the property line for the City of Hyattsville property and the Magruder Park entrance R/W line.

4. If the easement is not granted by the City, what would be the procedure for WSSC performing both capital replacement work and/or emergency work to this section of utility line. If in the future (15, 20, 40 years from now), if the PUE is not approved by the City, what is WSSC's procedure for performing planned or unplanned replacement, if this section of pipe fails.

The existing sewer main is over 40 years old. In the event the City does not grant WSSC an easement, WSSC would nonetheless repair the existing pipe if an emergency arose. There is no capital replacement plan for this section in the near future (next 5 years). In addition, there is no plan to do replacement work on the existing pipes for this section of sewer line further into the future.

Currently, any planned work performed by WSSC would require permission from the City of Hyattsville. If the City does not grant the easement for the replacement sewer main, any future installation or replacement of the existing sewer would require permission from the City to design and then construct the sewer main.

The opportunity to replace this sewer main presented itself because Werrlein was seeking to connect to the existing sewer main for the townhouse development that has been approved. The connection and alignment of the replacement sewer main over the City of Hyattsville property will require an easement. The installation of the new sewer main will replace the existing sewer main that is in the same location.

The replacement sewer main will benefit more residents than just the Werrlein development; it will include the flow from 40th Place. The existing sewer main already collects sewer from the community along 40th Place.

I hope this letter addresses your concerns or questions.

Sincerely,

Kiaki Yilma

Kiaki Yilma
Project Manager
Development Services Division

cc: Ray Chicca, Development Services Division
Fred Mejias, Development Services Division



VICINITY MAP
SCALE 1" = 2000'
Vicinity Map © ADC - Kappa Map Group LLC/GIS
Integrated Solutions LLC 2014
PRINCE GEORGE'S COUNTY
ROAD ATLAS

VICINITY MAP
SCALE 1" = 2000'
PRINCE GEORGE'S COUNTY PAGE: 067?? GRID: 050 B1

LEGEND

- APPLICANT'S PROPERTY
- MNCPPC PROPERTY
- EXISTING WATER MAINS (CONTRACT # & SIZE)
- EXISTING SEWER MAINS (CONTRACT # & SIZE)
- PROPOSED WATER MAINS
- PROPOSED SEWER MAINS
- EXISTING BUILDINGS
- PROPOSED BUILDINGS
- ADJACENT PROPERTIES
- ABUTTING ROADS W/ NAMES
- EXISTING PAVING
- PROPOSED ON-SITE WATER
- PROPOSED ON-SITE SEWER
- PROPOSED SEWER SERVICE CONNECTIONS
- PROPOSED EASEMENTS
- PROPOSED MAJOR CONTOURS (EXISTING CONTOURS)
- PROPOSED MINOR CONTOURS (EXISTING CONTOURS)
- HP/LP
XXXXX
X PROPOSED HIGH/LOW POINT ELEVATIONS

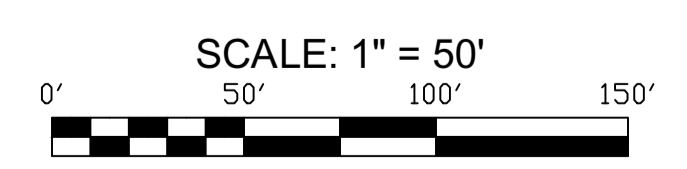
PLEASE CHECK AND SEE IF EASEMENTS WILL BE REQUIRED FOR THE EX. SEWER THRU THE PROPERTY.

PART 1
15 TOWNHOUSE UNITS
16 SINGLE FAMILY UNITS

PART 2
41 TOWN HOUSES UNITS

ALL PROPOSED SEWER TO BE 8 INCHES

DEVELOPMENT BY PARTS			
SERVICE CATEGORIES	PARTS	# OF UNITS / SQ. FT.	
		SFDU	TH
W - 3	S - 3	16	15
W - 3	320A	16	41
HHG	325		
LHG	243		
TOTAL =		16	56



- NOTES:
- ALL REQUIRED WSSC EASEMENTS WILL BE PER THE DESIGN MANUAL
 - INTERNAL ROADS WILL BE PUBLIC

FILE COPY

10/19/2018

WASHINGTON SUBURBAN SANITARY COMMISSION

Dewberry
Dewberry Inc. ENGINEER:
4601 FORBES BLVD SUITE 300 LANSAN, MD 20706
301.731.5551
301.731.0186 (FAX) www.dewberry.com

APPLICANT:
NAME: WERRLEIN WSSC LLC
ADDRESS: 522 DEFENSE HIGHWAY, ANNAPOLIS, MD 21401
PHONE: (443) 510-1274
CONTACT: JONATHAN WERRLEIN
EMAIL: JONATHAN@WERRLEINPROPERTIES.COM

HYDRAULIC PLANNING ANALYSIS
MAGRUDER POINT
WATER AND SEWER EXTENSION

CONTRACT DA6538Z18
200S 206NE03 10/4/2018
PLOT DATE: 10/4/2018 4:07 PM

LOWER ANACOSTIA / MINI BASIN 09-019



Memo

To: Mayor and City Council

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development

CC: Lesley Riddle, Director, Public Works

Hal Metzler, Deputy Director, Public Works

Taylor Robey, City Planner

Date: October 27, 2022

Re: WSSC Utility Easement Request – Suffragist Pointe Development Plan

Attachments: WSSC Utility Easement Documents

WSSC Utility Map

The purpose of this memorandum is to provide the City Council with follow-up of a prior request by the Washington Suburban Sanitary Commission, via Werrlein Properties LLC, to grant a sewer and water easement and a recommendation.

Summary

- The City has received a request for the granting of a sewer and water utility easement from the Washington Suburban Sanitary Commission (WSSC) via Werrlein Properties, for the utility to perform maintenance of an existing sanitary sewer, which is 12'-15' below grade.
- There is no recordation of an existing sewer and water or other public utility easement.
- WSSC has determined that if built the proposed development will need to relocate and upgrade the existing sewer line across the property. Werrlein Properties would be responsible for the construction of this new sewer.
- City Staff has reviewed the request, applicable State code pertaining to WSSC 'Right of Entry Procedures' and is recommending denial of this request.

Project Location Details

The City has received a request for the granting of an easement from the Washington Suburban Sanitary Commission (WSSC) via Werrlein Properties.

Utility easements grant the rights to the easement holder, typically a utility company, to access and

control the portion of another person's land that contain or provide access to utility facilities and structures (i.e. utility poles, transformers, overhead or underground electrical lines, antennas, and sewer and water lines). Utility easements are one of the most common types of easements for private property, which generally allow public utility companies access to the property for the purpose of installing, repairing and maintaining the utilities infrastructure. These easements also restrict the rights of the property owner to make changes that affect the easement without the approval of the easement holder.

The subject existing sanitary sewer bisects land located within the northeast quadrant of Driskell Park. The easement being requested by WSSC is for the purpose of performing replacement of an existing sanitary sewer and long term maintenance of the sanitary sewer. The existing sewer network is depicted in green, with the proposed new sewer line depicted in red in Exhibit A:

Exhibit A



There is no recordation of an existing public utility easement within public land records and it is unclear as to why no such easement exists for this section of storm drain. WSSC has determined that the existing 13" sanitary sewer requires relocation and that replacement with a **'new 15-inch sewer main that will be**

connecting to an existing manhole near the property line for the City of Hyattsville property and the entrance R/W line’.

City staff has met with representatives from WSSC in order to (1) understand the need for the replacement of the pipe and (2) determine whether the pipe can be relocated as to not require an easement. Based on the City’s discussion with WSSC, it has been determined that the sanitary sewer requires relocation, and that relocation to either 40th Place, Gallatin Street or Hamilton Street is not feasible.

Applicable Maryland State Law

The Maryland Public Utilities Code Sections 27-101 and 102 grants the Washington Suburban Sanitary Commission (WSSC) broad authority to make improvements or repairs to water and sewer infrastructure within public roadways, with notification to applicable political subdivisions without reference to a requirement for a public utility easement.

(a) The Commission may:

(1) enter on a public roadway to install, maintain, and operate the Commission system; and

(2) construct a water main, sewer, or an appurtenance of a water main or sewer in a public roadway in Montgomery County and Prince George’s County, subject to the regulation and permit provisions of §§ 27–102 and 27–108 of this title.

(b) When the Commission disturbs a public roadway, the Commission shall:

(1) notify the State, county, or municipality that has authority over the public roadway of the Commission’s plans;

(2) repair and leave the public roadway in the same or a superior condition to that existing before the public roadway was disturbed; and

(3) pay all costs for returning the public roadway to the same or superior condition.

(c) In addition to the authority over the construction and location of underground construction in the sanitary district, the Commission may regulate the construction of an overhead line, pole, or other public utility along a public roadway in the sanitary district.

Full sections of the applicable MD Code are available here:

<https://law.justia.com/codes/maryland/2021/public-utilities/division-ii/title-27/section-27-101/>

<https://law.justia.com/codes/maryland/2021/public-utilities/division-ii/title-27/section-27-102/>

Recommendation

This water and sewer easement public use easement request has been reviewed by the Director and Deputy Director of Public Works and Director for Community & Economic Development, all of whom have concluded that WSSC is legally permitted to perform the replacement of the existing infrastructure without the need for the City Council to grant a public utility easement. For this reason, Staff is recommending denial of this request and authorization to notify all respective parties of the City’s decision.



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-120-FY23

11/7/2022

12.b.

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

Item Title:

Zoning Variance Request: V-57-22 - 3510 Lancer Drive, Hyattsville

Suggested Action:

I move the City Council authorize the Mayor to send correspondence to the Prince George's County Board of Zoning Appeals (BZA) requesting the denial of a variance request for the subject property at 3510 Lancer Drive, Hyattsville. The correspondence shall (1) cite the applicant's existing conditions which significantly exceed the maximum net lot area coverage of 35% and (2) recommend that the applicant be required to remediate the site with the incorporation of pervious materials and/or supplemental stormwater management.

Summary Background:

The applicant, Douglas Rivas, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing conditions (net lot area, lot width, frontage width at front street line, lot coverage, front yard depth, side yard depth, and accessory building and shed) and to obtain a building permit for the illegal construction of a shed and breezeway on the property. The subject property includes an existing single-family detached residential structure, a detached garage structure, two shed structures, and various additional paved surfaces including a driveway, patio, walkways, and a breezeway between a shed and garage. This is further illustrated in the aerial photo shown in Exhibit B below. The property is zoned R-65 (One-Family Detached Residential). It is located in City Council Ward 5 and is not located within Residential Parking Zone. On March 14th, 2022, a correction order was issued for the subject property by Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE). The order indicates the "need to obtain building and electrical permits for multiple structures with electric in the rear yard, along with a 6-foot wooden fence, bathroom in the shed will need WSSC approval" as discrepancies requiring correction to pass inspection.

Next Steps:

No additional action is required.

Fiscal Impact:

N/A

City Administrator Comments:

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.

The applicant has created a total lot coverage of 75.2%, exceeding the maximum permissible lot coverage (35%) by 40.2%, of which includes 2,977 of paved driveway. This is a significant amount of impermeable surface that has been created and may contribute to excessive stormwater runoff to adjacent properties. While the side yard and rear yard lot

line requests are generally acceptable, the BZA referral must be considered as a whole with either a recommendation of 'support' or 'denial' and cannot be conditioned.

Based upon the findings of the application and corresponding Variance Policy, City Staff recommends the City Council oppose V-57-22 for the subject property at 3510 Lancer Drive, Hyattsville, request that the Board of Zoning Appeals deny this application and that correspondence include language to Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE) requesting a reasonable degree of remediation to restore permeable surface to the subject property.

Community Engagement:

Click or tap here to enter text.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Memo

To: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development

From: Taylor Robey, City Planner

CC: Tracey Douglas, City Administrator

Date: October 26, 2022

Re: Zoning Variance Request V-57-22 – 3510 Lancer Drive, Hyattsville

Attachments: Application for Variance (Appeal No. V-57-22)
City of Hyattsville Variance Policy

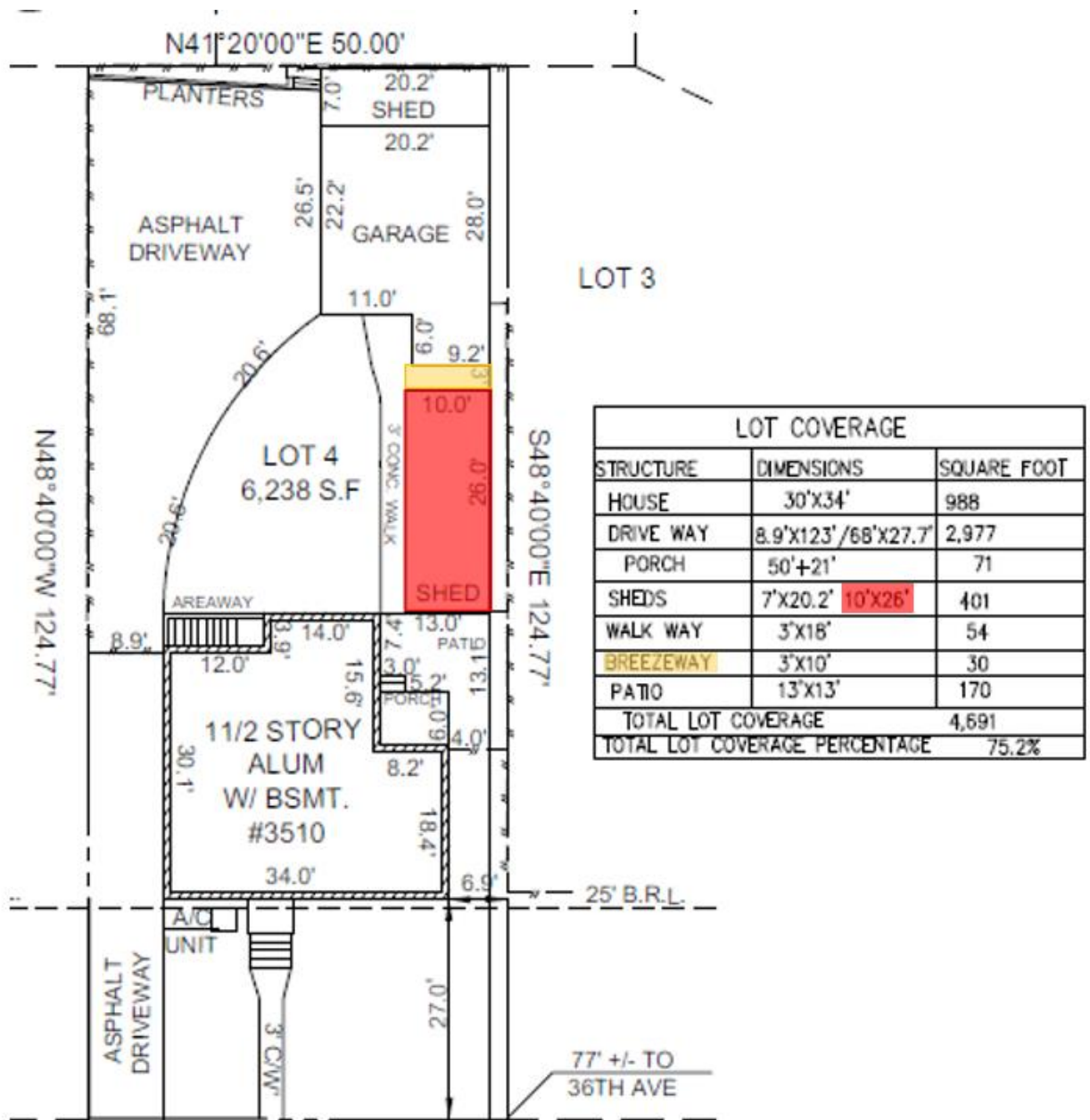
The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request V-57-22, for the subject property located at 3510 Lancer Drive, Hyattsville, Maryland.

Summary of Variance Conditions:

The applicant, Douglas Rivas, has applied to the Prince George’s County Board of Zoning Appeals for a zoning variance to validate existing conditions (net lot area, lot width, frontage width at front street line, lot coverage, front yard depth, side yard depth, and accessory building and shed) and to obtain a building permit for the illegal construction of a shed and breezeway on the property. Specific violations of the Zoning Ordinance, requested variances, and dimensions of the shed and breezeway are shown in the table and Exhibit A below:

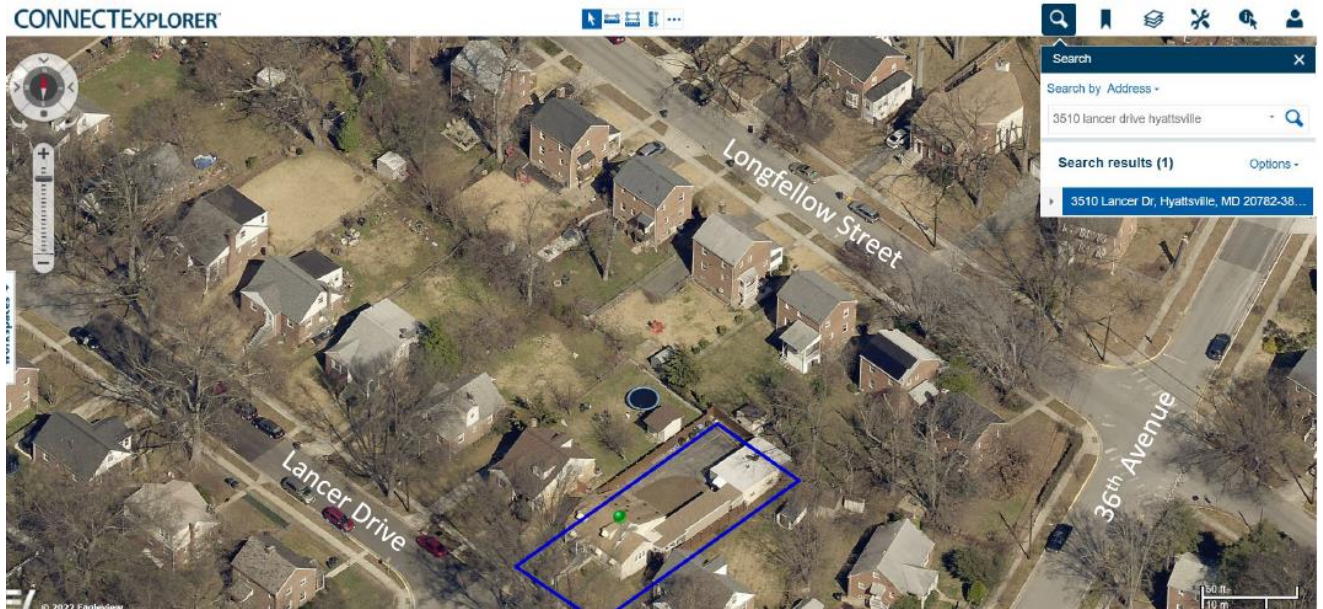
Residential Zone Use Table	Description	Variance Requested
Section 27-4202 (e)(1)	Requires each lot shall have a minimum net lot area of 6,500 square feet, minimum width of 65 feet measured along the front building line, minimum 52 feet measured along the front street line, and not more than 35% of the net lot area covered by building or off-street parking.	Variance of 172 square feet lot area, 15 feet front building line width, 2 feet front street line width, and 30% net lot coverage.
Section 27-4202 (e)(3)	Requires each lot shall have a side yard at least 8 feet in width.	Variance of 1.1 feet side yard width.
Section 27-4202 (e)(5)	Requires that accessory buildings shall have 2 feet from any side or rear lot line.	Variance of 2 feet rear lot line setback for accessory building (shed).

Exhibit A. Shed and Breezeway at 3510 Lancer Drive, Hyattsville



The subject property includes an existing single-family detached residential structure, a detached garage structure, two shed structures, and various additional paved surfaces including a driveway, patio, walkways, and a breezeway between a shed and garage. This is further illustrated in the aerial photo shown in Exhibit B below. The property is zoned R-65 (One-Family Detached Residential). It is located in City Council Ward 5 and is not located within Residential Parking Zone.

Exhibit B. Aerial Imagery of 3510 Lancer Drive, Hyattsville



On March 14th, 2022, a correction order was issued for the subject property by Prince George’s County Department of Permitting, Inspections, and Enforcement (DPIE). The order indicates the “need to obtain building and electrical permits for multiple structures with electric in the rear yard, along with a 6-foot wooden fence, bathroom in the shed will need WSSC approval” as discrepancies requiring correction to pass inspection.

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.

The applicant has created a total lot coverage of 75.2%, exceeding the maximum permissible lot coverage (35%) by 40.2%, of which includes 2,977 of paved driveway. This is a significant amount of impermeable surface that has been created and may contribute to excessive stormwater runoff to adjacent properties. While the side yard and rear yard lot line requests are generally acceptable, the BZA referral must be considered as a whole with either a recommendation of ‘support’ or ‘denial’ and cannot be conditioned.

Based upon the findings of the application and corresponding Variance Policy, City Staff recommends the City Council oppose V-57-22 for the subject property at 3510 Lancer Drive, Hyattsville, request that the Board of Zoning Appeals deny this application and that correspondence include language to Prince George’s County Department of Permitting, Inspections, and Enforcement (DPIE) requesting a reasonable degree of remediation to restore permeable surface to the subject property.



