City of Hyattsville

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



Summary Regular Meeting

Register in advance for the webinar: https://us06web.zoom.us/webinar/register/WN_AILKHMUVSW-_w2u6zeedAQ

Monday, November 6, 2023 7:00 PM

Virtual

City Council

Robert S. Croslin, Mayor
Joseph Solomon, Council President, Ward 5
Joanne Waszczak, Council Vice President, Ward 1
Sam Denes, Ward 1
Danny Schaible, Ward 2
Emily Strab, Ward 2
Jimmy McClellan, Ward 3
Kareem Redmond, Ward 3
Edouard Haba, Ward 4
Michelle Lee, Ward 4
Rommel Sandino, Ward 5

ADMINISTRATION

Tracey E. Douglas, City Administrator
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. Submitted electronic statements will be sent to Councilmembers prior to the meeting and will not be read aloud. All participants shall remain respectful in their contributions and associated functions of the virtual meeting interface are not intended for public dialogue or discussion.

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

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

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

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

Meeting Notice:

The Hyattsville City Council will hold its meeting on Monday, November 6, 2023 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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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_AlLKHMUVSW-_w2u6zeedAQ

- 1. Call to Order and Council Roll Call The meeting was called to order at 7:03 p.m.
- 2. Pledge of Allegiance to the Flag
- 3. Approval of Agenda Approved, Unanimous
- 4. Approval of the Minutes

4.a. Approval of the Minutes

HCC-115-FY24

Approved, Unanimous

I move that the Mayor and Council approve the minutes of the Public Hearing on May 2, 2022, May 16, 2022, October 17, 2022, December 19, 2022, and the City Council meeting of September 18, 2023.

Sponsors: City Administrator

Department: City Clerk

Attachments: Minutes Sept 18 2023

Public Hearing Minutes Dec 19 2022
Public Hearing Minutes Oct 17 2022
Minutes PublicHearing May16 2023
Minutes PublicHearing May2 2023

- 5. Public Comment (7:10 p.m. 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker Written comments submitted to the Clerk's Office two hours prior to a Council Meeting are attached to the end of the Summary.
- City Administrator Update (7:10 p.m 7:30 p.m.)
- 7. Presentations (7:30 p.m. 7:50 p.m.)
 - 7.a. Procurement Code and Charter Amendment

HCC-126-FY24

For presentation.

Sponsors: City Administrator

Department: City Clerk

7.b. The Spot Redesign Concept Plan

HCC-121-FY24

For presentation.

Sponsors: City Administrator

<u>Department</u>: Community & Economic Development

Attachments: The Spot Redesign Final Concept and Report

7.c. Library Apartments/3325 Toledo Road Garage Redevelopment Detailed Site HCC-124-FY24 Plan (DSP) 01002-04

For presentation.

Sponsors: City Administrator

<u>Department</u>: Community & Economic Development

Attachments: Staff Memo - Library Apartments - DSP 01002-04

2023-10-24 Council Presentation
Detailed Site Plan (DSP-01002-04)

Statement of Justification Architectural drawings

Stormwater Management Concept Plan approval

Certificate of Adequacy (ADQ-2022-055)
Planning Board Resolution (PPS-4-22004)

8. Proclamations Approved, Unanimous

8.a. Proclamation Recognizing Native American Heritage Month

HCC-117-FY24

I move that Mayor and Council adopt a proclamation to declare November 2023 as Native American Heritage Month in the City of Hyattsville.

Sponsors: City Administrator

Department: City Clerk

Attachments: CM 1106 Native American Heritage Month 2023

8.b. Proclamation Recognizing Municipal Government Works Month

HCC-118-FY24

I move that the Mayor and Council adopt a proclamation recognizing November 2023 as Municipal Government Works Month in the City of Hyattsville.

Sponsors: City Administrator

Department: City Clerk

Attachments: CM 1106 Municipal Government Works Month 2023

8.c. Proclamation Recognizing Veterans Day

HCC-119-FY24

I move that the Mayor and Council proclaim November 11, 2023, to be Veterans Day in the City of Hyattsville.

Sponsors: City Administrator

Department: City Clerk

Attachments: CM 1106 Veterans Day Proclamation 2023

8.d. Proclamation Recognizing American Education Week

HCC-120-FY24

I move that the Mayor and Council adopt a proclamation in honor of American Education Week, November 13 - 17, 2023.

