

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://zoom.us/webinar/register/WN__SuS125JSHGKJiQh5vzyNg

Monday, May 17, 2021

6:30 PM

Virtual

City Council Public Hearing

Kevin Ward, Interim Mayor, Ward 1
Carrianna Suiter, Council Vice President, Ward 3

Bart Lawrence, Ward 1
Robert S. Croslin, Ward 2
Danny Schaible, Ward 2
Ben Simasek, Ward 3
Edouard Haba, Ward 4
Daniel Peabody, Ward 4
Joseph Solomon, Ward 5
Erica Spell Wolf, 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 submit an Audience Participation Form to the City Clerk prior to the beginning of the meeting. Matters identified during Public Comment that are not on that meeting's agenda will be referred to staff for follow-up or considered on a future agenda. Issues that require a response will be addressed publicly at the next regular Council meeting. Speakers are requested to keep their comments to no more than two (2) minutes per speaker. Written comments or supporting documents may be turned in to the City Clerk for distribution to the Mayor and Council.

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.

Public Hearing Notice:

The City of Hyattsville Mayor and Council will conduct a Public Hearing on May 17, 2021 at 6:30 p.m (prior to the City Council Meeting). The purpose of the Public Hearing is to allow for residents to comment on the proposed Resolution to recertify the Gateway Arts and Entertainment District as a designated State Arts and Entertainment District.

Public Comment may be made using the e-comment feature at hyattsville.org/meetings or emailing cityclerk@hyattsville.org. All electronic comments must be submitted by 4:30 PM prior to the meeting.

Comments received will be read by City staff during the public comment portion of the meeting. Members of the public who wish to attend the virtual public hearing must register in advance using the link below.

https://zoom.us/webinar/register/WN_NQT9V3d5Sf2wll-cHUpFBQ

After registering, you will receive a confirmation email containing information about joining the webinar.

The hearing will be conducted entirely remotely, there will be no in person meeting attendance. The Public Hearing will be broadcast live on Comcast Channel 71, Verizon Channel 12 and online at www.hyattsville.org/meetings.

- 1. Call to Order and Council Roll Call**
- 2. Public Comment**
- 3. Presentation**

3.a) Hyattsville Resolution 2021-03: A Resolution to recertify the Gateway Arts and Entertainment District as a designated State Arts and Entertainment District. [HCC-334-FY21](#)

I move that the City Council adopt Hyattsville Resolution 2021-03, a resolution affirming the City of Hyattsville's approval and support of a request to the Maryland Department of Commerce for recertification of the Gateway Arts and Entertainment (A&E) District be designated by the Secretary for an additional 10-year period and authorize the City Administrator and City Attorney to provide the Secretary with a letter certifying Resolution 2021-03.

Sponsors: City Administrator

Department: Community & Economic Development

Attachments: [Gateway Arts & Entertainment District Resolution - 2021](#)
[Sample A&E Certification Letter](#)
[hyattsville2010-09 GAD tax res](#)
[Gateway Arts & Entertainment District - Hyattsville Boundary](#)
[GAD - A&E District - Whole](#)

4. Motion to Adjourn



City of Hyattsville

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Agenda Item Report

File #: HCC-334-FY21

5/17/2021

3.a)

Submitted by: Ward, Lawrence

Submitting Department: Community & Economic Development

Agenda Section: Action

Item Title:

Hyattsville Resolution 2021-03: A Resolution to recertify the Gateway Arts and Entertainment District as a designated State Arts and Entertainment District.

Suggested Action:

I move that the City Council adopt Hyattsville Resolution 2021-03, a resolution affirming the City of Hyattsville's approval and support of a request to the Maryland Department of Commerce for recertification of the Gateway Arts and Entertainment (A&E) District be designated by the Secretary for an additional 10-year period and authorize the City Administrator and City Attorney to provide the Secretary with a letter certifying Resolution 2021-03.

Summary Background:

The goal of the State of Maryland A&E Districts program is to develop, promote, and support diverse artistic and cultural centers in communities across Maryland that preserve a sense of place, provide unique local experiences, attract tourism, and spur economic revitalization and neighborhood pride.

Strategies supported by the A&E Districts program include:

- creating accessible, unique arts destinations;
- leveraging the State's regional identities, natural resources, and heritage;
- facilitating opportunities for dynamic arts experiences that actively engage community members and attract visitors;
- enabling artists of all disciplines to live, work, and prosper
- create an economically prosperous future; and
- investing in the power of place.

In 2010 when the Prince George's County Gateway Arts & Entertainment District had to apply to re-certify its status as an Arts & Entertainment District before the State (since the designation lasts just ten years), a local resolution of support, approved by the City Council was required.

Next Steps:

A resolution and certification will be submitted to the Maryland Department of Commerce.

Fiscal Impact:

The real property tax credit amount shall be the following percentage of the amount of the increase in property tax imposed on the eligible assessment of the property entitled to the credit:

- 100% in each of the first taxable year after the calendar year when the property is initially entitled to the credit;
- 80% in the second taxable year;

- iii. 60% in the third taxable year;
- iv. 40% in the fourth taxable year;
- v. 20% in the fifth taxable year
- vi. The tax credit shall not go beyond the tenth year.