Zoning and Administrative

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

(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 Rivas, Douglas C
(AS SHOWN ON DEED)
Address of Owner(s) 3510 Lancer Dr
City Hyattsville State MD Zip Code 20782
Telephone Number (home) _____ (cell) 240-559-8191 (work) _____
E-mail address: Jennlika@icloud.com Jennlika@icloud.com

Location and Legal Description of the Property involved:

Street Address 3510 Lancer Dr
City Hyattsville MD 20782
Lot(s) 4 Block 1 Parcel 0000
Subdivision Name _____

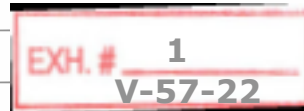
Professional Service:

▶ Engineer ▶ Contractor ▶ Architect: (if different from above): (circle one)

Name: N/A Phone Number: _____
Address: _____ Email Address: _____

Attorney representing applicant: (If applicable)

Name: N/A Phone Number: _____
Address: _____ Email Address: _____



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

Name: N/A

Address: _____

Municipality (Incorporated City/Town)

Name: Hyattsville

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

100' x 26'-0" shed, 16'-0" x 9'-8" Breezeway

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

No _____ Yes _____ Date Issued: 3/14/2022 Violation Notice No. # 9144-2022-0
Inspector's Name: K. Harrison

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

Yes _____ No Foreign Language: _____

[Signature]
Signature of Owner/Attorney

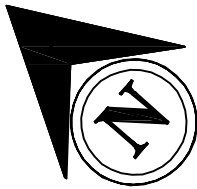
Douglas C. Rivas
Printed Name

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.

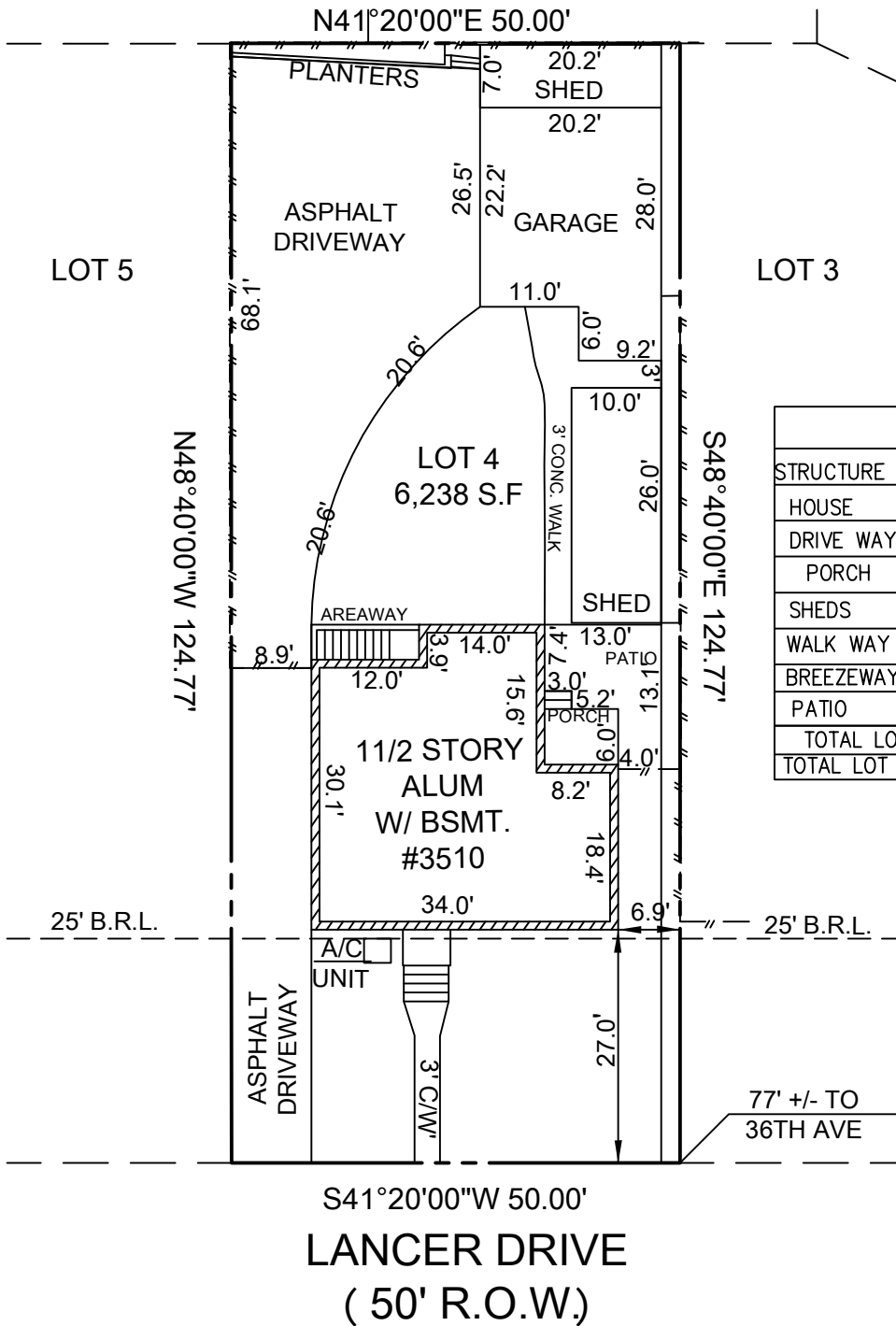
Approval of a variance is not a guarantee that further review will not be necessary by other governmental authorities. For further information regarding Board of Zoning Appeals policies and procedures, see Sections 27-229 through 27-234 of the County Zoning Ordinance and/or the Board's website at <http://pgccouncil.us/>.

ADDRESS: 3510 LANCER DRIVE
HYATTSVILLE, MD 20782



LOT 27

LOT 28



LOT COVERAGE		
STRUCTURE	DIMENSIONS	SQUARE FOOT
HOUSE	30'X34'	988
DRIVE WAY	8.9'X123'/68'X27.7'	2,977
PORCH	50'+21'	71
SHEDS	7'X20.2' 10'X26'	401
WALK WAY	3'X18'	54
BREEZEWAY	3'X10'	30
PATIO	13'X13'	170
TOTAL LOT COVERAGE		4,691
TOTAL LOT COVERAGE PERCENTAGE		75.2%

NOTES:

1. THIS IMPROVEMENT LOCATION DRAWING:
2. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
3. SUBJECT TO ALL EASEMENTS ON RECORD AND IMPROVEMENTS ON PROPERTY. THE PLAT IS SUBJECT TO RESTRICTION ON RECORD.
4. THIS SURVEY IS NOT TO BE USED AS A PLAT TO ESTABLISH PROPERTY LINES OR TO CONSTRUCT ANY PERMANENT STRUCTURES ON THE PROPERTY.
5. FENCE LOCATION, IF SHOWN, ARE APPROXIMATE AND DO NOT CERTIFY AS TO OWNERSHIP.
6. SDA, LLC ASSUMES NO RESPONSIBILITY FOR CHANGES MAY ACCUR TO THIS PLAT AFTER THE DATE OF SIGNATURE BY THE LICENCED SURVEYOR.

SCALE 1" = 20'

DRAWN BY: CE

I HEREBY CERTIFY THAT BOUNDARY SURVEY PLAT LOCATED AS SHOWN HEREON IS TO THE BEST OF MY INFORMATION, PROFESSIONAL KNOWLEDGE AND BELIEF,



9/21/22
DATE

SURVEYOR

LOCATION DRAWING

BLOCK 1 LOT4

SUBDIVISION: CLEARWOOD

ELECTION DISTRICT 16

PRINCE GEORGE'S COUNTY MARYLAND

PLAT # BB7@65

PROPERTY OWNER: DOUGLAS C. RIVA

SURVEYORS DEVELOPMENT & ASSOCIATES LLC

LAND SURVEYORS* ENGINEERS* PLANNERS*

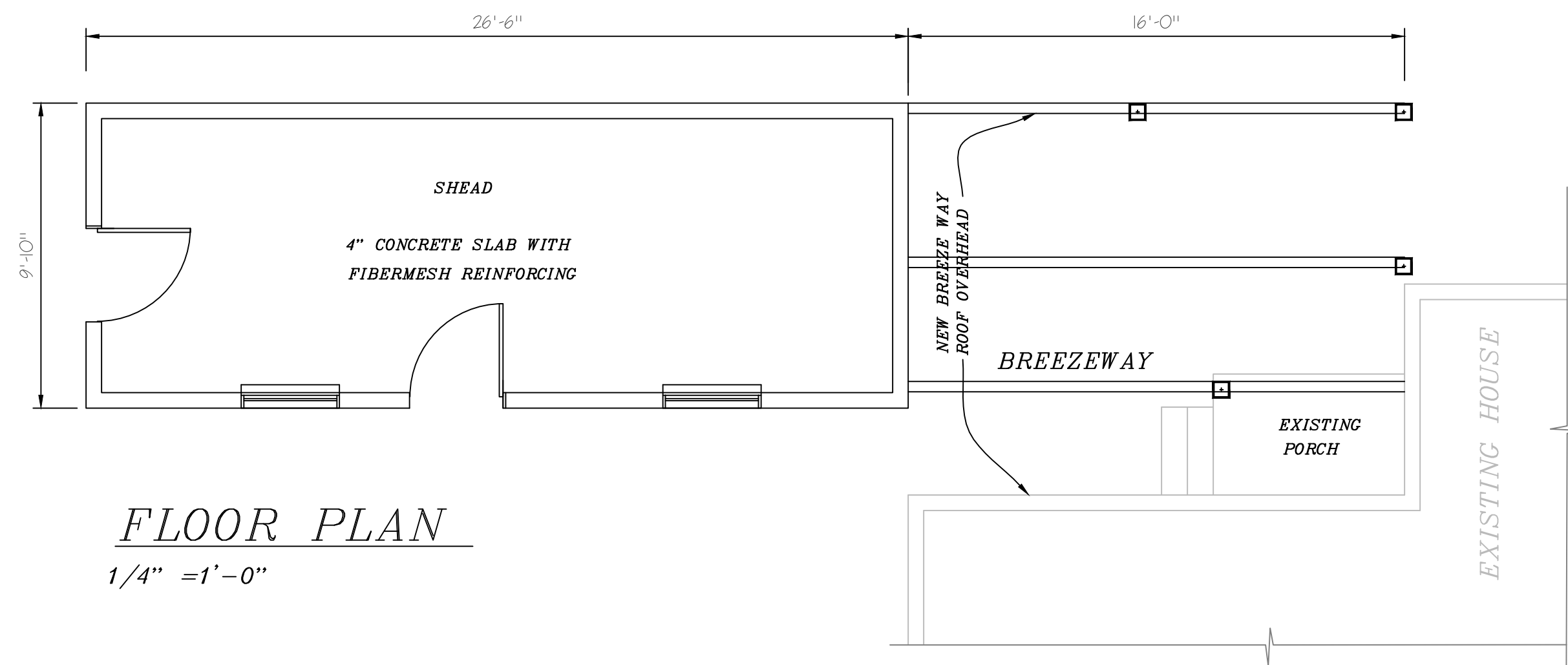
WWW.SURVEYORSDALLC.COM

email:surveyorsdallc@gmail.com PHONE# 301-919-3639

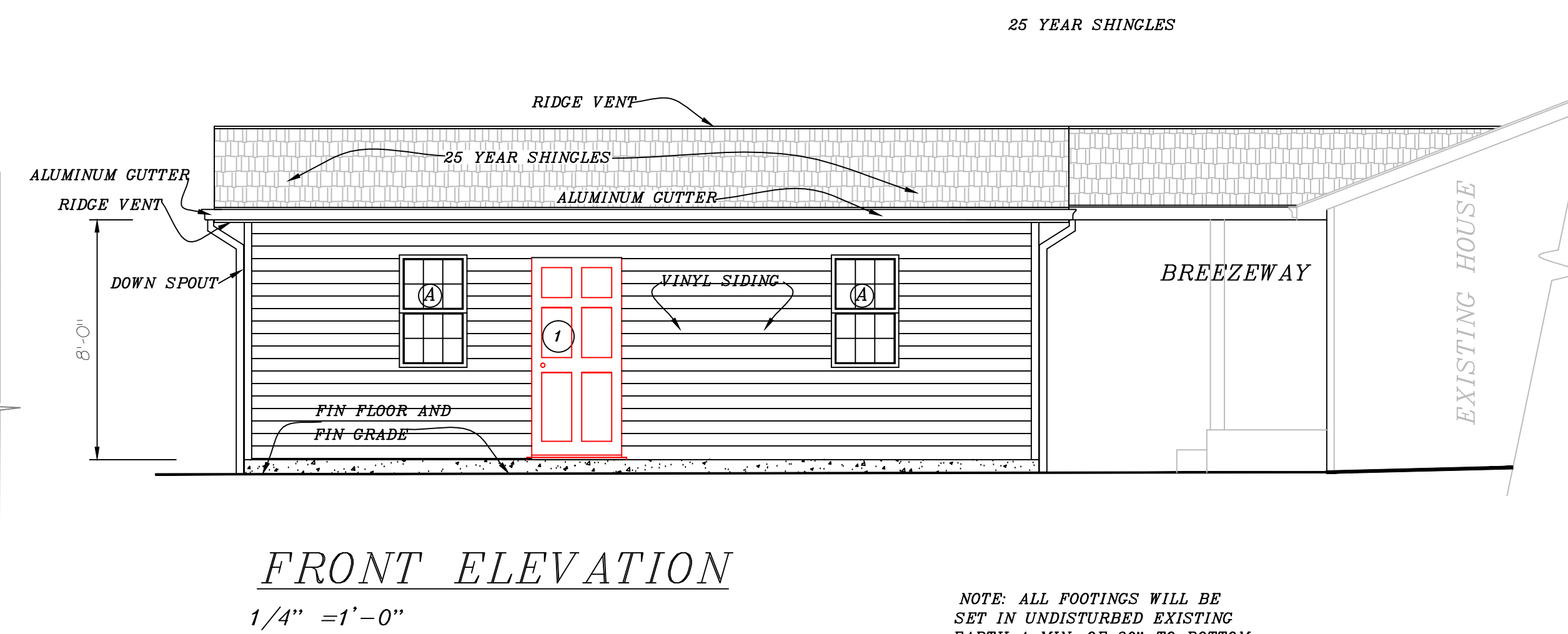
3230 CHILLUM ROAD

MOUNT RAINIER MD, 20712





FLOOR PLAN
1/4" = 1'-0"



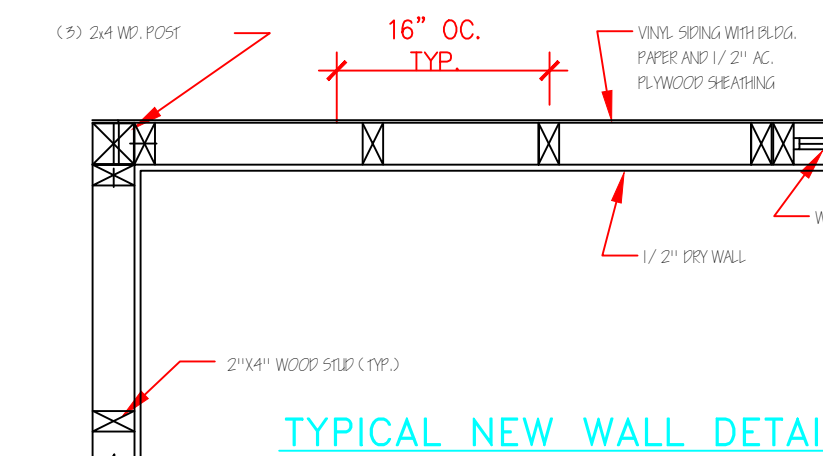
FRONT ELEVATION
1/4" = 1'-0"

NOTE: ALL FOOTINGS WILL BE SET IN UNDISTURBED EXISTING EARTH A MIN. OF 30" TO BOTTOM OF CONCRETE.

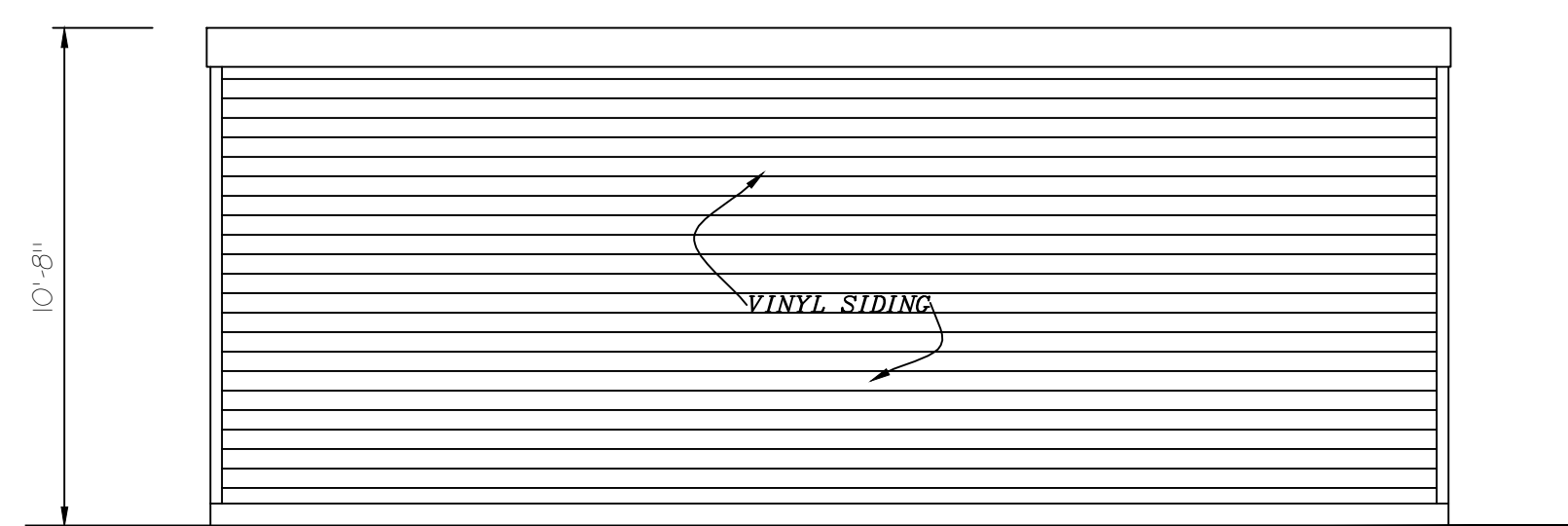
WINDOW TYPE-A
1'-10" X 2'-11" VINYL
DOUBLE HUNG
WITH OPTIONAL SHUTTERS

DOOR NO. 1
3'-0" X 6'-8" X 1-3/4"
SOLID WITH GLAZING

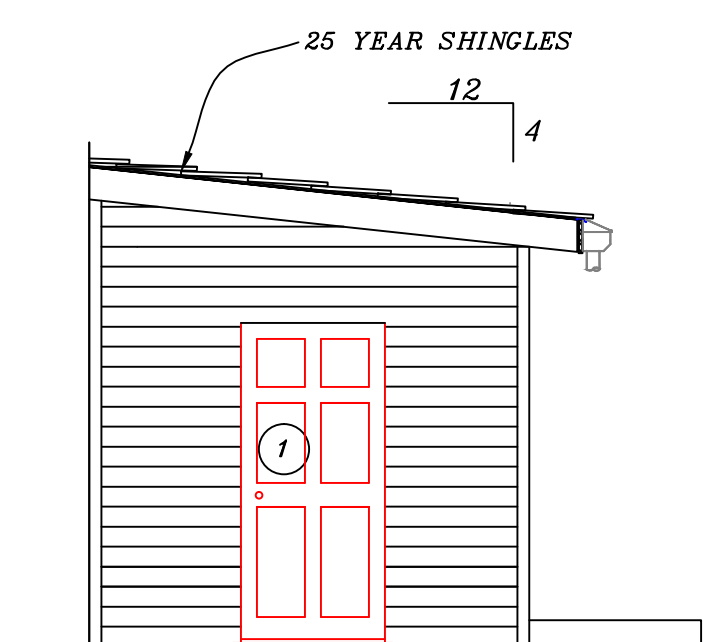
WALL BRACING NOTE:
FASTEN ALL WALL SHEATHING TO FRAMING MEMBERS WITH 8 d NAILS SPACED 6" O.C. AT PANEL ENDS AND 12" O.C. AT INTERMEDIATE SUPPORTS