Sponsors: City Administrator

Department: City Clerk

Attachments: CM 1106 American Education Week 2023

9. Appointments Approved, Unanimous

9.a. Appointment to the Race and Equity Task Force

HCC-122-FY24

I move that the Mayor and Council approve the reappointment of Daniel Amador (Ward 5) to the Race and Equity Task Force for a term of two (2) years to expire on November 6, 2025.

Sponsors: Haba

Department: City Clerk

Attachments: Daniel Amador reappoint Nov 2023 redac

9.b. Appointment to the Planning Committee

HCC-123-FY24

I move that the Mayor and Council approve the reappointment of David Marshall (Ward 4) to the Planning Committee for a term of two (2) years to end on November 6, 2025.

Sponsors: Redmond and Denes

Department: City Clerk

Attachments: David Marshall re-appoint Nov 23 redac

9.c. Appointment to the Ethics Commission

HCC-127-FY24

I move that the Mayor, with Council approval, appoint Katie Siemon (Ward 1) to the Ethics Commission for a term of three (3) years to end on November 6, 2026.

Sponsors: Croslin

Department: City Clerk

Attachments: Katie Siemon Aug 5 redac

10. Consent Items (7:50 p.m. - 7:55 p.m.)

Approved, Unanimous

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.

10.a. Award of Road Improvement Contract

HCC-111-FY24

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with NZI Construction, Inc. for road and sidewalk improvements throughout the City, utilizing a rider on Prince George's County contract 932A-H(F)D. The agreement will be for the same terms, conditions, costs, and period of performance, including all extensions as issued by Prince George's County, pending legal review.

Sponsors: City Administrator

Department: Public Works

Attachments: PG 932A-H(F)D Contract Agreement dated 10-05-20

932A-H(F)D Amendment #1 fully executed

10.b. Purchase of Two 2023 Chevrolet Tahoe Pursuit Vehicles

HCC-112-FY24

I move that the Mayor and Council authorize an expenditure not to exceed \$93,751.97 to Mall Chevrolet for the purchase of two (2) 2023 Chevrolet Tahoe Pursuit Vehicles.

Sponsors: City Administrator

Department: Police Department

Attachments: Chevy Quote

PD Letter of Intent Mall Chevrolet 12-8-2022

<u>Vendor Docs Mall Chevrolet Cars Crossovers Class 1-3 Pickup</u> <u>Trucks Chassis Cabs SUVs and Vans ESCNJ 20 21 09 (1) (1)</u>

10.c. Memorandum of Understanding with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Regarding E-Trace Firearm Tracing Application

HCC-113-FY24

I move that the Mayor and Council authorize the City Administrator to enter into a Memorandum of Understanding with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for access to eTrace, pending review and approval by the City Attorney.

Sponsors: City Administrator

Department: Police Department

Attachments: Memorandum of Understanding - HYATTSVILLE CITY MD POLICE

DEPARTMENT

10.d. FY24 Budget Appropriation: Accept and Appropriate the BJA FY22 Byrne Discretionary Community Funding Grant for Evidence Lab Upgrades

HCC-114-FY24

I move that the Mayor and Council accept and appropriate into the FY24 budget, the Byrne Discretionary Community Funding Grant in the amount of \$100,000 toward evidence lab equipment upgrades.

Sponsors: City Administrator

Department: Police Department

Attachments: Award Letter Evidence Grant

10.e FY24 Budget Appropriation: Accept and Appropriate the FY23 Law Enforcement Agency De-Escalation Grant - Community Policing Development Solicitation

HCC-128-FY24

I move that the Mayor and Council accept and appropriate the De-Escalation Grant Award in the amount of \$109,000 to cover the cost of APEX Officer, a virtual reality training simulator for the Hyattsville Police Department.