City Administrator Comments:

Recommend Approval

Community Engagement:

A public hearing is scheduled for May 17, 2021.

Strategic Goals:

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

Legal Review Required?

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A Resolution to recertify the Gateway Arts and Entertainment District as a designated State Arts and Entertainment District.

BE IT FURTHER RESOLVED, that if the Secretary approves the designation, the City of Hyattsville shall provide the tax incentives enumerated in Section 4-706(a) of the Economic Development Article, which include the property tax credit under Section 9-240 of the Tax-Property Article, the exemption from the admissions and amusement tax under Section 4-104 of the Tax-General

Article, and the income tax subtraction modification under Section 10-207(v) of the Tax-General Article; and

BE IT FURTHER RESOLVED, During the entire designation period approved by the Secretary, a real property tax credit, further described in § 9-240 of the Tax-Property Article, may be granted against the City property tax imposed on a manufacturing, commercial, or industrial building that (1) is located in an arts and entertainment district and (2) is wholly or partially constructed or renovated to be capable for use by a qualifying residing artist or an art and entertainment enterprise. The real property tax credit amount shall be the following percentage of the amount of the increase in property tax imposed on the eligible assessment of the property entitled to the credit:

- i. 100% in each of the first taxable year after the calendar year when the property is initially entitled to the credit;
- ii. 80% in the second taxable year;
- iii. 60% in the third taxable year;
- iv. 40% in the fourth taxable year;
- v. 20% in the fifth taxable year
- vi. The tax credit shall not go beyond the tenth year.

INTRODUCED by the Mayor and City Council of the City of Hyattsville, Maryland, at a regular meeting on April , 2021, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and City Council of the City of Hyattsville, Maryland, at a regular meeting on April , 2021, at which meeting copies were made available to the public for inspection.

APPROVED:

City of Hyattsville, Maryland

Date

Kevin Ward
Interim Mayor

ATTEST/WITNESS:

City of Hyattsville, Maryland

Date

Laura Reams
City Clerk

[Type text]

Department of Commerce

Commerce Secretary is Ms. Kelly M. Schulz.

Secretary Schulz,

As it pertains to the 2021 Prince George's County Gateway Arts & Entertainment District Redesignation Application, let this correspondence serve as the City of Hyattsville's "Certification of Local Requirements" and "Certification of Priority Funding Area Status" as required by the application and the Arts & Entertainment District statutes.

Herein as Hyattsville's City Attorney I am certifying that the ordinances, resolutions, public hearings, correspondences and other materials submitted by the City in support of adopting the Arts & Entertainment District designation including the tax incentives for the application for Redesignation meet all local requirements.

Additionally, I herein certify that the portion of the City of Hyattsville within the proposed boundaries of the Gateway Arts & Entertainment District is wholly within a priority funding area as defined under State Finance and Procurement Article 5-7B-03, Annotated Code of Maryland.



HYATTSVILLE RESOLUTION 2010-09

GATEWAY ARTS AND ENTERTAINMENT DISTRICT

WHEREAS, Prince George's County has applied to the Secretary of Business and Economic Development of the State of Maryland for designation of the Gateway Arts and Entertainment District (the "District") within certain boundaries shown on the map attached to this Resolution, and

WHEREAS, under State law, the designation of an arts and entertainment district: provides for

- (i) an income tax subtraction modification for qualifying residing artists under § 10-207(v) of the Tax - General Article;
- (ii) a property tax credit under § 9-240 of the Tax - Property Article against municipal property tax imposed on the incremental increase in real property value of a manufacturing, commercial, or industrial building that a) is located in an arts and entertainment district; and 2) is wholly or partially constructed or renovated to be capable for use by a qualifying residing artist or an art and entertainment enterprise; and
- (iii) an exemption from the admissions and amusement tax under § 4-104 of the Tax - General Article.

WHEREAS, pursuant to Section 9-240 of the Tax-Property Article of the Annotated Code of Maryland, "arts and entertainment district", "arts and entertainment enterprise", and "qualifying residing artist" have the meanings stated in Economic Development Article, Section 44-701 of the Code.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY OF HYATTSVILLE approves the following:

1. The designation of the Gateway Arts and Entertainment District with geographic boundaries of the District as depicted on *the attached map* titled "Gateway Arts District - Hyattsville" and including *the parcels listed on the attached sheet*; and

2. The City of Hyattsville understands that the income tax subtraction modification under 10-207(v) of the Tax-General Article for qualifying residing artists in the District might affect its income tax receipts; and
3. If the Secretary approves the District designation, the City of Hyattsville shall provide the following incentives to eligible persons in the District:
 - (a) During the entire designation period approved by the Secretary, exemption from the Admission and Amusement Tax gross receipts from any admissions or amusement charge levied by an arts and entertainment enterprise or qualifying residing artist in the District; and
 - (b) During the entire designation period approved by the Secretary, a real property tax credit further described in §9-240 of the Tax-Property Article against municipal property tax imposed on the incremental increase in real property value of a manufacturing, commercial, or industrial building that a) is located in an arts and entertainment district; and b)) is wholly or partially constructed or renovated to be capable for use by a qualifying residing artist or an art and entertainment enterprise . The real property tax credit amount shall be the following percentage of the amount of the increase in property tax imposed on the eligible assessment of the property entitled to the credit:
 - (i) 100% in each of the first taxable year after the calendar year when the property initially is entitled to the credit;
 - (ii) 80% in the second taxable year;
 - (iii) 60% in the third taxable year;
 - (iv) 40% in the fourth taxable year; and
 - (v) 20% in the fifth taxable year.