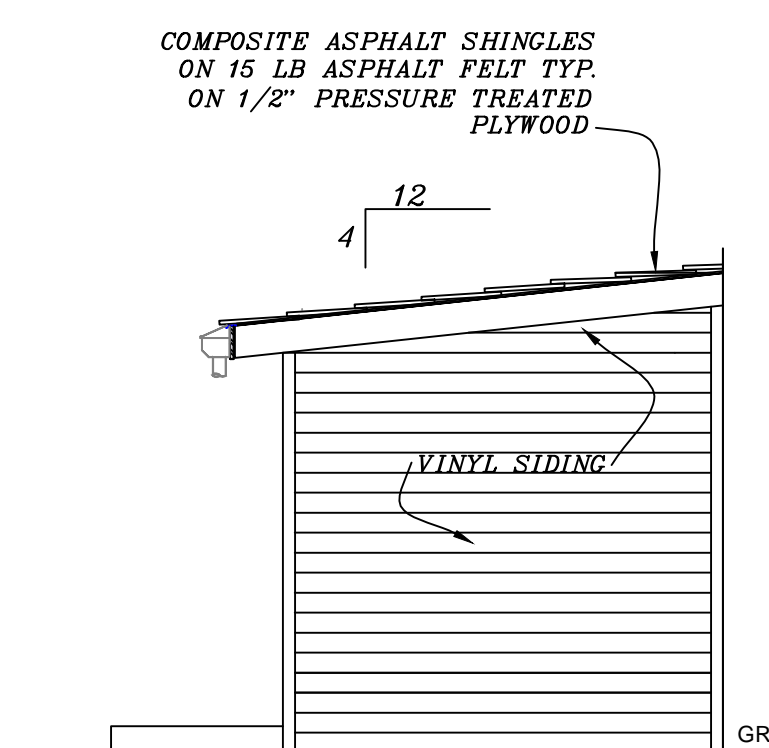
TYPICAL NEW WALL DETAIL



REAR ELEVATION
1/4" = 1'-0"



LEFT SIDE ELEVATION
1/4" = 1'-0"



RIGHT SIDE ELEVATION
1/4" = 1'-0"

EXH. # 3(a-d)
V-57-22

ARCHITECTURAL
DRAWINGS

"House Plans For All Budgets, All Tastes, All Sites."
1516 W. KERSEY LN
POTOMAC MD
GILBERT E. 301 613 1139

CONSTRUCTION PLANS

New shed
3510 Lancer Dr. - Hyattsville, MD 20782

JOB NO. 4482		
REVISION #	DATE	DESCRIPTION
△		
SCALE: 1/4" = 1'-0" PAGE:		
DRAWN BY: GILBERT E.		
DATE: 04-20-22		

New shead

3510 Lancer Dr. - Hyattsville, MD 20782

GENERAL NOTES

1. THE CONSTRUCTION DOCUMENTS AND DESIGN CRITERIA SHALL BE IN ACCORDANCE WITH THE INTERNATIONAL RESIDENTIAL CODE CODE (2018 EDITION) AND INTERNATIONAL ENERGY CODE CODE (2018 EDITION)
2. LIVE LOADS
ROOF: SNOW LOAD: LIVE LOAD: 50 PSF, DEAD LOAD: TOP EXCEPT PSF
DEAD LOAD: BOTTOM EXCEPT PSF
WIND SPEED: OF 90 MPH → SECOND GUST.
FLOOD: MIN. PSF SOIL BEARING CAPACITY.
3. CONCRETE: ALL CONCRETE SHALL BE MIXED & PLACED IN ACCORDANCE WITH THE A.C.I. BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE (ACI 908-77) CONCRETE SHALL ACHIEVE 28-DAY COMPRESSIVE STRENGTH AT 28 DAYS OF 3000 PSI.
4. FOOTING: FOOTINGS SHALL BE PLACED ON UNDISTURBED SOIL AND SHALL EXTEND INTO THE UNDISTURBED SOIL A MINIMUM OF 1'-0" BOTTOM OF FOOTING SHALL BE 2'-0" MIN. BELOW FINISH GRADE.
5. WELDING: ALL WELDING SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE AMERICAN WELDING SOCIETY.
6. REINFORCING STEEL: REINFORCING STEEL SHALL BE IN ACCORDANCE WITH ASTM A618 GRADE 60.
7. ALL WOOD JOIST SHALL BE HEATED FOR TERMITES.
8. THE SPECIES / GRADES FOR LUMBER SHALL BE SPECIES-484-11-L.
9. ALL NOTES ARE TYPICAL FOR SIMILAR CONDITIONS THROUGHOUT THE PLANS.
10. PROVIDE ENGINEERED SHOP DRAWINGS FOR ALL ENGINEERED ROOF ROOF TO THE FIELD INSPECTOR.
11. ALL FIELD CONDITIONS MUST BE PER THE ROOFER, COOR. OF THE ROOFER. PROVIDES THE USER MUST BE PER THE MANUFACTURER AND DOCUMENTATION MUST BE PROVIDED TO THE FIELD INSPECTOR.
12. FOR JOINTS, BEAMS & CONNECTIONS METHODS, SEE REC. 2016 MIBC 614.1
13. ELECTRICAL SHALL BE LOCATED IN BULKHEAD WITH R-6 INSULATION ON THE EXTERIOR OF SUPPLY VOLTAGE.
14. FOR BUILDING LEAKAGE USE OUTDOOR SEALANT ON PANELS 250, WHICH EXCEEDS 4000 C.F.M. CL 105 25 & 4500 C.F.M. 105 C. 105 25.
15. IF ANY FUEL-BURNING APPLIANCE IS INSTALLED IN THE EXISTING DWELLING OWNER/CONTRACTOR SHALL INSTALL CARBON MONOXIDE ALARM ON OUTSIDE OF EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF BEDROOMS. REC. 2016 2915.

BRACING WALL PANEL NOTES

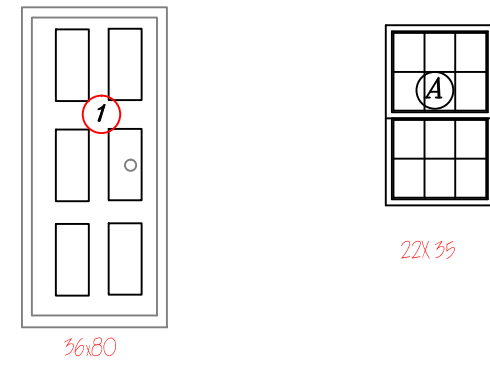
1. RECOGNIZE CONTINUOUS SHEATHING METHOD- BRACE WALL PANELS: CONTINUOUS SHEATHING METHOD REQUIRES SELECTED PANEL SHEATHING TO BE USED ON ALL SHEATHING SURFACES ON ONE SIDE OF A BRACED WALL INCLUDING HEADS ABOVE AND BELOW OPENINGS AND GABLE END WALLS. PANEL SHALL BE OF A 48" WIDTH MIN. THICKNESS OF 5/8" FOR STUDS @ 16" O.C. MAX. HEIGHT OF 10', BRACE WALL PANELS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE METHOD SHOWN ON SCHEDULE.
2. PROVIDE BRACE TO BE DOWNSPACE AT THE EDGE OF PANELS CLOSE TO THE CORNER OF THE FLOOR FRAMING.

DRAWING INDEX

COVER SHEET , NOTES, LIST OF DRAWINGS

- A-1 FIRST FLOOR PLAN & COVER SHEET**
- S-1 FRAMING / WALL SECTION**
- S-2 SECTION**

DOOR SCHEDULE



RESIDENTIAL CONSTRUCTION DESIGN PARAMETERS

GROUND SNOW LOAD	WIND SPEED	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE				WINDER DESIGN TEMP.	ICE SHEED UNDERLAMENT REQUIRED	FLOOD HAZARD	A/E FZ. INDEX	MEAN ANNUAL TEMP.
			WEATHERING	ROOF LINE TEMP.	BRIDGE	DECAY					
50 PSF	115 MPH	B	SEVERE	30 IN.	NOZZLE (2) HEAVY	SLIP TO REDUCES	15° F	YES	JULY 2, 1979	500	55° F

MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS

USE	LIVE LOAD
ARTIC. WAREHOUSE STORAGE	10
DECKS	60
GAZEBOS & PATIOES	200
ROOMS OTHER THAN SLEEPING ROOMS	40
STAIRS	40
SLEEPING ROOMS	30

SYMBOLS AND ABBREVIATIONS

DETAIL / SECTION REFERENCE SYMBOLS

INTERIOR ELEVATION REFERENCE

WINDOW SYMBOL

FLOOR LEVEL

PARTITION OR WALL TYPE

WOODEN 2"x4" STUDS

WOOD, FINISHED

BAT INSUL. OR SOUND ATTENUATION BLANKET

GYPSUM BOARD

WALK-IN FREEZER

BRICK

EARTH

EXISTING CONSTRUCTION TO REMAIN

NEW CONSTRUCTION

WALL OR EQUIPMENT BE DEMOLISHED

SMOKE DETECTOR

FAN No. 1

AT ABOVE FINISHED FLOOR
A.F.F. ABOVE FINISHED GRADE
ABV. ABOVE
ACOUST. ACOUSTICAL
ADJ. ADJUSTABLE
ALUM. ALUMINUM
APPROX. APPROXIMATE
B.R.L. BUILDING RESTRICTION LINE
BD. BOARD
BEL. BELOW
BET. BETWEEN
BLDG. BUILDING
BLK. BLOCK
BLKG. BLOCKING
BM. BEAM
BOT. BOTTOM
C.M.U. CONCRETE MASONRY UNIT
C.T. CERAMIC TILE
CAB. CABINET
CEM. CEMENT
CER. CERAMIC
CL. CENTER LINE
CLG. CLOSURE
CLO. COLUMN
COL. CONCRETE
CONC. CONNECTION
CONST. CONSTRUCTION
CONT. CONTINUOUS
CONTR. CONTRACTOR
COORD. COORDINATE
CORR. CORRUGATED
CPT. CARPET
CTR. CENTER
D/W DOWNSIDE
DBL. DOUBLE
DET. DETAIL
DEMO DEMOLITION
DIA. DIAMETER
DIM. DIMENSION
DISP. DISPOSAL
DN. DOWN
DR. DOOR
DWG. DRAWING
EACH EACH
ELEV. ELEVATION
ELECT. ELECTRICAL
EQ. EQUAL
OPPG. OPPOSITE
P.LAM. PLASTER LAMINATE
P.R. POWDER ROOM
P.T. PRESSURE TREATED
PANT. PANTRY
PART. PARTITION
PL. PROPERTY LINE
PLT. PLATE

F.P. FIREPLACE
F.V. FIELD VERIFY
FDN. FOUNDATION
FIN. FINISH
FLR. FLOOR
FLUOR. FLUORESCENT
FT. FOOT
FTG. FOOTING
GA. GAUGE
GALV. GALVANIZED
GEN. GENERAL
GFL. GROUND FAULT INTERRUPTER
GL. GLASS
GYP. GYPSUM
GYP. BD. GYPSUM BOARD
H.M. HOLLOW METAL
HD. HEAD
HDW. HARDWARE
HGT. HEIGHT
HORIZ. HORIZONTAL
IN. INCH
INSUL. INSULATION
INT. INTERIOR
J.B. JUNCTION BOX
JT. JOINT
KIT. KITCHEN
L.H. LEFT HAND
LAM. LAMINATE
LAV. LAVATORY
LOC. LOCATION
LT. LIGHT
M.O. MASONRY OPENING
MAX. MAXIMUM
MECH. MECHANICAL
MET. METAL
MFR. MANUFACTURER
MIN. MINIMUM
MTD. MOUNTED
N.I.C. NOT IN CONTRACT
N.T.S. NOT TO SCALE
NAT. NATIONAL
NEC. NECESSARY
NO./# NUMBER
NOM. NOMINAL
O.A. OVER ALL
O.C. ON CENTER
O.CE. OPENING
OPP. OPPOSITE
P.LAM. PLASTER LAMINATE
P.R. POWDER ROOM
P.T. PRESSURE TREATED
PANT. PANTRY
PART. PARTITION
PL. PROPERTY LINE
PLT. PLATE

PLAS. PLYWOOD
POL. POLISHED
PORC. PORCELAIN
PR. PAIR
PSF. POUNDS PER SQUARE FOOT
PTD. PAINTED
PVC. POLYVINYL CHLORIDE
Q.T. QUARRY TILE
R. RISER
R.A. RETURN AIR
R.C.P. REFLECTED CEILING PLAN
R.H. RIGHT HAND
R.O. ROUGH OPENING
R.&S. ROD AND SHELF
RAD. RADIUS
REF. RECESSED
REF. REFRIGERATOR
REINF. REINFORCED
REQ. REQUIRED
RESIL. RESILIENT
REV. REVISION
RM. ROOM
SCHED. SCHEDULE
SECT. SECTION
SHEET SHEET
SIM. SIMILAR
SPEC. SPECIFICATION
SQ. SQUARE
STD. STANDARD
STL. STEEL
STRUCT. STRUCTURAL
SUSP. SUSPENDED
T. TREADS
T.&G. TONGUE AND GROOVE
T.H. THRESHOLD
T.V. TELEVISION
TEL. TELEPHONE
THK. THICK
THRU THRU
TYP. TYPICAL
U.O.N. UNLESS OTHERWISE NOTED
V.C.T. VINYL COMPOSITION TILE
V.I.F. VERIFY IN FIELD
VERT. VERTICAL
W/ WITH
W/D WASHER/DRYER
W/O WITHOUT
W.C. WATER CLOSET
W.P. WATER-PROOF
W.W.F. WELDED WIRE FABRIC
WD. WOOD
MICRO. MICROWAVE OVEN
WSCT. WAINSCOTT

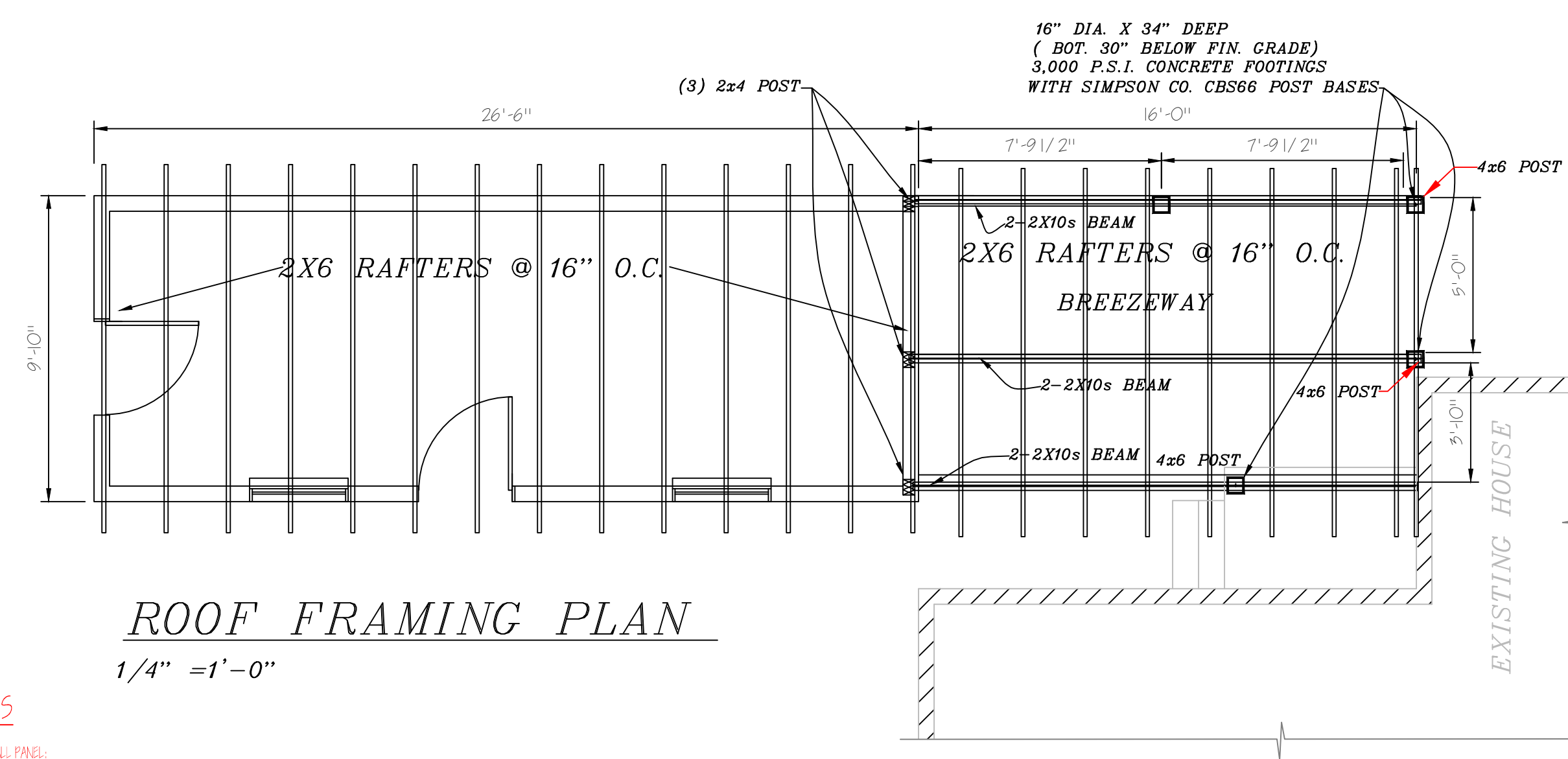
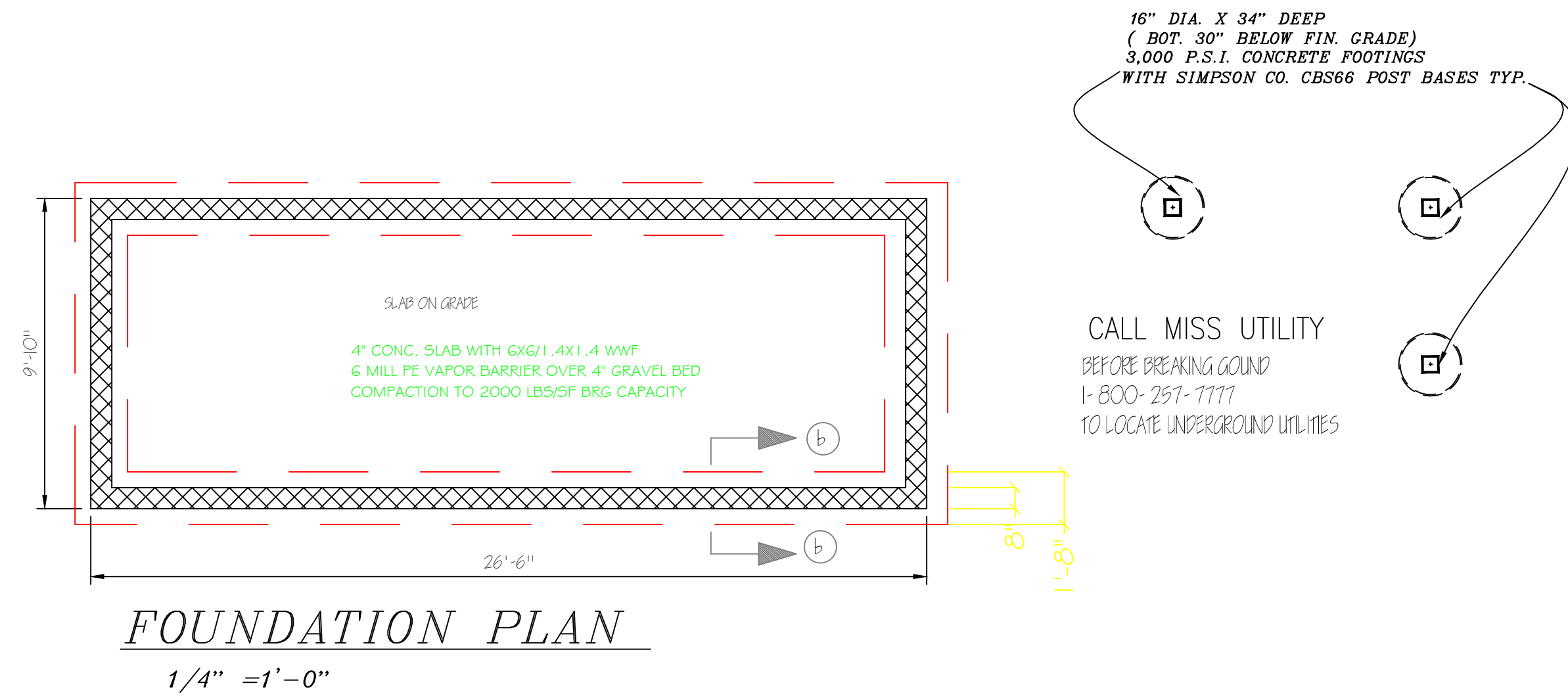
SCOPE OF WORK