Sponsors: City Administrator

Department: Police Department

Attachments: Award Package FAW-180772

11. Discussion Items (8:55 p.m. - 9:10 p.m.)

11.a. Hyattsville Rent Stabilization Ordinance

HCC-108-FY24

I move that the Mayor and Council authorize the City Attorney to prepare an ordinance on regulating the annual rate of increase in rental prices in the City Hyattsville. The ordinance shall meet the following rent stabilization goals:

Rental Increase Allowance:

This ordinance shall:

- Authorize and require the City Administrator to set and publish a maximum allowable annual rent increase (MAARI). The MAARI shall be the maximum annual allowable percentage increase in price per unit for non-exempt rental properties within the City of Hyattsville.
- The MAARI shall be equal to the annual percentage increase in the Washington-Arlington-Alexandria, DC-VA-MD-WV Consumer Price Index for All Urban Consumers (CPI-U), from November to November of the two most recent calendar years, rounded to the nearest whole number, and shall be effective for a twelve-month period beginning January 1.
- In addition to rent increases, the MAARI shall include and regulate all increases to fees
 associated with rental properties, including but not limited to fees associated with
 utilities, parking, amenities, and pets.

Exemptions:

The following classes of rental properties and rental agreements shall be exempt from the limit imposed through the MAARI.

- Rental properties less than 15 years old.
- Buildings with 4 or fewer units.
- Owner-occupied where the tenants share a kitchen or bathroom with the owner.
- Short-term leasing agreements. (Defined as leases for 30 days or less, published via short-term leasing platforms such as Airbnb) Extensions of leases beyond 120 days will make the unit subject to the Rent Allowance clauses prescribed.
- Accessory apartments and dwelling units.
- Units that are subsidized or regulated by federal, state, county, or local guidelines. This
 exemption does not apply to non-subsidized or non-regulated units that are rented
 using a housing voucher.

Rental Registry:

- The City shall create and maintain a publicly accessible rental registry containing all legal rental units within the City of Hyattsville and indicate which units are subject to rent stabilization. The rental registry shall be public and posted on the City's website.
- All rental properties must be on the rental registry. Unregistered properties cannot legally raise the rent and are subject to municipal citations.
- Providing false information to the registration is illegal under this ordinance and subject to municipal citation.
- Yearly notice will be sent to the landlords of all rental properties reminding them to register their rental units and pay the occupancy permit fee, and informing them of the allowable MAARI rate increase for rent stabilization eligible properties.

Civil Recourse:

• Any landlord found in violation of the ordinance shall be required to pay any tenant harmed by any such violation no less than the equivalent of three (3) months of rent,

- plus any attorney fees paid by the City to enforce the ordinance.
- The City may deny a rental license to, and may impose financial penalties on, any landlord who fails to comply with this ordinance.
- Property owners may be sanctioned under this statute if City code finds them in violation: https://law.justia.com/codes/maryland/2021/real-property/title-8/subtitle-2/section-8-211/

Staffing and Management:

- Publish the MAARI and distribute it to all property owners.
- Provide an annual report to Hyattsville City Council on the status of the Rent Stabilization Program.

Communications and Outreach

City staff shall:

Develop and distribute annual rent stabilization notifications in English and Spanish.
 Notifications must be kept posted in the lobby, mailroom, or other public gathering space of every rent stabilization eligible property.

Voluntary Rent Increase Agreements Related to Capital Improvements

Landlords may propose and be approved for rent increases that exceed the MAARI if the capital improvements/repairs that they will make, and the subsequent rent increases, have the supermajority support (greater than or equal to 60%) of the affected tenants. In such circumstances, the vote will be administered by the City and the votes cast by tenants will be anonymous. Trivial and routine repairs and renovations shall be ineligible for these agreements. Regulations related to voluntary rent increase agreements shall be prepared by the City.

Right to a Fair Return:

Fair Return Rent Increase. Landlords have a right to petition for a rent increase in order
to obtain a fair return. A fair return rent increase is intended to protect tenants from
unwarranted rent increases while allowing rent levels that provide landlords with a fair
return. Regulations related to the right to a fair return shall be prepared by the City and
approved by Council.

Preferential Rent Banking:

• Preferential rent is rent a landlord charges that is lower than the legal regulated rent they could lawfully charge. If a landlord uses preferential rent, once the tenancy ends the landlord may increase rent for the new tenant up to the full amount permitted by the MAARI over the full duration of the previous tenancy. This option is available only when there is a change of tenants (as opposed to a lease renewal with the same tenant), and can only span the time between two different tenants (i.e. once a new lease agreement is reached with a new tenant, any past preferential rent usage will become fixed).