NEW SHEAD W\ BREEZEWAY

New shead
3510 Lancer Dr. - Hyattsville, MD 20782

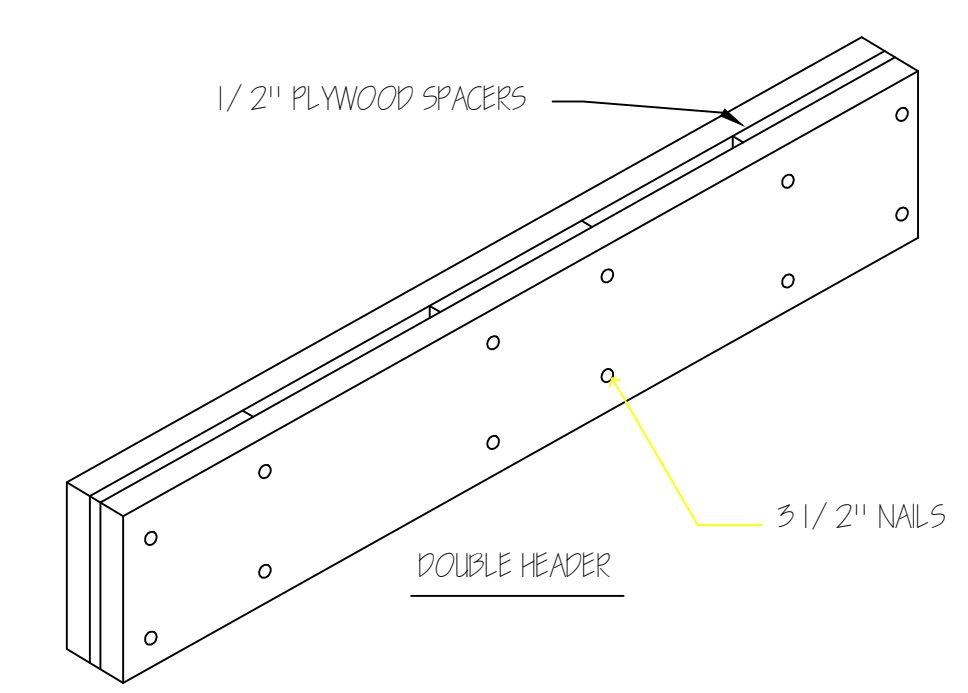
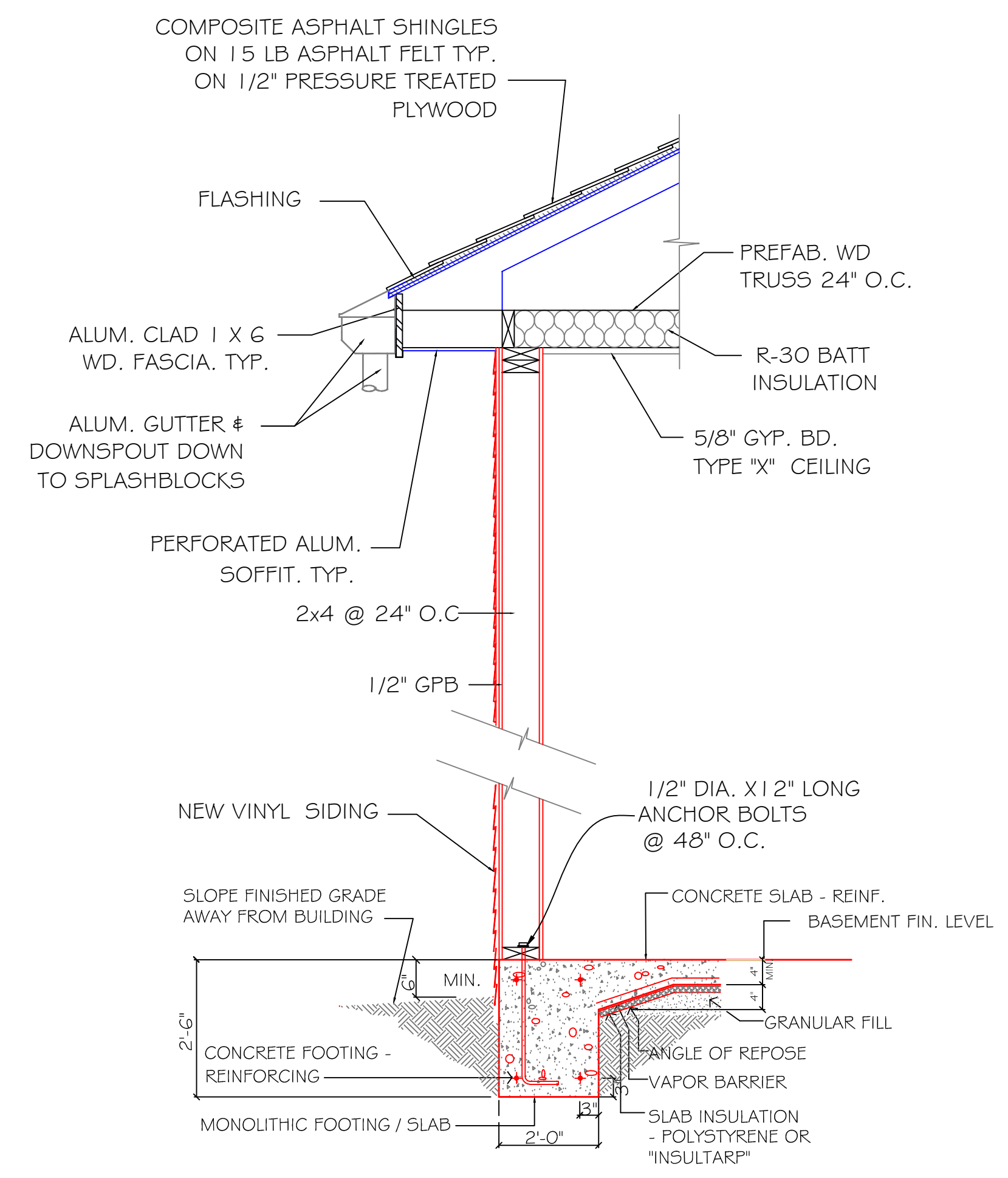
COVER SHEET

CS-1



BRACING WALL PANEL NOTES

1. BRACKETED CONTINUOUS BEARING METHOD BRACE WALL PANELS. CONTINUOUS BEARING METHOD REQUIRES STRUCTURAL PANEL BEARING TO BE USED ON ALL BEARABLE SURFACES ON ONE SIDE OF BRACED WALL INCLUDING AREAS ABOVE AND BELOW OPENINGS AND GABLE END WALLS. PANEL SHALL BE OF A 48" MIN. VERT. MIN. THICKNESS OF 5/8" FOR STUDS @ 16" O.C. WALL HEIGHT OF 12'. BRACE WALL PANELS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE METHOD SHOWN ON SCHEDULE.
2. PROVIDE 800 lb RE-DRAWN PENCE AT THE EDGE OF PANELS CLOSE TO THE CORNER OF THE FLOOR FRAMING.



ALLOWABLE SPANS FOR OPENING HEADERS

HEADER SIZE (MATERIAL ON EDGE)	SUPPORTING TWO FLOORS CEILING AND ROOF	SUPPORTING ONE FLOOR, CEILING AND ROOF	SUPPORTING ONLY CEILING AND ROOF
2-2x8s	2'	3'	4'
2-2x8s	4'	5'	6'
2-2x10s	6'	7'	8'
2-2x10s	7'	8'	10'
2-2x12s	8'	9'	12'

A HEADER IS MADE UP BY NAILING TWO PIECES OF STOCK TOGETHER WITH THE PROJECT THICKNESS OF SPACER BETWEEN THEM. FOR A 2 BY 4 FRAME, THE SPACER WILL BE 1/2" IN.

LINTELS: UNLESS OTHERWISE SHOWN ON DRAWINGS, PROVIDE ANGLE LINTELS WHERE ARCHITECTURAL DRAWINGS INDICATE FACE BRICK AND PRECAST LINTELS ELSEWHERE. PROVIDE ONE LINTEL WITH SIX-INCH MINIMUM BEARING FOR EACH FOUR INCHES OF WALL THICKNESS AS FOLLOWS:

UP TO 4'-0"	L3-1/2 x 1/4	OR	4" x 8" PCC	W/ #3 TOP AND BOTTOM
4'-1" TO 5'-0"	L4 x 3/4 x 5/16	OR	4" x 8" PCC	W/ #4 TOP AND BOTTOM
5'-1" TO 6'-0"	L5 x 3/4 x 5/16	OR	4" x 8" PCC	W/ #4 TOP AND BOTTOM
6'-1" TO 8'-0"	L6 x 3/4 x 5/8	OR	4" x 8" PCC	W/ #4 TOP AND BOTTOM
OVER 8'-0" TO LESS THAN 12'-0"	W12 x 35 W/ 5/16 CONT. HUNG AND 1/4" HANGER @ 16" O.C.			

PROVIDE LINTELS FOR MISCELLANEOUS OPENINGS SUCH AS DICIS, LOUVERS, CHASES, ETC. ARCHITECTURAL AND MECHANICAL DRAWINGS FOR SIZES AND LOCATIONS.

ARCHITECTURAL
DRAWINGS
"House Plans For All Budgets, All Tastes, All Sites."
1516 W. KERSEY LN
POTOMAC MD
GILBERT E. 301 613 1139

CONSTRUCTION PLANS

New shead

3510 Lancer Dr. - Hyattsville, MD 20782

JOB NO. 4482

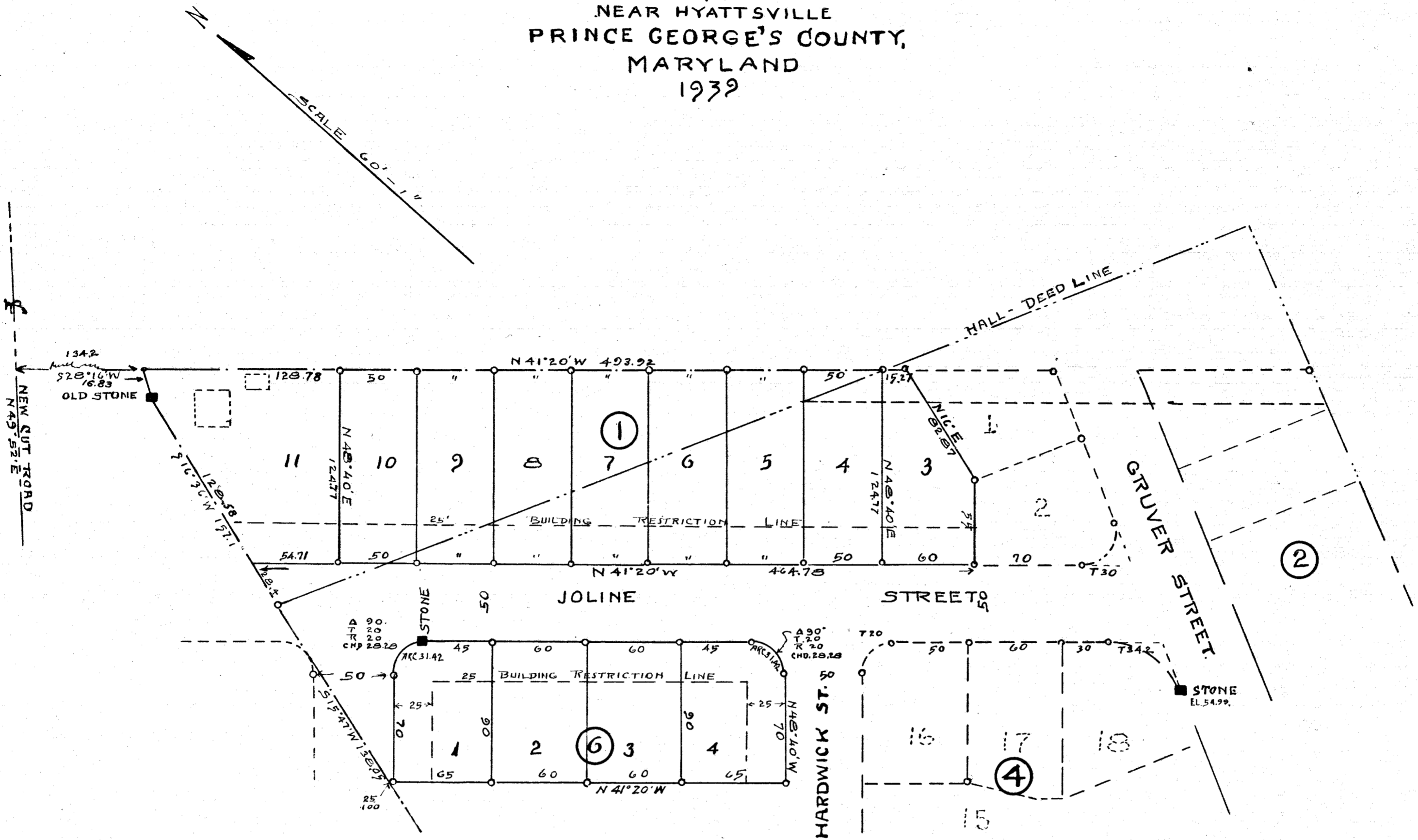
REVISION #	DATE	DESCRIPTION
1		

SCALE: 1/4" = 1'-0" PAGE: 5-1
DRAWN BY: GILBERT E.
DATE: 04-20-22

LOTS 3 TO 11 INCL., BLOCK 1
AND
LOTS 1 TO 4 INCL., BLOCK 6

CLEARWOOD

NEAR HYATTSVILLE
PRINCE GEORGE'S COUNTY,
MARYLAND
1939



ENGINEER'S CERTIFICATE

We hereby certify that the plat hereon delineated is correct.
That it is a subdivision of part of the land acquired by Ira K. Gruver in Three (3) Deeds, First: From James M. Hall and Enola V. Hall his wife by deed, dated March 22, 1920, recorded in Liber 153 Folio 30, Second: From the Servant Sisters of The Holy Ghost by deed dated March 21, 1921 and recorded in Liber 179, Folio 436, Third: From The Maryland Guarantee and Investment Company by deed dated December 14, 1925 and recorded in Liber 261 Folio 6, all in the Land Records of Prince George's County, Md.
The stones marked thus (■) and pipes marked thus (○) have been placed where shown on the plat.

HYATTSVILLE, MD.
DEC. 30, 1939

Edward L. Latimer & Son
EDWARD L. LATIMER & SON
SURVEYORS.

OWNER'S DEDICATION

We, Ira K. Gruver and Clyde Gruver, his wife do hereby adopt the plan of subdivision shown hereon. And establish the minimum building restriction lines, and dedicate the streets to public use.

DATE Jan. 3, 1940

Ira K. Gruver
IRA K. GRUVER

J. K. Doebhoff
WITNESS
Ralph H. Wagner
WITNESS

Clyde Gruver
CLYDE GRUVER

We assent to this plan of subdivision:
Date: JAN. 3, 1939 PRINCE GEORGES BANK & TRUST CO. (MORTGAGEE)

By: *Thaddeus M. Jones*
Thaddeus M. Jones, Vice President

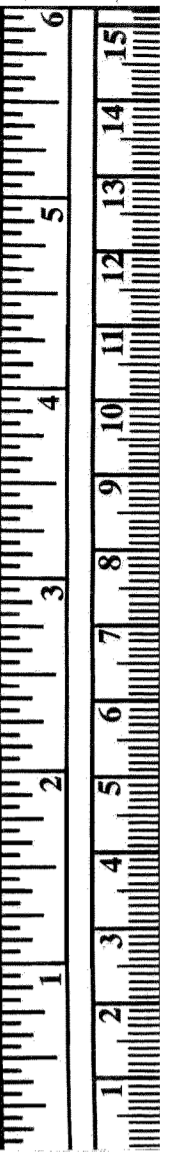
Attest: *William Bowie*
William Bowie, Treasurer

WASHINGTON SUBURBAN SANITARY DISTRICT
APPROVED JAN. 15, 1940
AS TO SUITABILITY FOR WATER & SEWER
Stamphill
CHIEF ENGINEER.

EDWARD L. LATIMER & SON
SURVEYORS
HYATTSVILLE, MARYLAND

MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
APPROVED JAN. 10, 1940
DATE *Geo. M. Palmer* CHAIRMAN
Quincy C. ... CHIEF ENGINEER
Wm. Hampton SECRETARY
M-N.C.P. & P.C. RECORD FILE NO. 1175

93-1-65
65















INSPECTIONS DIVISION
9200 Basil Court, Suite 307
Largo, Maryland 20774
301.883.3820 • FAX: 301.883.3873



CORRECTION ORDER

Address: 3510 Lancer dr

Permit #: None Date: 3/14/22

Type of Inspection: Exterior structures

The discrepancies listed below require correction in order to pass inspection.

Needs to obtain building & electrical permit for Multi structural with electric in the rear yard, along with a 6ft wooden fence, bathroom in the shed will need WSSC approval.

Contact Inspector for information.

Reinspection Fee \$ _____

Special Investigation Fee \$ 300.00

(Please note this may not be a complete listing.)

For inspection requests, call our Automated Inspection Request/Information System (AIRIS) at 301.883.5390.

Inspector: K. Harrison
(Signature & ID #)

Phone #: (240) 508 9853

(Between 7:00 a.m. and 9:00 a.m. only)

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 16 **Account Number - 1798198**

Owner Information

Owner Name: RIVAS DOUGLAS C **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 3510 LANCER DR **Deed Reference:** /40022/ 00327
 HYATTSVILLE MD 20782-

Location & Structure Information

Premises Address: 3510 LANCER DR **Legal Description:**
 HYATTSVILLE 20782-0000

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: A-0529
 0041 00F4 0000 16021500.17 1500 1 4 2022 **Plat Ref:**

Town: HYATTSVILLE

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1945 1,122 SF YES 6,328 SF 001

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
 1 1/2 YES STANDARD UNITFRAME/3 1 full/1 half

Value Information

	Base Value	Value		Phase-in Assessments	
		As of 01/01/2022	As of 07/01/2022	As of 07/01/2023	
Land:	100,200	135,400			
Improvements	172,700	153,000			
Total:	272,900	288,400	278,067	283,233	
Preferential Land:	0	0			

Transfer Information

Seller: GREEN MARION L TEST TRUSTEE **Date:** 09/15/2017 **Price:** \$245,000
Type: NON-ARMS LENGTH OTHER **Deed1:** /40022/ 00327 **Deed2:**

Seller: THOMAS CARROLL W & ROSEMARY E **Date:** 04/24/2013 **Price:** \$0

Type: NON-ARMS LENGTH OTHER **Deed1:** /34645/ 00466 **Deed2:**

Seller: DOVE, WILLIAM E & **Date:** 09/16/1976 **Price:** \$36,292
Type: **Deed1:** /04668/ 00547 **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

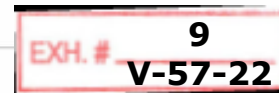
Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 12/11/2017

Homeowners' Tax Credit Application Information

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



Property

Tax Account: 1798198

Owner Name: RIVAS DOUGLAS C

Premise Address: 3510 Lancer Dr, Hyattsville, MD 20782

Parcel Details

Tax Account #: 1798198
Assessment District: 16
Lot: 4 **Block:** 1 **Parcel:**
Description:
Plat: A16-0529
Subdivision: CLEARWOOD
Acreage: 0.1450

Ownership Information

Owner Name: RIVAS DOUGLAS C
Owner Address: 3510 Lancer Dr,
Hyattsville, MD 20782
Liber: 40022 **Folio:** 327
Transfer Date: 9/15/2017
Current Assessment: \$272,900.00
Land Valuation: \$100,200.00
Improvement
Valuation: \$172,700.00
Sale Price: \$245,000.00
Structure Area (Sq Ft): 1122

Administrative Details

Tax Map Grid: 041F4
WSSC Grid: 207NE03
Tree Conservation
Plan 1:
Tree Conservation
Plan 2:
Councilmanic District: 2

Legislative District (2014)

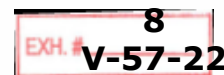
Legislative District: 22
Member 1: Paul G. Pinsky
Party 1: Democrat
Member 2: Anne Healey
Party 2: Democrat
Member 3: Alonzo T. Washington
Party 3: Democrat
Member 4: Nicole A. Williams
Party 4: Democrat

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: 41-F4

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: 20782
City: Hyattsville
Alternate Names: Chillum, University Park, West Hyattsville

Zoning (Current)

Zone Type: Residential
Class: RSF-65 (Residential, Single-Family - 65)

Zoning (Prior)

Zone Type: Residential
Class: R-55 (One-Family Detached Residential)