CITY POLICY (not codified)

In support of the ordinance the City shall implement the following policies and procedures: Rental Registry

 At a minimum, the rental registry must include for each unit 1) the year built, 2) the number of bedrooms, 3) the address of the property, 4) the unit number, 5) the date the current lease began, 6) the rent as of January 1 for each year, 7) any associated rental fees (utilities, parking, pet etc.) as of January 1 for each year, 8) the name of the multifamily property; 9) the name, mailing address, phone number, and email address of each owner and manager of a registered property; 10) if the property is rent stabilized.

Administrative Support:

- The cost of implementing this ordinance shall be paid for with revenue generated from the rental registry fee. It is estimated that two full-time employees will be required to implement and administer this program, including maintaining the required registry of rental units, publishing and disseminating the MAARI, answering questions from landlords and tenants, hosting workshops for tenants and landlords, publishing annual reports on program outcomes, and enforcing the requirements imposed on landlords by the ordinance. Fluency in English and Spanish will be essential for this program.
- Increase occupancy permit fee by \$50 per unit to assist in covering City administrative expenses associated with the rental registry and rent stabilization.

Staffing and Management:

- Authorize the creation of a staff level Housing Affordability role responsible for implementing this ordinance and other housing affordability initiatives.
- Adjudicate landlord/tenant rental disputes.
- Advise Hyattsville City Council on modifications required to the rent stabilization ordinance and additional solutions/recommendations to address affordability.
- Maintain rental unit registry.
- Additional responsibilities as enumerated in the 2023 Hyattsville Rent Stabilization Study.

Communications and Outreach

The dedicated staff persons hired to administer the ordinance shall:

- Conduct public outreach such as development of brochures, ad campaigns, webpage, host public workshops etc.
- Develop an online calculator to compute allowable rent increases.

Sponsors: Schaible, Croslin, Solomon, Denes, Waszczak, McClellan, Redmond, Haba and

Sandino

Department: City Clerk

Attachments: Takoma Park, Rent Stabilization Ordinance

Final Hyattsville Rent Stabilization Study (004) (2)

11.b. ARPA Spending Plan Discussion

HCC-125-FY24

For discussion.

City Council

Sponsors: City Administrator

Department: Finance

Attachments: ARPA Spending Plan Update Discussion November 2023

12. Council Dialogue (9:10 p.m. - 9:20 p.m.)

13. Motion to Adjourn The meeting was adjourned at 11:16 p.m.

Approved, Unanimous

Electronically Submitted Public Comments

Good evening Mayor, City Council Members and residents listening in:

My Name is Sarah Harper, I have lived at expectation. over forty years. I come to ask you to vote for the Rent Stabilization Bill that Council member Schaible has introduced. I think it should a flat CPI.

Housing should be a right of every resident in Hyattsville. During the pandemic, I helped residents try to obtain emergency rental assistance from the County. Not everyone was able to obtain it. After the "so called end" to the pandemic, it has not been any better in terms of rent increases for workers. The skyrocketing rent increases means more evictions and more homeless residents. The City is so concerned they are holding a Community Listening Session on this subject on Thursday, November 9th. Let us be clear, homelessness is not the fault of the resident. It is the fault of landlords trying to wring as much profit out of their apartment building as they can. The ramifications of evictions means a spiraling down of stability for residents and their families. Evictions mean more stress. Figuring out where to find shelter. How to find schools for their children. Stress in remembering to take medications. This can lead to more unhealthful conditions for both the residents and the community. Mental health is a big concern among chronically homeless. This means more potentially violent interactions with neighbors or the police. If our community's residents are not housed adequately, our whole community suffers.

Prince George's County has passed a one year rent stabilization bill capped at 3%. Mount Rainier passed a similar ordinance. Theirs will take effect on January 1, 2024.

Hyattsville needs to step to the plate and give their residents relief on increasing rents. This will forestall evictions and more homelessness.

Thank you for your time.

Rent Stabilization Ordinance



To the Hyattsville City Council,

It is not clear that the proposed Rent Stabilization Ordinance, HCC-108-FY24 applies only to residential rental properties and not commercial buildings. I suggest that commercial. Retail and industrial buildings be included among those rental properties exempt from the limits imposed by the Rent Stabilization Ordinance.

Thank you,

B. P. Hummelt

Dear Members of the Hyattsville City Council,

We wish to comment on the proposal to add a piece of play equipment to the playground in Dietz Park. Our understanding is that a request has been made to add a slide, and that staff in the Parks and Recreation Dept determined that the only way to do that is to extend the footprint of the play area to the North and East of the existing playground footprint.