V-57-22
Aerial Photos

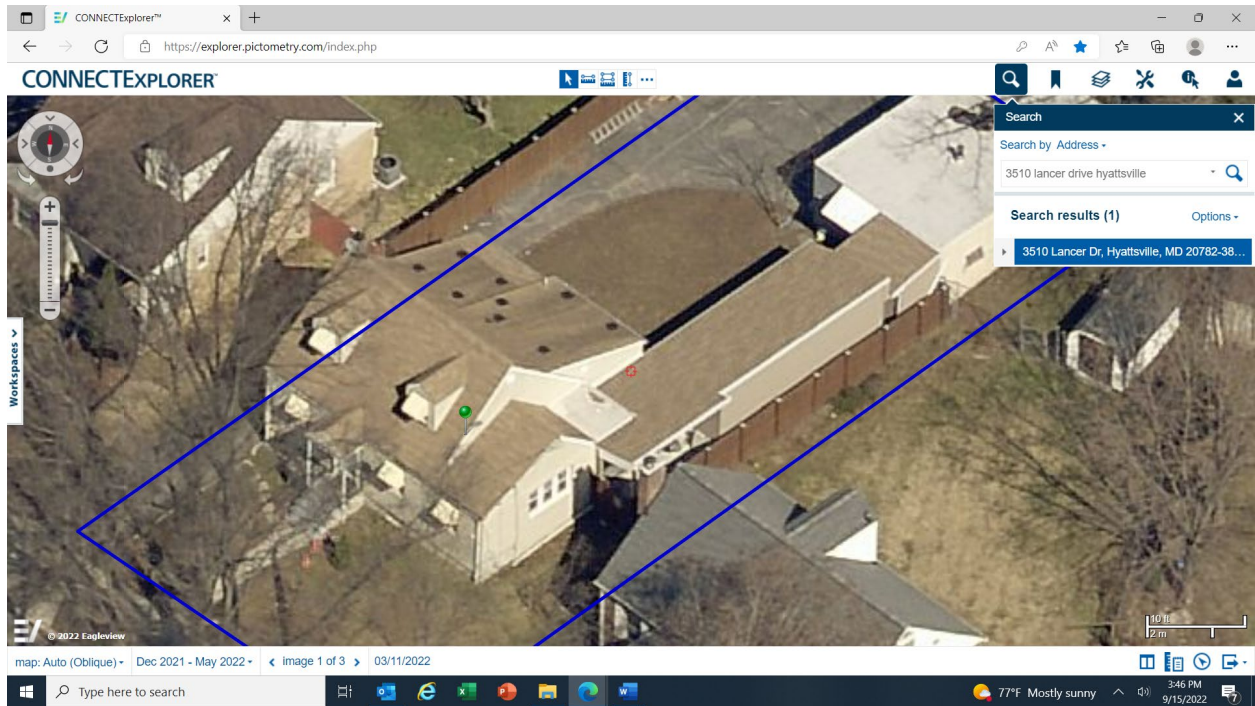
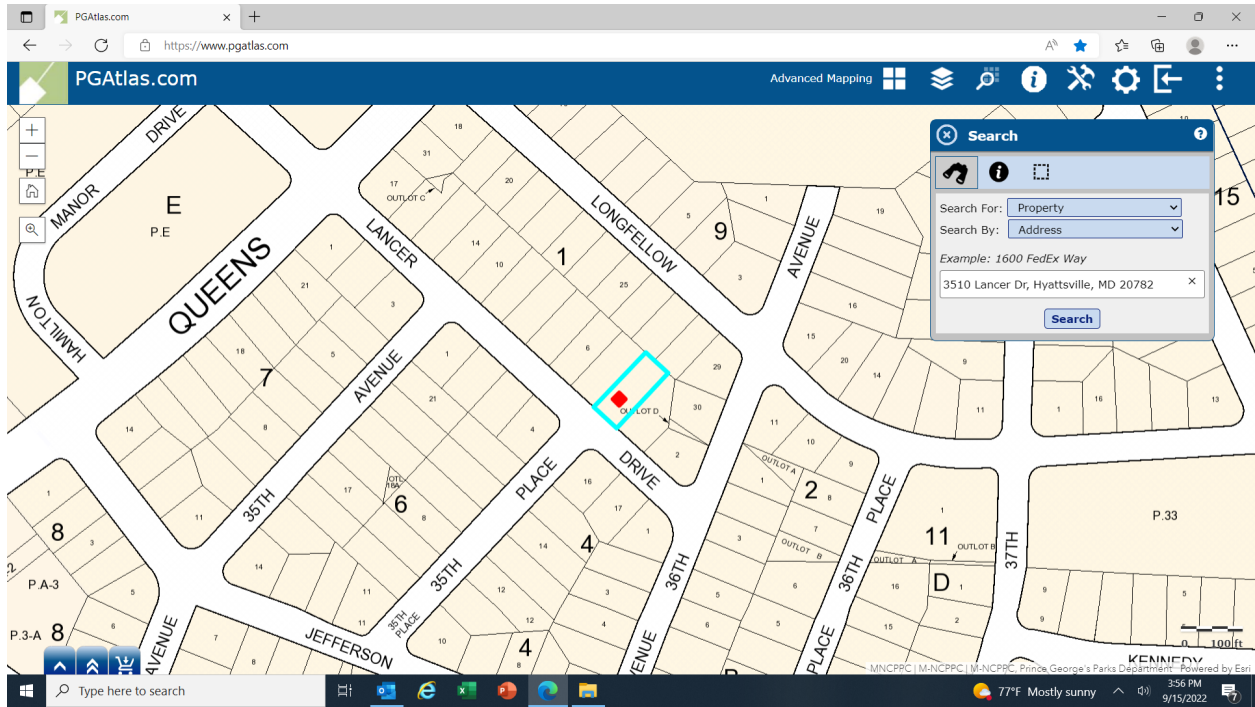
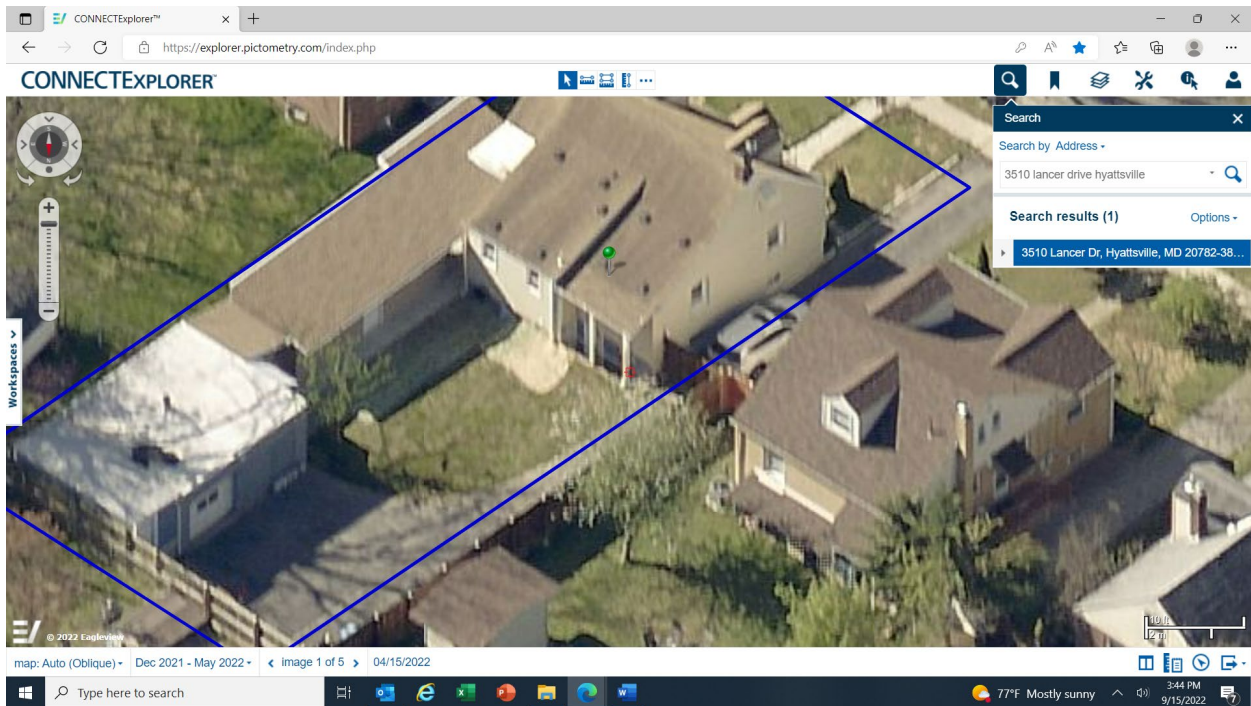
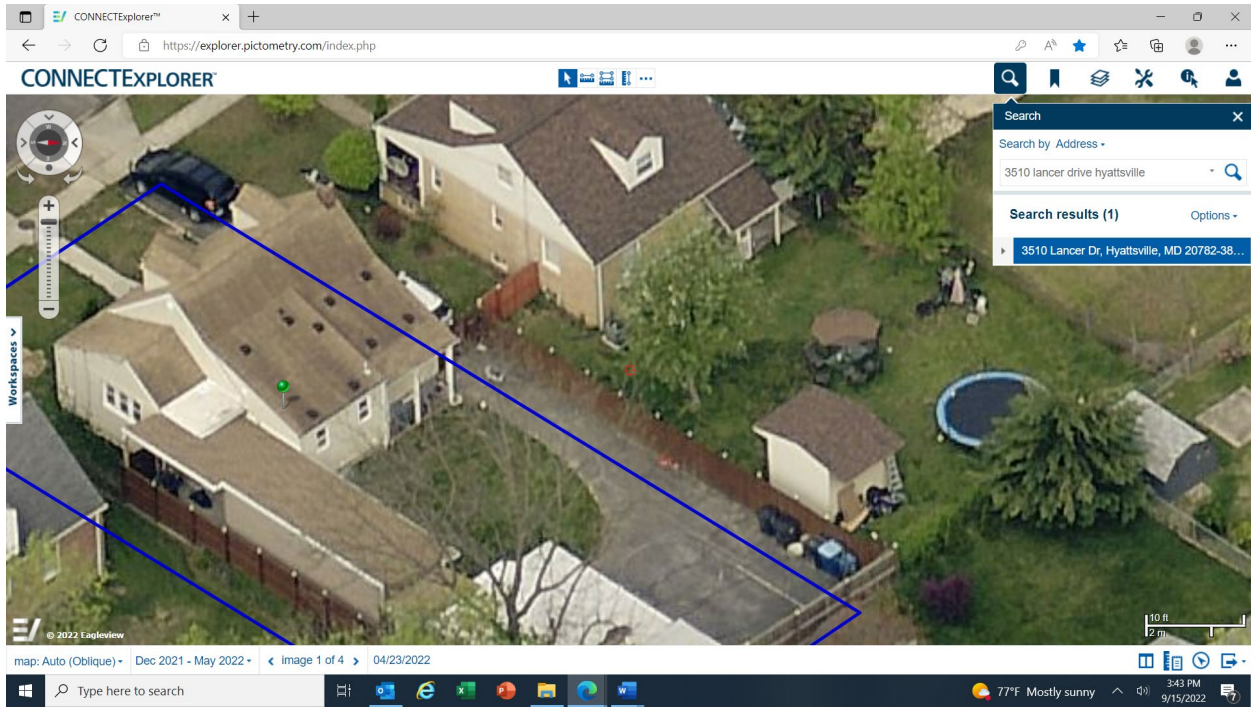
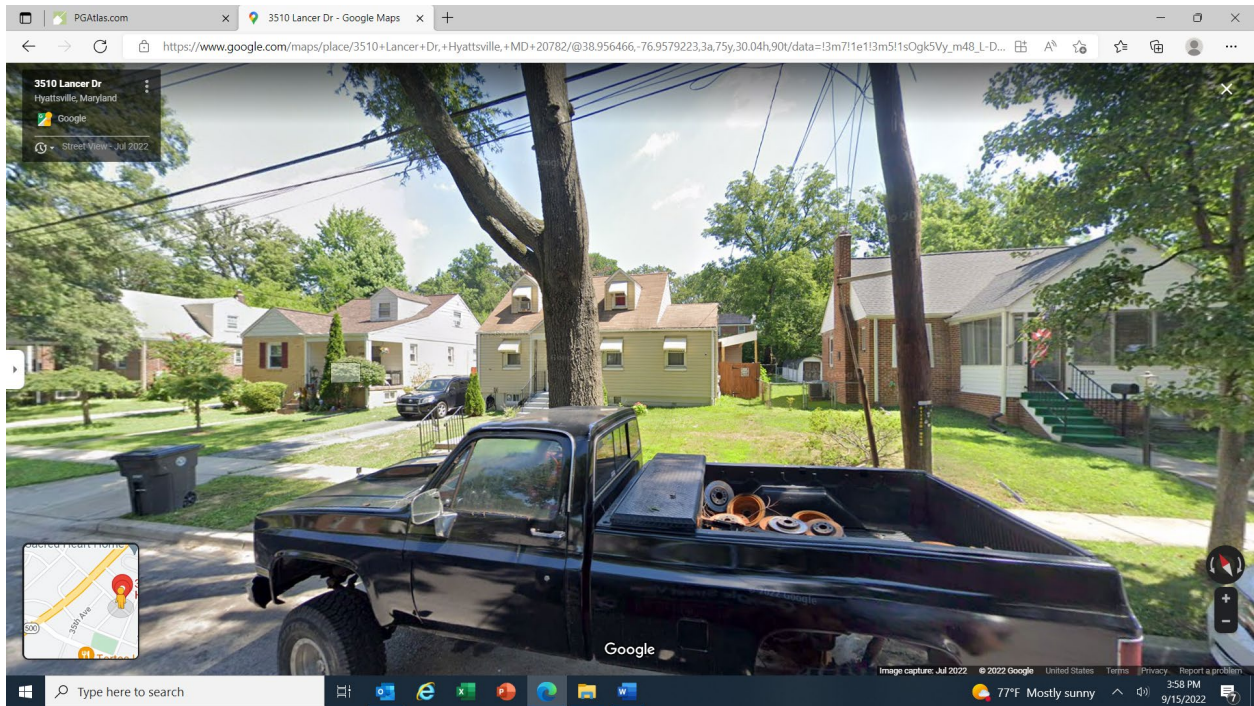
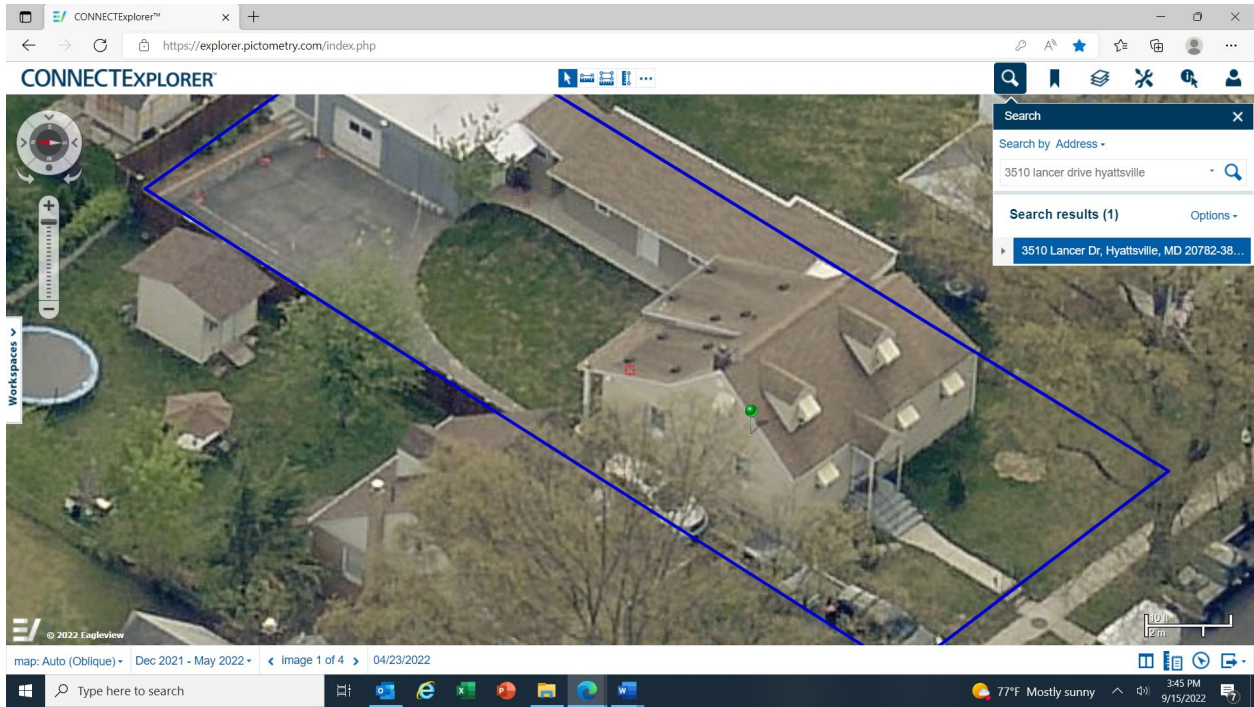


EXHIBIT 9(A-F)
V-57-22

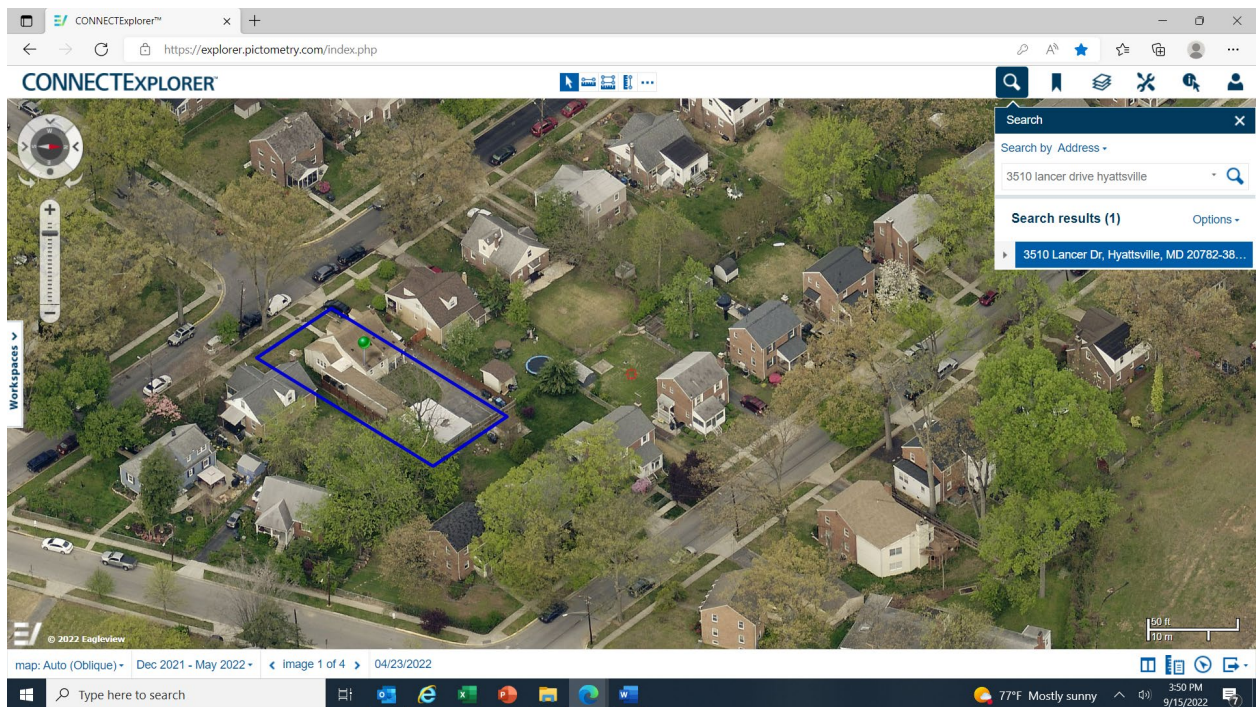
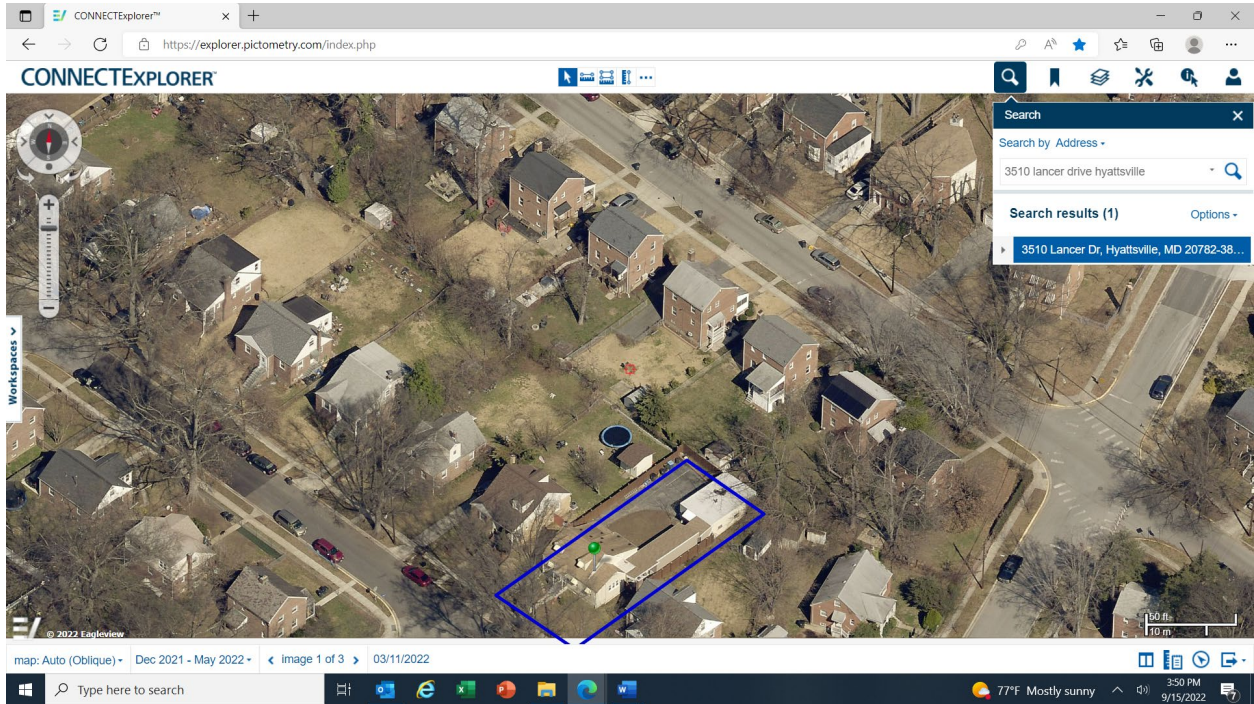
V-57-22
Aerial Photos



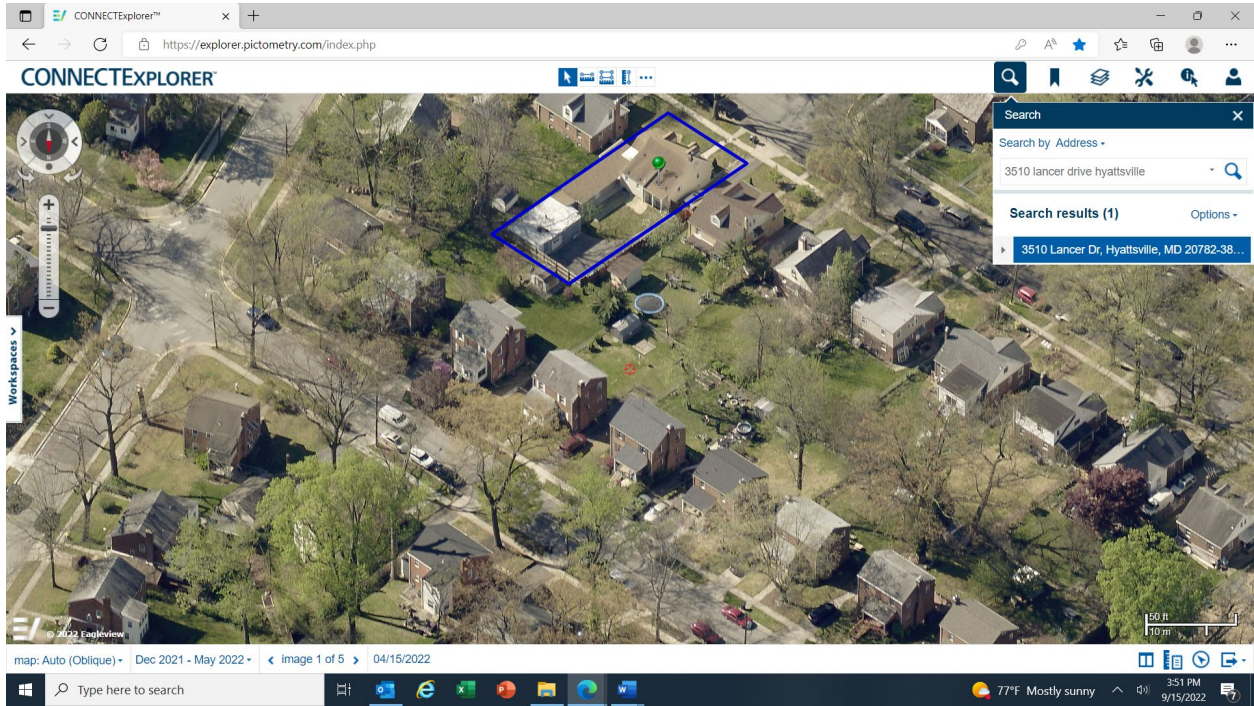
V-57-22
Aerial Photos



V-57-22
Neighboring Properties



V-57-22
Neighboring Properties



LOT COVERAGE WORKSHEET

V-57-22

NET LOT SIZE _____ SQUARE FEET

____% LOT COVERAGE ALLOWED _____ SQUARE FEET

STRUCTURE/PARKING MEASUREMENTS SQUARE FOOTAGE

HOUSE	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

GARAGE/CARPORT	_____	_____
	_____	_____
	_____	_____

DRIVEWAY	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

PORCH/SUNROOM	_____	_____
	_____	_____
	_____	_____

SHED(S)	_____	_____
	_____	_____

ADDITION(S)	_____	_____
	_____	_____
	_____	_____

OTHER: _____	_____	_____
_____	_____	_____
_____	_____	_____

TOTAL LOT COVERAGE _____ **4049**__

TOTAL % NET LOT COVERAGE ____65____% 64.9

TOTAL % OVER NET LOT COVERAGE ____30____% (1,649S.F.)

NOTICE OF VIRTUAL HEARING

Date: October 11, 2022

Petitioner: Douglas C. Rivas

Appeal No.: V-57-22

Hearing Date: WEDNESDAY, OCTOBER 26, 2022, AT 6:00 P.M. **EVENING**

Place: Virtual Hearing

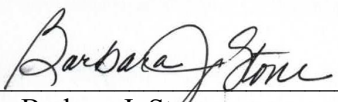
Appeal has been made to this Board for permission to validate existing conditions (net lot area, lot width, frontage width at front street line, lot coverage, front yard depth, side yard depth and accessory building, shed) and obtain a building permit for the illegal construction of a shed and breezeway on Residential, Single-Family-65 (RSF-65) zone, property known as Lot 4, Block 1, Clearwood Subdivision, being 3510 Lancer Drive, 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(e)(1) prescribes that each lot shall have a minimum net lot area of 6,500 square feet, a minimum width of 65 feet measured along the front building line, a minimum 52 feet measured along the front street line and not more than 35% of the net lot area shall be covered by buildings and off-street parking. Section 27-4202(e)(2) prescribes that each lot shall have a front yard at least 25 feet in depth. Section 27-4202(e)(3) prescribes that each lot shall have a side yard at least 8 feet in width. Section 27-4202(e)(5) prescribes that accessory buildings shall have 2 feet from any side or rear lot line. Variances of 172 square feet net lot area, 15 feet front building line width, 2 feet front street line width, 30% net lot coverage, 1.1 feet side yard width and 2 feet rear lot line setback for accessory buildings (shed) were 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>

BOARD OF ZONING APPEALS

By: 
Barbara J. Stone
Administrator

cc: Petitioner
Adjoining Property Owners
Park and Planning Commission
City of Hyattsville
DPIE Inspections/Division

V-57-22
DOUGLAS C. RIVAS
3510 LANCER DRIVE
HYATTSVILLE MD 10782

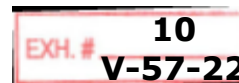
V-57-22
JOSE G. FLORES
5613 35TH PLACE
HYATTSVILLE MD 20782

V-57-22
MARY E. BERRY LIVING TRUST
3507 LANCER DRIVE
HYATTSVILLE MD 20782

V-57-22
DIMAS RODRIGUEZ ETAL
3512 LANCER DRIVE
HYATTSVILLE MD 20782

V-57-22
ROBERT MENEGHINI LIVING TRUST
3521 LONGFELLOW STREET
HYATTSVILLE MD 20782

V-57-22
KENNETH HARRISON
DPIE/INSPECTIONS DIVISION
9200 BASIL COURT # 307
LARGO





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



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-129-FY23

11/7/2022

12.c.

Submitted by: Nate Groenendyk
Submitting Department: City Clerk
Agenda Section: Action

Item Title:

City of Hyattsville Ward Redistricting: Selection of Ward Boundary Map

Suggested Action:

I move the Mayor and Council direct the City Attorney to draft a Charter Amendment Resolution adjusting the Ward Boundaries of the City as indicated in the INSERT NAME OF MAP presented by the 2022 Redistricting Commission. I further move that the Mayor and Council schedule a Public Hearing on the proposed Charter Amendment Resolution to be held at 6 PM on Monday, December 5 2022

Summary Background:

Every ten years, after the Census, the City must use the new census data to review its ward boundaries, and if needed, redraw the boundaries between wards in order to reflect how the local populations have changed. The authority for the modification of ward boundaries is found in the City Charter, § C4-17.

The redistricting process is done with the primary goal of creating wards which have substantially equal populations. The widely accepted standard for population variation between the largest ward and the smallest ward is that there should not be a greater than 10% difference. Additional criteria for consideration throughout the redistricting process is listed below.

- Wards must be comprised of contiguous territory and as geographically compact as possible.
- Wards shall, as much as possible, be bounded by natural boundaries, street lines, and/or City boundary lines.
- Wards must be drawn to provide fair and effective representation for all residents of the City, including racial, ethnic, and language minorities. Additionally, to the extent possible, wards should preserve identifiable communities of interest. The redrawing of the City's ward boundaries should be designed to ensure that our elected body is representative of the City's diverse population.
- Wards most likely to be impacted by future development may be smaller by design in order to minimize impact of population growth on future redistricting.

The Redistricting Commission was appointed in June 2022 to make recommendations to Council on revisions to the existing Ward boundaries based on 2020 Census data. A preliminary review of that data demonstrated that Wards 3 and 5 were outside of the recommended 10% variance in population and a redistricting effort was warranted.

In addition to the population counts, the Committee conducted a review of existing conditions, future developments, and available demographic data from the 2020 Census. They sought feedback from community members both in-person at City events and online using the City's new community engagement tool, Hello Hyattsville. The City's Race and Equity Officer joined the meetings to assist with questions of ensuring equity for all community members.

The Committee presented two maps for consideration to the Council at the October 17 Public Hearing, the Minimal Adjustment Map and the Growth Conscious Map. After reviewing public and Council feedback, the Committee made the

following changes to the Growth Conscious Map:

- The Ward 1/2 boundary along Hamilton St has been changed to run behind the row of houses along Hamilton, as opposed to through the middle of the street.
- Ward 4 has been expanded along Ager Road, and the North Pointe apartments have been unified into Ward 4.
- The Hamilton Manor apartments have been unified into Ward 5

The final versions of the Minimal Adjustment Map and the Growth Conscious Map are now before Council for review. It is anticipated that the Council will select a map to move forward at the November 7 meeting and direct the City Attorney to draft a Charter Amendment Resolution for the selected map. The Council will also schedule a Public Hearing on the proposed Charter Amendment for December 5.

Next Steps:

Changing the ward boundaries requires a Charter Amendment. A Public Hearing on the proposed Charter Amendment Resolution is tentatively scheduled for December 5, 2022. The final adoption of the Resolution is scheduled to take place on December 21, 2022. Upon adoption of the new ward boundaries, City staff will conduct a public outreach campaign on the new boundaries prior to the Spring 2023 City Election.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support.

Community Engagement:

Communications staff serve as staff liaison to this Committee and have been closely following the process. To date, communications about the process have been shared via email/text message, social media, in print in the Hyattsville Reporter and Hyattsville Life and Times, on the City's LED message boards, and via flyers placed in resident trash cans, in apartment buildings, churches, schools, and other public locations. All communications currently direct people to the Redistricting Project Page on the Hello Hyattsville platform for further information and to provide comment.

Members of the Redistricting Committee also attended the August Summer Jam and Back to School events to gather feedback in-person.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

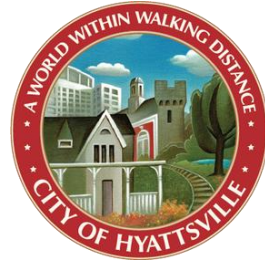
Legal Review Required?

Complete

City of Hyattsville

2022 Redistricting Commission

memo on final recommendations



Members: Leland Dudek, Jennifer Gafford, Greta Mosher, T. Carter Ross (Recordkeeper), Alicia Sanchez Gill Freemyn, Andrew Sayer (Chair), Krystil Smith, Cynthia Totten
redistricting@hyattsville.org

With support from City of Hyattsville staff, especially Shakira Louimarre (Race & Equity Officer), Sekour Mason (GIS Technician), and Cindy Zork (Communications Manager)

1. Summary

After each decennial US Census, the City must review and make any necessary adjustments to Ward boundaries to ensure they have substantially equal populations. Hyattsville’s population grew by 20.7% from April 2010 to April 2020, but this growth was concentrated in new developments in Ward 3 along East–West Highway and in Ward 1 along Route 1. Therefore, changes to the current Ward boundaries are necessary to meet the goal of population-balanced Wards. In Summer 2022 the City of Hyattsville appointed a Redistricting Commission of residents to recommend new maps; through a period of research, discussion, and public outreach, this Commission offers two map proposals to the Council for consideration.

- The “Minimal Adjustments” concept makes a small number of changes to current Ward boundaries in order to create new Wards, compliant with requirements, while trying to avoid moving many residents. While some changes are inevitable due to where growth is concentrated in the City, some residents expressed that being moved by the City can decrease one’s sense of agency, and that you’re seen by local government as a statistic and not an individual. Our final version of this map concept is identical to that previously presented to Council in September 2022.
- The “Growth Conscious” concept makes larger changes. Ongoing and expected housing developments since the 2020 Census are likely to substantially increase the populations of Wards 3 and 5 over the decade to come. This map therefore makes changes aimed towards keeping Ward populations more balanced through the decade, in order that individuals’ voting power and representation remains roughly proportionate between Wards, and the hope that the redistricting process following the 2030 Census may result in smaller future changes to Ward boundaries. This was an important concern to some residents. Residents in general also perceive straight lines along “natural boundaries” (major roads, parks etc) to be “fair”, and “cut-out” blocks or other shapes to be “political” and for the line-drawer’s benefit; therefore, this map uses more such straight lines. Our

final version of this map concept has some modifications compared to that previously presented to Council in September 2022, based on feedback from the community and Council members.

The Commission believe that both maps are reasonable and compliant with all requirements of the Ward redistricting process and feel that Council's choice should depend on the extent to which they prefer to balance these competing concept (i.e., minimize change to residents' Wards and representatives now, vs. maintain more balanced populations through the coming decade and smaller Ward boundary changes following the 2030 Census).

We refer readers to our previous September 2022 report and presentation to Council, and October 2022 Public Hearing presentation, for additional background information including on the scope of the Commission, data sources available, and additional background and motivation behind our thinking. This memo focuses on the specifics of our final two map recommendations, and discussion of a further concept request by Council that ultimately we did not serve the best interests of the City. City GIS Technician Sekour Mason developed an interactive web tool where these two recommended maps and relevant Census data can be visualized. This is available at <https://arcg.is/OXfqP> . We welcome any questions to redistricting@hyattsville.org.

2. Major ideas guiding our recommendations

The reader is referred to our September 2022 report for a more complete picture of our thought process. In brief we sought the expertise of each other, Hyattsville's Race & Equity Officer Shakira Louimarre, and the public through extensive outreach efforts. We also sought feedback from Council members (though were primarily guided by the public). This led us to try to:

- Provide recommendations consistent with the expressed wishes of Hyattsville's residents: both in big picture as well as considering specific suggestions about blocks.
 - A significant proportion favor as small changes as possible, with comments including *"Our elected representatives should not be constantly swapped out every 10 years (unless we vote them out)"* and *"As a person who has been part of Ward XX and then redistricted to Ward YY and now you are seeking to move me to Ward ZZ you make me and my family feel like you don't have a clue as to how this affects life in our part of this city."* These are strong concerns that affect the perceived legitimacy and credibility of the process and, by extension, City governance in the minds of some residents. Ward 2 residents noted that the recent Special Election to Council mean some (moved out by redistricting) have just voted for someone who will no longer represent them and others (moved in) have just missed the opportunity to choose their representative.
 - Conversely, those advocating for larger changes argued *"It's a matter of voting power and representation"* and *"We should account for developments to make sure we all have the same voice going forwards"*. These two competing viewpoints cannot be easily reconciled within a single map, due to the current boundaries and population balance of the Wards, and the ongoing housing

development. This therefore led to our recommendation of two maps, one from each concept, with Council to weigh these factors in their deliberations. Both maps were further informed by some residents' block-specific suggestions.

- Focus on keeping communities of interest together. This includes areas with significant populations of historically-marginalized groups, whose voices might be diluted if split up, but also keeping distinct neighborhoods, administrative areas (e.g. the Arts District), and individual HOAs, condo associations, and apartment communities within single Wards where possible.
- Prefer boundaries that are, where possible, straight lines as they are “fair” while “cut-out blocks look like they were done for political purposes” and “it makes me suspicious it was for someone’s benefit and not mine.” When we presented maps, those with straighter lines were described by residents as “seeming fairer”.
- Minimize boundaries dividing neighbors along or across residential streets, preferring boundaries through park or commercial areas, empty lots, major thoroughfares, or behind properties. Residential streets were often seen as poor places to draw boundaries because “they have common impacts on both sides” and “I should be in the same Ward as my neighbors beside me and across the street”. In some cases, however, this was unavoidable.
- Favor maps that are at least as compact than the current ones. For this we used the Polsby-Popper metric; again, more details are in our previous report, but this calculates a score from 0 to 1 to each Ward where 0 represents a minimally compact boundary (i.e., a very “wiggly” or snake-like structure) and 1 represents a maximally compact shape (a circle). We are constrained in this by Hyattsville’s external boundaries but felt that, if the current Wards are sufficiently compact to meet the City’s criterion, then maps with a similar or higher Polsby-Popper metric should be as well.

Table 1 provides the total number of expected new housing units (of all types) in each Ward (based on current boundaries). Some of this construction has been completed since the 2020 Census was taken, although those new residents are not included in the population counts used for redistricting. Of the 3,437 new housing units expected at present, 55% fall within the borders of the current Ward 3 and 34% in the current Ward 5, with the majority of the rest in what is currently Ward 1. Together these have potential to add population in excess of a current City Ward to Hyattsville. This provides motivation to consider these new developments in order that Ward populations (and thus individuals’ representation and voting power with respect to Council) remain approximately in balance throughout the decade.

Table 1. Total number of expected new housing units in current Ward boundaries in the 2020-2030 time frame, based on current developments. Data courtesy Taylor Robey, Hyattsville City Planner.

Current Ward	1	2	3	4	5	Total
Total new housing units	325	83	1,876	0	1,153	3,437

3. The “Minimal Adjustments” concept

The first concept we endorse, “Minimal Adjustments”, is shown in Figure 1. This achieves compliant Ward maps while moving the fewest possible into a different Ward. This map will therefore be less disruptive to current residents but will likely even mean more drastic changes to Hyattsville’s Ward boundaries will be necessary following the 2030 Census, and does not go as far in unifying communities of interest as our other concept. The changes compared to current Ward boundaries are:

- The portion of Ward 3 east of Queen’s Chapel Rd becomes split between Wards 1 and 2 at Queensbury Rd.
- The Suffrage Point development is unified into Ward 1 by moving the portion of south of Hamilton St. Presently it is split between Wards 1 and 2.
- Houses and Park Place Condominiums south-east of Hamilton St and 38th Ave by Driskell Park are moved into Ward 5.
- Volunteer Fire Department buildings are unified into Ward 3 (presently split between Wards 3 and 4).

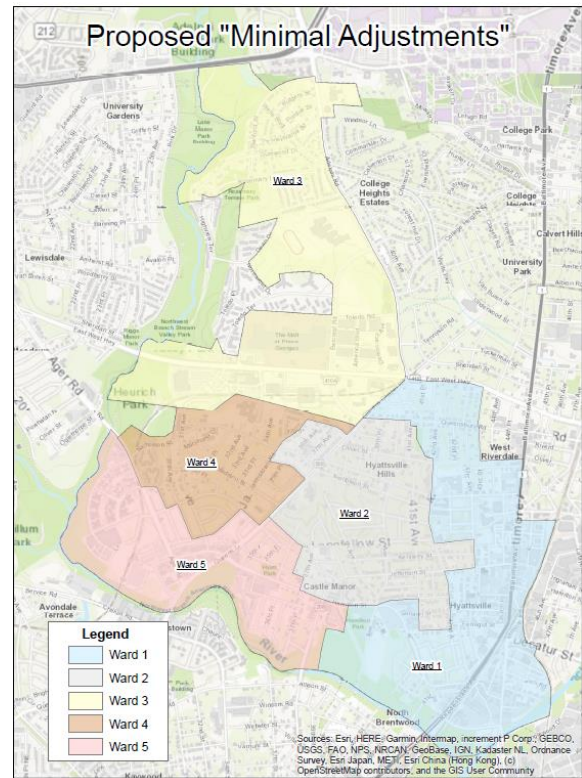


Figure 1. The Minimal Adjustments map.

The 38th Ave/Park Place and Fire Department alterations are examples of comments we heard repeatedly from members of the public when asking which blocks residents felt should be moved.

4. The “Growth Conscious” concept

The second concept we endorse, “Growth Conscious”, is shown in Figure 2. This incorporates the same changes to current boundaries as Minimal Adjustments but goes further in order that coming developments will keep Ward populations and thus residents’ representation on Council more balanced as people move into the City to fill the new development under construction or in the late stages of planning (Table 1). Compared to today’s Wards, Growth Conscious aims to keep Wards 3, 5, and (to a lesser extent) 1 to the lower part of the permissible population range (due to substantial development) and Wards 2 and 4 toward the upper (as these Wards have minimal or no expected development). These adjustments were achieved by further unification of condo associations and apartment communities into single Wards and replacing some boundaries with straighter lines, increasing public feelings of fairness, and puts one boundary behind a row of houses in order to keep communities of interest together. The changes compared to current Ward boundaries are:

- The portion of Ward 3 east of Queen’s Chapel Rd is moved entirely into Ward 2.
- The Ward 1-2 boundary runs along 42nd Ave, Queensbury Rd, and behind the row of houses on the northern side of Hamilton St. This also unifies the Suffrage Point development into Ward 1.
- The Ward 2-4 boundary becomes straight along Queen’s Chapel Rd. We note that these blocks had been moved into Ward 2 in the previous redistricting cycle.
- Houses and Park Place Condominiums south-east of Hamilton St and 38th Ave by Driskell Park are moved into Ward 5.
- Volunteer Fire Department buildings are unified into Ward 3 (presently split between Wards 3 and 4).
- Hamilton Manor Apartments are unified into Ward 5 (presently split between Wards 4 and 5), by moving part the block bounded by Queen’s Chapel Rd, Lancer Dr, Jamestown Rd, and Madison St into Ward 5.
- Ward 4’s western boundary extends further down Ager Rd and behind the houses south of Jamestown Rd. This also unifies the North Pointe apartments into Ward 4 (presently split between Wards 4 and 5).