We're all for having a slide in this playground, but have several concerns with the approach of expanding the footprint of the existing play area. We don't believe that is in the best interest of the residents surrounding the park, or for the greater community members who frequent the park. We believe that there is a better approach.

First, the North East area in question is often used by kids to kick around a soccer ball and throw around a football. It is the most level, shaded and open area of the park.

Second, the park represents a precious green space and animal habitat for the community, and extending the playground footprint would further encroach on that precious space.

Third, there appear to be multiple existing play stations within the existing playground footprint that are underutilized by children, simply because they are less interesting to them.

We are asking the Council to consider if it would it be more cost-effective and less disruptive to the environment to replace one of these existing play stations with a new slide, rather than to use the open space in the North East corner.

Fourth, the existing playground footprint is about 30 feet from several of the property lines of the properties on the North East end of the park. The proposal to extend the footprint of the playground to the North East would move that footprint to within 10 feet of several of those properties. While that may not technically violate city or county land use codes, putting what might be a highly-used piece of play equipment that close to these properties would seem to encroach on the fair use, value and enjoyment of those properties.

We are all for the community's use and enjoyment of this gem of a park, and we enjoy the sounds of kids playing after school and on weekends. We're simply asking the Council to consider adding a slide by replacing a current piece of equipment, rather than extending the footprint of the existing playground. Thank you for your consideration.

Respectfully, Bob Kantor and Kathy Shockley

Support for The Spot



Good evening Mayor and Councilmembers,

We wanted to take a moment to thank all those involved in The Spot redesign project. It has been exciting — and humbling — to see our idea for a community space gain traction and become a plan for a space that will take The Spot to the next level. We appreciate the officials and staff members who invested time and effort into making this happen. We thank Neighborhood Design Center for listening to the community and creating a plan for a beautiful space that so many folks will enjoy. We are also grateful to the community members who gave input and helped create the space throughout this entire process. We created The Spot for the community and it has been a joy to see folks using the space in all the different ways it has been used.

We are looking forward to what is to come!

Thank you, SoHy Co-op Good evening, Mayor Croslin and Members of the City Council,

I respectfully submit the following written statement for your consideration on the issue of rent stabilization in the City of Hyattsville, Prince George's County, Maryland.

I have been a resident of Hyattsville since moving to Maryland from New York some twenty-eight years ago. My first residence was in Kirkwood Apartments, my second and current residence is in Top of the Park Apartments where I have resided for the last nineteen years.

Housing has historically been treated as a commodity subject to the economic rules of supply and demand impacting cost. I submit to you that if we are truly to impact rental housing affordability, we must begin to see housing as a right.

Rental housing cost have become more and more inaccessible for the average working family. We here in Hyattsville proudly proclaim ourselves as a sanctuary city for our immigrant neighbors but what good is a sanctuary if living here is cost prohibitive.

The availability of land for housing development is being handed over to developers whose rental cost, and in some cases the security deposit alone is out of the reach of most working families.

This lack of investment into the development of moderately priced rental housing is adding to the lack of affordability here in Hyattsville.

Renters like mortgage holders should have some sort of security in knowing from month to month what their housing cost will be. This is now made more difficult by the addition of RUBs (Ratio Utility Billing) now being added to rents. This cost is out of the control of the individual tenant as it is a shared cost across the property. Such as water and sewage, gas, trash removal, and the common area property electricity.

Tenants are asked to share in the owner's cost of doing business without the shared benefit of ownership as in a true shareholder of a cooperative style community.

This is further compounded on the tenant by the fact that these additional monthly add-ons are not static and can change from month to month adding to the struggle of meeting monthly housing cost. My question to the council is how will the city take this additional cost factor into account when establishing the MAARI (maximum annual allowable rent increase)?

Personally, I fear my days of living in Hyattsville may be drawing to a close as I move towards retirement and an income decrease and where the cost of home ownership and rent cost instability may place me out of the housing market here, where I have made my home for almost 30 years.

In closing I would like to thank the Council for the ability to present my concerns for consideration as the city determines what rent stabilization will look like here, and how much it will benefit residents of Hyattsville.

Respectfully,

Sherry Wilder

Resident Ward 2