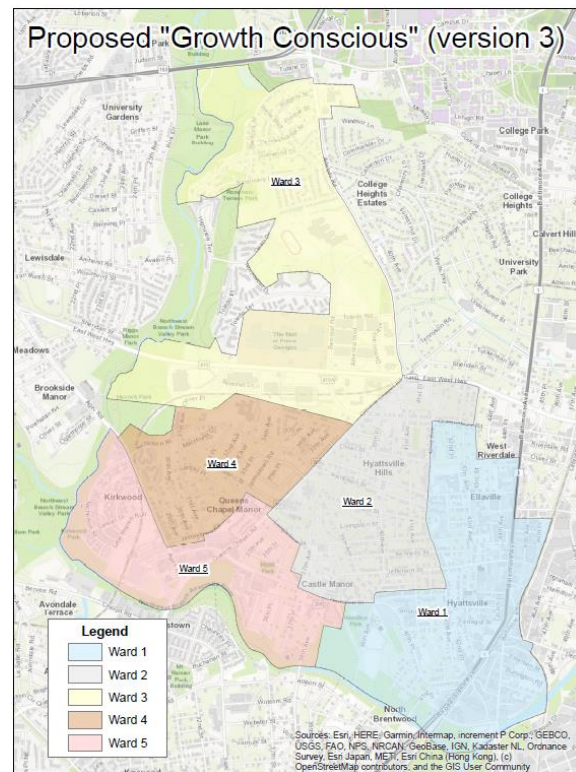


Figure 2. The Growth Conscious map.

The differences between this version of Growth Conscious and that presented to Council in September 2022 are:

- The Ward 1 / 2 boundary along Hamilton St has been changed to run behind the row of houses along Hamilton, as opposed to through the middle of the street.
- The Ward 4 expansion along Ager Road and unification of North Pointe into Ward 4.
- The unification of Hamilton Manor into Ward 5.

The above changes, as well as the 38th Ave/Park Place and Fire Department alterations compared to current Ward maps, are examples of comments we heard repeatedly from members of the public and/or Council members when asking which blocks residents felt should be moved.

It is likely that this option will mean fewer changes will be necessary following the next Census and redistricting cycle. This map does, however, change the Wards of a greater number of Hyattsville residents, which is more disruptive.

5. Summary population and compactness metrics.

Table 2 shows the populations of the current Wards, together with the populations under the proposed Minimal Adjustments and Growth Conscious maps. Both proposed map scenarios are compliant with the permissible range of 3,814 to 4,661 people per Ward. Ward 3 is identical within both map concepts as the proposed change to its boundaries was seen as the most fair and logical way to adjust Ward 3.

Table 2. Ward populations based on 2020 Census data for the current Wards, together with the proposed Minimal Adjustments and Growth Conscious Wards. Red indicates non-compliance of current maps.

Map	Ward 1	Ward 2	Ward 3	Ward 4	Ward 5
Current	4376	3859	5201	4026	3725
Minimal Adjustments	4640	4466	4055	4026	4000
Growth Conscious	4226	4435	4055	4423	4048

Both maps insert Ward boundaries within individual census blocks. As census data are only available at the census block scale, we are unable to provide exact population counts for the Wards. We also note that intentional data obfuscation by the Census Bureau for privacy protection means that even the census block data are estimates, not true counts. Our sub-block population estimates divide the total census block population by the total number of housing units and then count the number of housing units which would end up within each Ward for the split block. We feel the added uncertainty in population count introduced by splitting blocks is justifiable given (1) the City has no control over census block definitions (this is done by the Census Bureau) and resident sentiments consistently favor splitting some, outweighing the decrease in precision and (2) both our proposed maps have Ward populations falling comfortably within permitted variances, such that even an error of ± 100 people would not render the maps non-compliant (except for Ward 1 under Minimal Adjustments).

Table 3 shows the PP scores quantifying compactness of the Wards under current and proposed maps. For both Minimal Adjustments (and particularly for Growth Conscious), PP scores for individual Wards range from slightly decreased to greatly increased from current values. Ward 5 becomes slightly less compact under both proposals. The average PP scores for both Minimal Adjustments (0.34) and Growth Conscious (0.42) are higher than for the current Wards (0.32). If the current Wards were judged to be “reasonably compact” during the last redistricting cycle, by this logic both proposed options should be too.

Table 3. Polsby-Popper (PP) compactness scores for current and proposed maps.

Map	Ward 1	Ward 2	Ward 3	Ward 4	Ward 5	Average
Current	0.28	0.41	0.16	0.37	0.40	0.32
Minimal Adjustments	0.27	0.47	0.20	0.40	0.37	0.34
Growth Conscious	0.45	0.54	0.20	0.58	0.33	0.42

6. Additional potential scenarios discussed at suggestion of Council

At their October 2022 meeting, Council requested we consider some additional block movements to assess their feasibility and compatibility with the mapping requirements and our goals to achieve fair representation for all residents. Some of these made it into the final Growth Conscious map as described above. We did not include them in our final Minimal Adjustments recommendation as we felt that making more changes is against the Minimal Adjustments concept (i.e., don't move more people than necessary). Here we briefly discuss the others to illustrate why in the end we did not incorporate them into Growth Conscious. Specific other suggestions from Council included:

- Expanding Ward 5 into the western half of Ward 2, to make its boundary align more closely with the boundary of the West Hyattsville Sector Plan (which cuts diagonally south-east from Queen's Chapel Rd south of Nicholson St, between 38th Ave and 39th Ave, down to Driskell Park), bringing all the West Hyattsville Sector into Wards 4 and 5. The particular focus here was on the southern portion of this region, excluding the Sacred Heart and Independence Court communities.
- Retaining the Ward 2 cutout in today's maps, to the west of Queen's Chapel Rd (and still present in Minimal Adjustments). Note that this change would be conceptually opposed to the above suggestion as this would expand Ward 2 further into the West Hyattsville Sector.
- Moving Suffrage Point wholly into Ward 2 instead of wholly into Ward 1.
- Expanding Ward 4 south-west to take in all of the area immediately East of Ager Rd in Ward 5, or north toward East-West Highway taking from Ward 3.

We found it difficult to create a map incorporating all these as invariably it put Wards' populations significantly outside the permitted ranges. Figure 3 is a mockup which did incorporate most of the above while still meeting population balance requirements. We note a northern expansion of Ward 4 is not feasible because any gain would split up a community within Ward 3 and would also make Ward 3 non-compliant (too small), so this map attempted to incorporate the West Hyattsville Sector Plan and Ward 4 southern expansion suggestions. However, these put Ward 2 population too low and Ward 4 too high—the only way to get a compliant map was then to restore the Ward 2 cutout across Queen's Chapel (which undermines the West Hyattsville Sector Plan unification strategy somewhat). Moving Suffrage Point into Ward 2 would not work as an alternative as Ward 4's population would remain too high. Conversely expanding Ward 5 eastwards but not expanding Ward 4 southwards would not work as Ward 5's population would be too high.

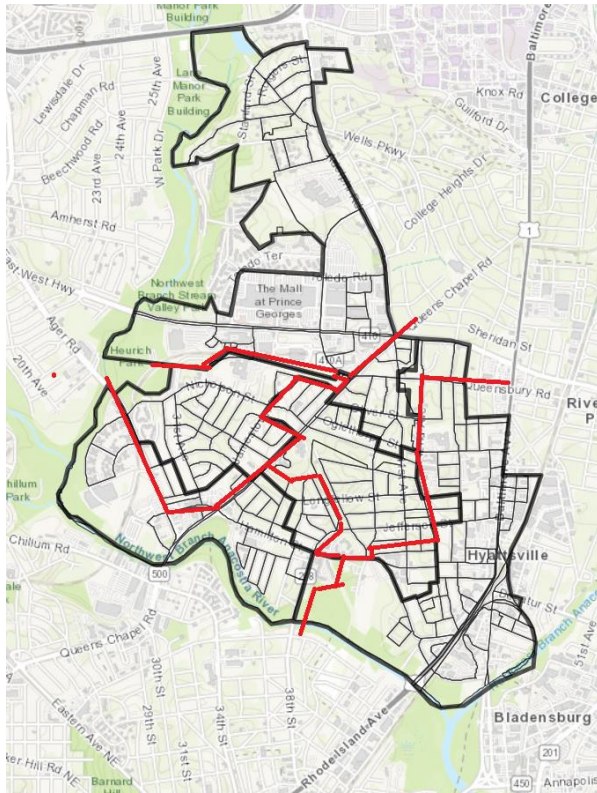
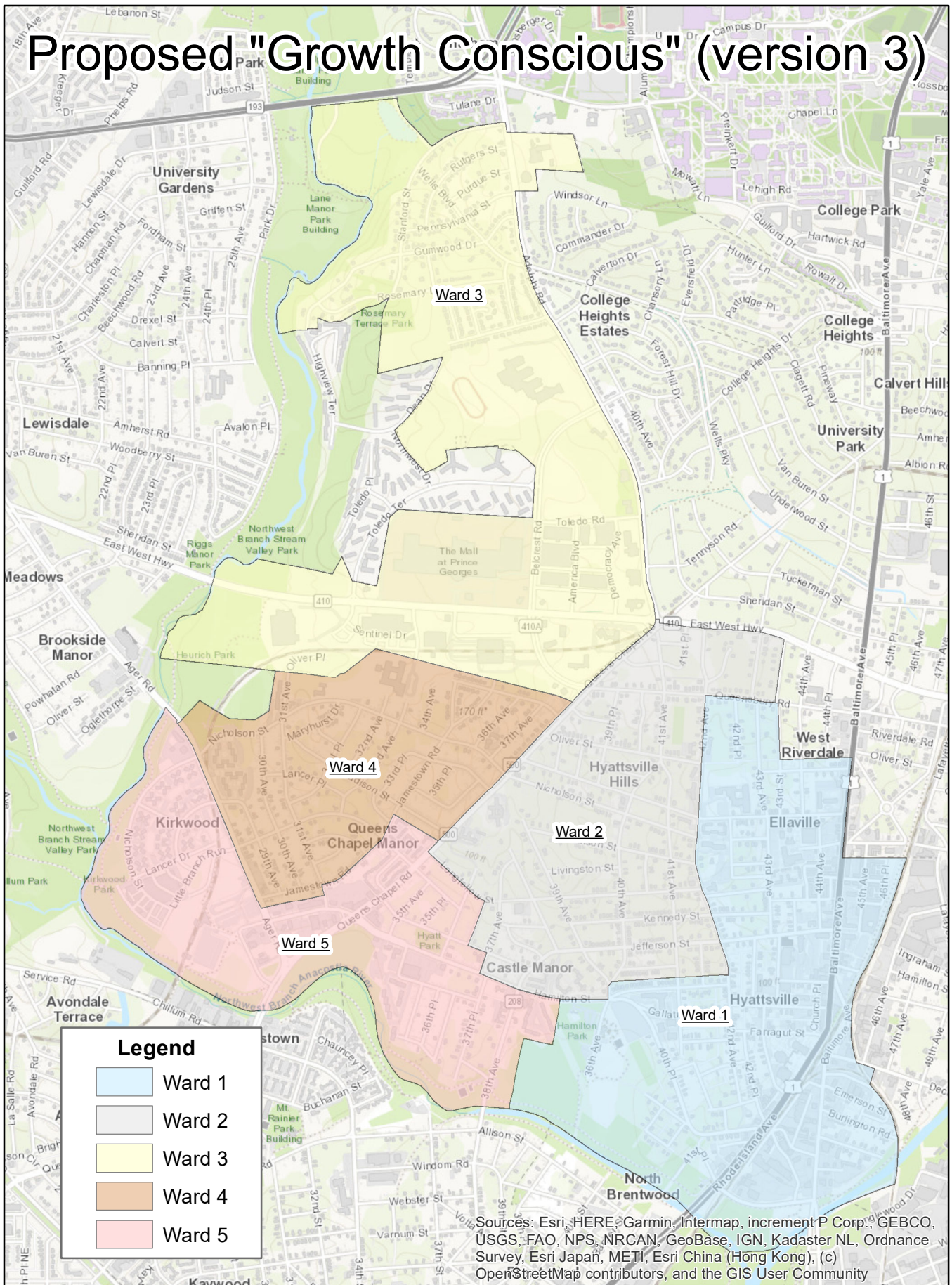


Figure 3. A mockup of a map taking Growth Conscious and attempting to implement several of Council's other suggestions. Red lines denote approximate future Ward boundaries under this scenario; thin black lines show Census blocks and thick lines today's Ward boundaries.

Ultimately, we voted not to present this map as a recommended option to Council, for several reasons. In no particular order:

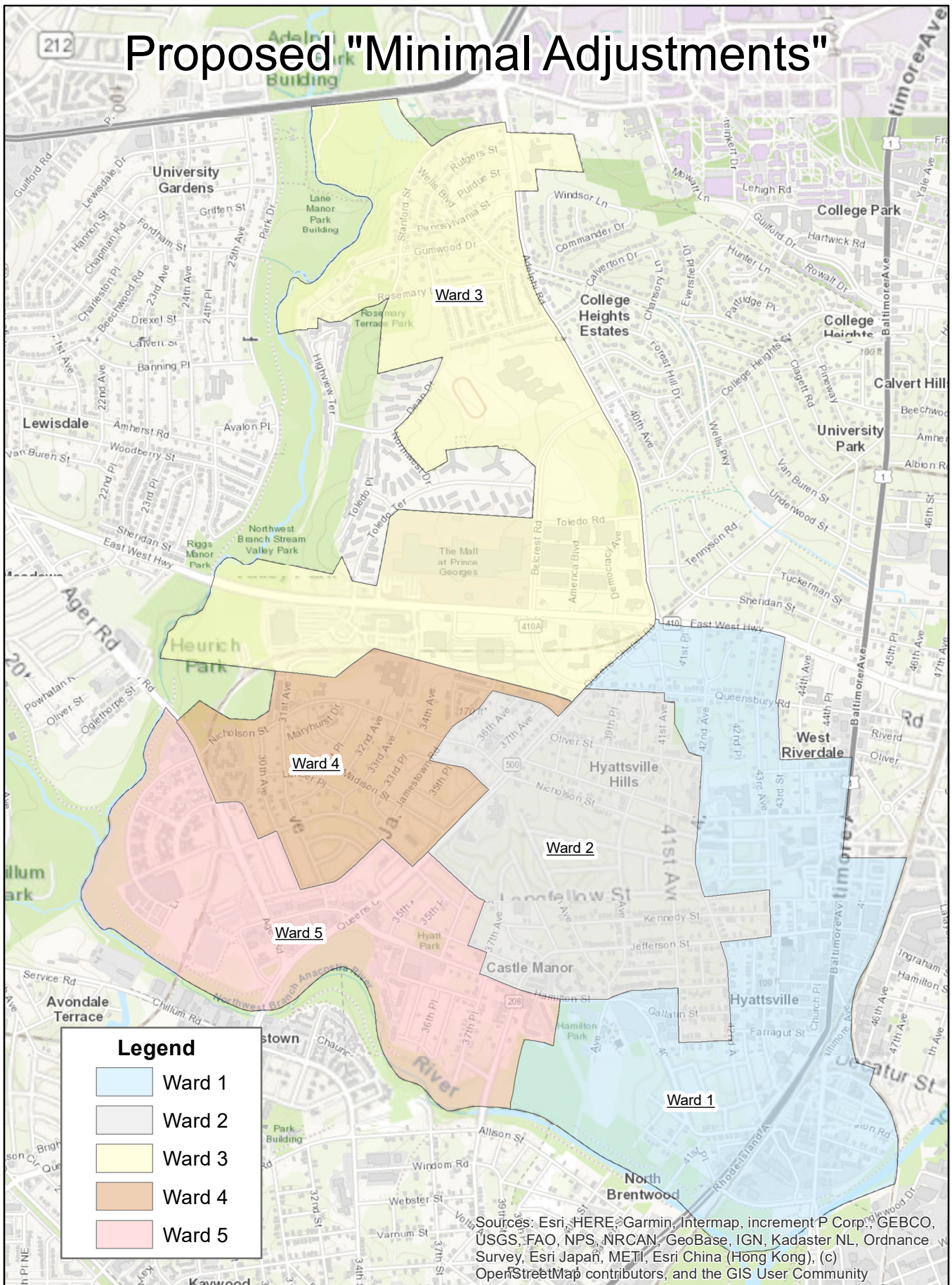
- It moves a very high number of Hyattsville residents into new Wards, and this is not a map concept that the public have had (or will have, given Council's schedule for the redistricting process) time to digest and comment on and subsequently refine.
- We feel it puts Ward 5 as almost two separate lobes connected only by uninhabited land around Queen's Chapel, which seems against the spirit of the rules for contiguous Wards (although not the letter).
- Expanding Ward 5 to follow the West Hyattsville Sector Plan bounds is undermined by having to restore the portion of Ward 2 west of Queen's Chapel in order to obtain Wards with permissible populations. So, either way, the West Hyattsville Sector remains split between Wards 2, 4, and 5.
- As known developments in the City go ahead, it seems likely that following the 2030 Census Wards 3 and 5 will both have to shrink. The eastward expansion of Ward 5 might then need to be reversed at that time. While speculative, we have heard from several City residents that living in the same home but changing Wards every 10 years is disruptive and undermines trust in local governance (see earlier feedback). We therefore prefer to avoid recommending changes that are likely to reverse after the 2030 Census.

Proposed "Growth Conscious" (version 3)



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Proposed "Minimal Adjustments"



Legend	
	Ward 1
	Ward 2
	Ward 3
	Ward 4
	Ward 5

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



City of Hyattsville

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Agenda Item Report

File #: HCC-112-FY23

11/7/2022

13.a.

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

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

Suggested Action:
Discussion Only

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:

Pending Council discussion, the item will come back for a first reading on November 21, with adoption tentatively scheduled for December 5. The ordinance will be effective 20 days post adoption.

Fiscal Impact:

Permit fees will increase city revenue.

City Administrator Comments:

The Director of Public Works will provide a presentation on the key points and changes prior to the discussion

Community Engagement:

Pending.

Strategic Goals:

Goal 4 - Foster Excellence in all City Operations

Legal Review Required?

Pending



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>

1 CITY OF HYATTSVILLE

2
3 ORDINANCE 2022-__

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 ~~to 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.

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 _____.

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ADOPTED by the City Council of the City of Hyattsville, Maryland at a regular public meeting on _____.

Adopted: _____

Attest: _____
 Laura Reams, City Clerk Robert Croslin, Mayor

Effective Date: _____.

Explanatory Note:

- 1. Underlining indicates language being added to the Code.
- 2. ~~Strikethrough~~ indicates language being deleted from the Code.

CITY OF HYATTSVILLE ADMINISTRATIVE REGULATION 2022-_____
CHAPTER 105 of the City Code
Wireless Facilities and Support Structures
Effective Date: _____

1. City’s Authority over Rights of Way, City Streets, and Sidewalks

- A. Pursuant to the City’s Charter and Code, including, but not limited to, Articles VII and VIII and IX of the City’s Charter and Chapter 105 of the City Code, the City has near absolute authority to regulate construction, installation of improvements or modification of any structure, in, on, over, and under, the City’s rights of way, streets and sidewalks.
- B. Pursuant to Articles VII and VII of Chapter 105, of the City of Hyattsville Code, the City Administrator is authorized to adopt regulations related to Wireless Facilities and Support Structures.
- C. These regulations are promulgated by the City of Hyattsville Department of Public Works pursuant to City Ordinance 2022-_____ (the “Ordinance”), which amended the City of Hyattsville Code, Chapter 105, Wireless and Supporting Structures, to regulate the installation of certain telecommunications facilities and equipment in the City’s rights of way.

2. Definitions

The following terms have the meanings given to them in Section 105-45 of the City Code: “antenna,” “applicant,” “collocation,” “communications facility,” “communications support structure,” “Director,” “FCC,” “permittee,” “pole,” and “RF.”

3. Applicants for a Permit

- A. An application for a permit to construct or install a communications facility or communications support structure shall be filed with the Director and shall contain all of the information required by Section 3 for a facility or a structure of the type proposed in the application.
- B. An application shall not be accepted by the Director for consideration unless and until the required fee(s) are paid.
- C. An application shall include, at a minimum, the following:
 - 1. Documentation establishing that the construction and installation complies or will comply with Code Sections 105–46, 105-47 and Chapter 112, and all applicable requirements of the Prince George’s County Zoning Ordinance, including, if the proposed facility or structure is a conditional use, a copy of the County conditional use permit or order (unless this requirement has been waived by the Director);

2. A technical description of the proposed communications facility or communications support structure, including its purpose and intent, a written description identifying the geographic service area for the subject installation and why the installation is necessary to provide adequate telecommunications coverage, photographs of the communications equipment to be installed, a description of the noise to be emitted by the proposed facilities, and an accurate visual impact analysis with photo simulations, a list of all existing equipment (including but not limited to communications facilities) mounted on the communications support structure, and a site plan drawing (i) indicating the proposed installation, right of way, name of street (if any) and width of right of way, utility pole identification number if the proposed installation involves attachment to or replacement of an existing utility pole, abutting lots, North point, and scale, and (ii) providing the location for all features, structures and trees within 50 feet of the site, including Pavement plan, curb and gutter, sidewalks, curb cuts and driveways and dimensions;
3. A certificate from an independent licensed professional engineer that the proposed construction or installation is structurally sound;
4. A detailed deployment plan describing all communications facilities or communications support structures planned to be used or installed by the applicant for the 24-month period following the permit application anywhere in the City or within 500 feet of City limits, including on private property and Maryland State and County rights of way, and a description of the completed deployment;
5. A completed RF exposure guidelines checklist and proof of all applicable license or other approvals required by the FCC;
6. If a communications facility is proposed to be attached to a private-owned utility pole, the title, date and term of the executed attachment agreement with the utility pole owner and a hard copy thereof or a URL for the online location where a copy of the agreement can be found;
7. A statement committing the applicant to comply with applicable safety standards for the proposed activities in the City right-of-way;
8. Identity and contact information for the entity performing the work in the right-of-way;
9. A specific identification of any state or federal statute or regulation imposing a shot clock or similar timing constraint that applicant claims applies to the City's consideration of the application; and
10. Such other information as the Director may require.

D. If an applicant seeks an exception pertaining to any provision of Chapters 105 and 112 of the Code or these regulations, including, but not limited to, exceptions from findings that would otherwise justify denial, it must request such exception at the time of application. The request must identify the specific provision(s) from which the exception is sought and the basis of the request. The applicant shall have the burden of proving that application of the provision would violate, or would deprive applicant of its rights under, federal or state law, using the evidentiary standards required by the law at issue. The City shall have the right to hire an independent consultant, at the applicant's expense, to evaluate the issues raised by the exception request and shall have the right to submit rebuttal evidence to refute the applicant's claim. Any request for an exception after an application has been found complete under Section 3 shall be treated as a new application.

- E. A request for exception under Subsection (D) may be granted by the Director if the Director finds that:
 - 1. Denial of the facility as proposed would violate federal law or state law; or
 - 2. The cited provision(s), as applied to applicant, would deprive applicant of its rights under federal or state law; or
 - 3. Strict application of the cited provision(s) would be contrary to the public interest because the harm to the public of strict application would be greater than the harm caused by granting an exception.

4. Process for Review of Applications.

A. The Director shall post notice of any application filed pursuant to Section 3 upon receipt to the City's website or to a publicly available database of small cell wireless facility applications and shall promptly determine whether it is complete.

B. If the Director determines that an application is incomplete, he/she shall inform the applicant in writing of the missing information and shall cease consideration of the application until such time as all of the missing information is submitted by the applicant.

C. In cases where the plans and specifications submitted to the Director do not meet the minimum construction standards as provided in the City Code, or if the Director concludes that unusual conditions require a special type of construction, the application plans and specifications, with necessary revisions noted appropriately thereon, shall be returned to the applicant for revision and resubmission.

D. When an applicant resubmits an application with missing or revised information, the Director shall determine within 10 days whether the resubmitted application is complete.

E. When the Director determines that an application is complete:

- 1. The Director shall:
 - a. notify the applicant and post notice of the application and the application itself on the City's web site and make a hard copy of the application materials available for public inspection;
 - b. schedule a community meeting as soon as reasonable, but no more than 30 days after the determination that the application is complete, to provide the public with information about the proposed installation, answer questions, receive information, and respond to concerns;
 - c. receive and consider any written comments and documentary evidence submitted by the public; and
 - d. seek and consider input from City of Hyattsville boards, commissions and committees with applicable subject matter jurisdiction, including but not limited to the Hyattsville Environment Committee.

2. The applicant shall:
 - a. within 7 days of its receipt of notice from the Director that its application is complete, inform the public about the proposed installation and the date, time, and location of the community meeting by posting a notice {weatherproofed, at least 8.5 inches by 11 inches, and attached to the pole or other support structure at a height of 5 feet or less} at the proposed site, and providing written notice to property owners, residents and businesses with property lines located within 500 feet of the proposed installation; and
 - b. send a representative to attend the public meeting.

F. The Director may schedule a single community meeting for the consideration of multiple applications.

G. Applications shall be reviewed in the order in which they are received, except that an incomplete application shall be considered received on the date that it is determined to be complete after resubmission. In addition, the Director shall treat the changed application as a new application for purposes of any time limits for permit decisions under applicable law.

H. In the event that three or more substantially similar applications from one applicant are received or pending at the same time, the Director may reasonably modify the process set forth in Subsections E-G in order to attempt to meet the requirements of Subsection I.

I. The Director shall endeavor to make a decision on each application for a communications facility within 60 days of the filing of the completed application and on each application for a communications support structure within 90 days of the filing of the completed application. These are aspirational goals and failure to meet the goal in the case of a specific application shall have no legal effect under the Code.

5. Requirements for Approval of Applications.

A. In deciding whether to approve an application, the Director shall review and take into account the information in the application, and any public comments and other information gathered or submitted pursuant to Section 4.

B. An application for a communications facility or communications support structure proposed to be located on City rights-of-way may only be permitted upon a finding by the Director that:

1. The proposed structure or facility, if constructed or installed in conformance with the application, will comply with (i) the general construction specification requirements in Code Section 105-44, (ii) all applicable requirements of Chapter

105, Article VII, (iii) all applicable requirements of the Prince George's County Zoning Ordinance, and (iv) all applicable Sections these regulations.

2. Under applicable safety standards, the communications support structure can support the proposed communications facility together with any other previously attached or permitted facilities and equipment.
3. The applicant has submitted the required proof of insurance, and any performance bond required by the Director.
4. The Montgomery County Telecommunications Facility Coordinating Group Tower Coordinator has recommended the proposed installation if the installation is subject to review by the Montgomery County Transmission Facility Coordinating Group.
5. The location is not in an area where there is an overconcentration of structures or facilities in, on or over the right-of-way, as determined by the Director in the Director's reasonable discretion and judgment.

C. A replacement pole proposed to be located on City rights of way may only be permitted upon a finding by the Director that:

1. All of the requirements of Subsection B are met;
2. Additional communications facilities are necessary in the location of the proposed pole to provide adequate telecommunications coverage; and
3. Existing poles sufficiently close to the proposed location do not have the capacity for the necessary communications facilities.

D. A new pole proposed to be located on City rights-of-way may only be permitted upon a finding by the Director that:

1. All of the requirements of Subsection C are met, and
2. The applicant has provided proof of its (or its agent's) authority to erect the pole, including, if applicable, how the proposed pole meets the requirements of Md. Public Services and Utilities Code Ann. 8-103(a)(2), as amended.

E. The Director may require modifications to a proposed construction or installation project before granting a permit and may impose conditions when granting a permit.

F. The Director may waive minor variances from the requirements of the City Code or these regulations if the variance does not jeopardize the public health, safety, or welfare.

G. The Director may require the permittee to pay for and provide a performance bond, which shall be in effect until the facilities are fully and completely removed and the site reasonably returned to its original condition, to cover permittee's obligations under these conditions of approval and the City Code. The bond coverage shall include, but not be limited to, removal of the facility, and maintenance obligations. The amount of the performance bond shall be set by the

Director in an amount reasonably related to the obligations covered by the bond and shall be specified in the conditions of approval.

6. Aesthetic Requirements.

A. All communications facilities and communications support facilities shall be situated, screened, shrouded, or concealed to maximize public safety and to minimize visual and acoustic impact. At a minimum, a facility shall meet each of the following requirements that apply to its facility type:

1. Antennas, antenna mounts and equipment cabinets shall have a color and finish that minimize visual impact to the surrounding neighborhood, taking into consideration historic area designations and existing color and design schemes for City facilities, commercial districts, and other areas with aesthetic guidelines.
2. Any equipment other than an antenna, antenna mount or wiring shall be placed inside an equipment cabinet.
3. No equipment cabinet nor any equipment located outside of an equipment cabinet may have a metallic or silver finish.
4. An applicant's equipment cabinet shall be no larger than 15 cubic feet and, unless otherwise required by state or federal law, be installed a minimum of 15 feet above ground or at ground level. The total volume of all equipment cabinets associated with a structure shall be no larger than 30 cubic feet.
5. Any ground level equipment cabinet shall be located at least 2 feet from the roadway curb and 4 feet from any driveway apron, shall not impinge on any sidewalk, shall not obstruct pedestrian, bicycle or vehicle traffic flow or sight lines or obstruct parking access, and shall comply with any other placement requirements established by the Director.
6. Each antenna shall be demonstrated to be the least visible antenna possible to accomplish the coverage objectives, be mounted parallel to the pole or other support structure, and be flush mounted to the extent reasonably feasible.
7. Antenna mounts shall be designed so as not to preclude possible future collocation by the same or other applicants, and must be the same color or pattern as the pole or support structure.
8. Any wiring from the ground to a communications facility shall be concealed in the pole or other support facility, or, if the pole or other support facility cannot accommodate internal wiring, the exterior wiring must be enclosed in a shielded conduit.

B. The Director may (i) promulgate additional aesthetic guidelines or regulations governing screening, shrouding, or concealing specific types of equipment or facilities, or (ii) grant pre-approval of specific models, designs, or paint schemes, in order to reduce the visual and auditory impacts of such facilities.

7. Fees

A. Every applicant shall pay a permit application fee upon submission of the application. Such fees shall not be refundable.

B. The Director may require payment of a supplemental application fee if the Director determines that changes to an application after filing will materially increase the time or costs of the permit review.

C. The Director shall establish standard fee schedules that allow the City to recover the actual costs of application processing, administration, review, inspection, and certification of compliance of each completed construction or installation project, and, if permitted by applicable law, the market value of the use of the City right-of-way. These standard fees may be increased annually and on a per application basis if reasonably required to cover additional costs incurred in individual cases, such as when an application is unusually complex or involves new technology so that the City needs to consult outside experts as part of the review process.

D. Pending establishment of permanent fee schedules by the Director, the application fee for a permit shall be one thousand dollars (\$1,000.00). The Director may, but is not required to, establish a different fee on a case-by-case basis when an applicant submits multiple applications at the same time ("bundled applications"). If the bundled applications are essentially identical and the per application costs incurred by the City are likely in the judgement of the Director to be lower, the Director may set a lower total fee for the bundled applications. If the bundled applications are not identical and the per application costs incurred by the City are likely in the judgement of the Director to be higher because of a need for additional City or contractor resources, the Director may set a higher fee for the bundled applications.

E. Each permittee shall pay an annual right-of-way maintenance and administration fee and a right-of-way usage fee for each approved application for a communications facility and communications support facility. Each fee shall be payable initially within 15 days of the permit approval and annually thereafter on the anniversary date of the permit approval.

F. The right-of-way maintenance fee shall be payment for the cost of administering and maintaining the public right-of-way occupied by the permittee's facility. Pending establishment of the fee schedules by the Director, the annual fee shall be \$500 per permit, and it shall be payable annually on the anniversary date of the permit approval.

G. The right-of-way usage fee shall be equal to the market value of use of the public right-of-way occupied by the facility or support structure. Unless and until the authority of the City to charge market-based usage fees is clarified under applicable federal and state law, communications facilities and communications support structures shall be allowed to occupy City rights-of-way upon payment of the annual right-of-way maintenance fee. However, permittees of such facilities and support structures shall be liable for a usage fee equal to the market rent for the occupancy of

the City right-of-way retroactive to the date of installation plus interest accrued at the rate established for delinquent property taxes in Section 11-107 of the Courts and Judicial Proceedings Article of the Maryland Code, as amended.

H. The Director shall include in the right-of-way maintenance fee or in a separate inspection fee the costs incurred by the City in hiring an employee or retaining a consultant to perform testing to confirm that a permitted facility complies with the then-current FCC RF emission standards or any other applicable mandatory regulatory or operational standard. Tests shall be conducted upon commencement of operations at a permitted facility and annually between May 1 and June 30 thereafter. If an annual inspection fee is imposed, the cost to be charged shall be a pro rata percentage of the cost for testing of all permitted sites.

I. The Director, in consultation with the City Administrator, may waive or reduce any fees provided for in this Section and provide other benefits to the permittee (excluding any that would weaken health and safety protections) in exchange for public benefits to be provided by the permittee that may include, but are not limited to, the installation of communications facilities and support structures in underserved locations and the installation of connections to or discounted service for multi-family rental facilities.

J. Fees paid by any permittee whose permit has expired or become invalid shall not be credited against the fees required for a new permit of the permittee. Fees for expired and invalid permits shall not be returnable.

K. The City may establish license or lease payments in connection with any application for the installation of a communications facility on a communications support structure owned by the City, or located on City owned property, and may require other compensation as provided herein:

i. Rent. At minimum, a monthly rent shall be applied to all persons permitted to install communications facilities on any communications support structure owned by the City or a wireless support structure that is located on property owned by the City. Rents are intended to reflect the fair value of the use of said wireless support structures, leased or licensed, and may be in cash or in kind. However, the City may permit payment of an alternative amount for a temporary period while the validity of any rent is being challenged, provided that the City has adequate security that the full rent to which it may be entitled is or will be paid for the entire period within which any person will use a communications support structure that is owned by the City or located on property owned by the City, as set forth herein.

J. _____

8. Continuing Obligations of Permittees.

A. Within 30 days of installation, the City shall test the RF emissions from any new antenna and the cumulative RF emissions from all antennas on the same structure, for compliance with FCC standards. Results of RF emissions tests will be posted to the City's website. If the antenna exceeds the FCC standards or causes the antennas collocated on its support structure to exceed the FCC standards, the newly installed antenna must be removed by the permittee within five days at its own expense. In addition, if the Director determines there is good cause to believe that an approved facility, individually or as mounted with any collocated facilities, may emit RF emissions that are likely to exceed FCC standards, the Director may require the permittee to test the facility and submit within 10 days of the test a written report certified by a qualified independent RF emissions engineer, certifying that the facility is in compliance with such FCC standards.

B. Within 15 days after construction or installation is completed, the permittee shall certify to the Director that the constructed or installed facilities conform in all material aspects to the specifications in the permit and meet all applicable conditions of the permit approval. In the event that the permittee fails to provide such certification or that the facility at any time fails to meet all applicable conditions of approval, the City may revoke the permit or take other action permitted under the Code or these regulations.

C. Between June 1 and July 1 of each year, the permittee shall submit to the Director an affidavit certifying that the facility or support structure remains in use and covered by insurance and that the facility is the current industry standard facility of that type as required under the Code and these regulations.

D. The permittee shall submit and maintain current at all times basic contact, emergency contact, and site information required by Code Section 105-95. The permittee shall notify the City of any changes to this information within seven days of any change and any change to the emergency contact information shall be made to the notice on the communications facility or support structure within one day of the effective date of the change.

E. The permittee shall respond promptly, and in any event in within 2 hours, to emergencies relating to its communications facilities and communications support structures.

F. The permittee shall, at its sole expense, keep its communications facilities and communications support structures in a safe condition and in good and neat order and repair.

G. The permittee at all times shall fulfill all the requirements of Code Section 105-95.

**APPLICATION TO INSTALL A COMMUNICATION FACILITY OR
COMMUNICATION SUPPORT STRUCTURE IN THE RIGHT OF WAY
CITY OF HYATTSVILLE PUBLIC WORKS DEPARTMENT**

APPLICANT NAME

CONTACT PERSON NAME

APPLICANT STREET ADDRESS

CONTACT PERSON EMAIL

APPLICANT CITY, STATE, ZIP CODE

CONTACT PERSON PHONE

Carrier Name: _____

Carrier Site Name or ID: _____

Structure Owner: _____

Structure Owner contact info: _____
Email

Cell phone

Utility Pole Identification Number: _____

Site Address: _____

Contractor performing the installation: _____
Company name

Contractor contact name

Email

Phone

TYPE OF INSTALLATION:

- Collocation on existing structure
- Installation on a replacement structure
- Installation on a new structure

An application is required for each support structure

I. *The following items must be included for all types of installation:*

- I. SITE PLAN MAP
 - a. Show location of installation site with street name, right of way width, identification of abutting lots, latitude & longitude designation, north point and scale
 - b. Site plan must note the following items (including dimensions) within 50 feet of the proposed installation site: curb and gutter, curb cuts, driveways, inlet structures, location and diameter of any trees.
 - c. If grade change is proposed, provide grading plan and profile
2. CERTIFICATION from an independent licensed professional engineer verifying that proposed installation is structurally sound.
3. STATEMENT committing to comply with applicable safety standards for the proposed activities within the City right of way.
4. TECHNICAL DESCRIPTION OF THE PROPOSED FACILITY OR SUPPORT STRUCTURE
 - a. Purpose and intent
 - b. Written description of the intended service area and why this location is necessary to provide adequate telecommunications coverage
 - c. Photographs of the equipment to be installed and type of support structure
 - d. Description of the noise emitted by the proposed facilities, including anticipated decibel levels
 - e. A visual impact analysis of the installation area with photo simulation of the proposed installation
 - f. List of existing antennas mounted on support structure
 - g. Description of screening efforts to minimize visual impact of structure, including color and finish proposed for antennas, antenna mounts and equipment cabinets
 - h. Detail providing all dimensions of proposed facilities and equipment cabinets
5. Documentation that application was filed and recommended by the Prince George's County Telecommunications Transmission Facility Coordinating Committee, and, if required record of a Conditional Use Permit from Prince George's County.

6. PROOF OF INSURANCE
7. DEPLOYMENT PLAN FOR THE NEXT 24 MONTH PERIOD
 - a. Description of planned facilities anywhere in the City or within 500 feet of the City limits, including on private property, Maryland State Right of Way or County Right of Way
8. COMPLETED RF EXPOSURE GUIDELINES CHECKLIST and proof of all applicable licenses or approvals required by the FCC
9. COPY OF EXECUTED AGREEMENT (or URL) with pole owner verifying permission to use pole
10. Identification of State or Federal Statue or Regulation imposing a shot clock constraint that applicant believes applies to this application
11. If Applicant is seeking an exception to any provision of Chapter 105 or Chapter 112, provide written request including specific provision and basis of request and justification
12. APPLICATION FEE- \$ 1000.00, check payable to the City of Hyattsville

II. *The following additional information is required for replacement poles:*

1. Applicant must provide all items identified in Subsection I.
2. Written statement identifying why additional communication facilities are necessary in the location of the proposed pole to provide adequate coverage
3. Written statement documenting why existing poles sufficiently close to the proposed location do not have the capacity for the necessary communication facilities.

III. *The following additional information is required for new poles:*

1. Applicant must provide all items identified in Subsection I.
2. Provide proof of authority to erect pole. and how the proposed pole meets the requirements of Md. Public Service & Utility Code Ann. 8-103 (a)(2) as amended.

Permit Terms and Conditions:

City permits are non-transferable and automatically expire 6 months from the date of issuance by the Public Works Department.

Within 15 days after construction or installation is complete, the permittee shall certify to the Public Works Director that the installed facilities conform in all material aspects to the specifications in the application and meet all applicable conditions of the permit approval. If permitted fails to provide such certification or the facility at any time fails to meet all applicable conditions of approval, the City may revoke the permit or take other action.

The permittee shall submit and maintain current at all times, basic contact, emergency contact, and site information required by Section 105-95. The permittee shall notify the City of any changes to this information within 7 days of any change and within 1 day for changes to the emergency contact information

The permittee shall keep its communication facilities and communication support structures in safe condition and good and neat order and repair. The permittee shall respond within 2 hours, to emergencies related to its communications facilities and communication support structures.

This page to be completed by the City:

INITIAL APPLICATION RECEIVED:

Date received: ___/___/___ *City has 10 days to notify if incomplete

Determined Complete: () Yes () No Date determination was made: ___/___/___

If Yes, date applicant notified: ___/___/___ Website updated: ___/___/___

If No, date applicant notified: ___/___/___

RESUBMITTED APPLICATION

Resubmittal date received: //

Determined Complete: () Yes () No Date determination was made: ___/___/___

If Yes, date applicant notified: ___/___/___ Website updated: ___/___/___

If No, date applicant notified: ___/___/___

SECOND RESUBMITTED APPLICATION

Resubmittal date received: ___/___/___

Determined Complete: () Yes () No Date determination was made: ___/___/___

If Yes, date applicant notified: ___/___/___ Website updated: ___/___/___

If No, date applicant notified: ___/___/___

FOR COMPLETED APPLICATION:

Will City require supplemental application fee? If yes, Amount: \$ _____

Was application bundled with more than one other identical application? _____

Public Meeting Date: ___/___/___ Meeting location: _____

Anticipated decision date:

For communication facilities 60-day goal from receipt of completed application

For com. support structures, 90-day goal

COE Notified: _____ / _____ / _____

SITE EVALUATION COMMENTS:

Any conflict with:

- other structures,
- trees,
- driveway aprons,
- site lines,
- parking access
- other

Overconcentration of structures or facilities in area Potential modifications to proposed location?

Other conditions for approval?

Performance Bond recommended?

PERMIT ISSUED: ___/___/___

Website updated: ___/___/___

Required from Applicant

Within 15 days from permit issuance: ___/___/___

DUE



Applicant to pay ROW Maintenance and Administration Fee of \$_____ – date received:

___/___/___

Required from the City:

Within 30 days of installation:

DUE



Initial RF Test Results: _____

Website updated: ___/___/___

Annually May – June 30