[NOT TO EXCEED 10 YEARS TOTAL]

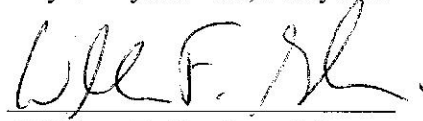
4. This Resolution shall take effect only upon approval by the Secretary.

Adopted and approved this 29th day of November 2010

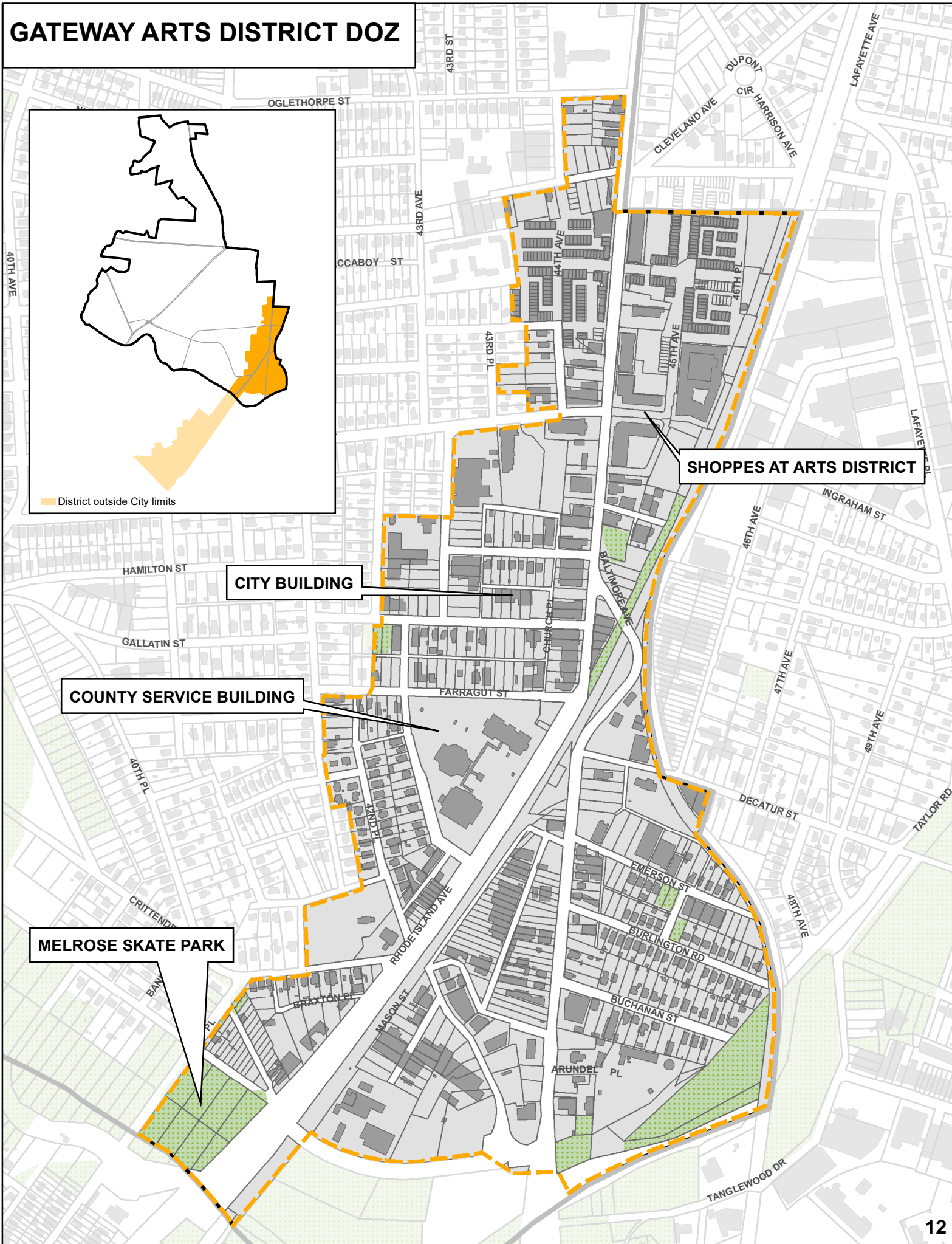
Attest:


Douglass Barber, City Clerk

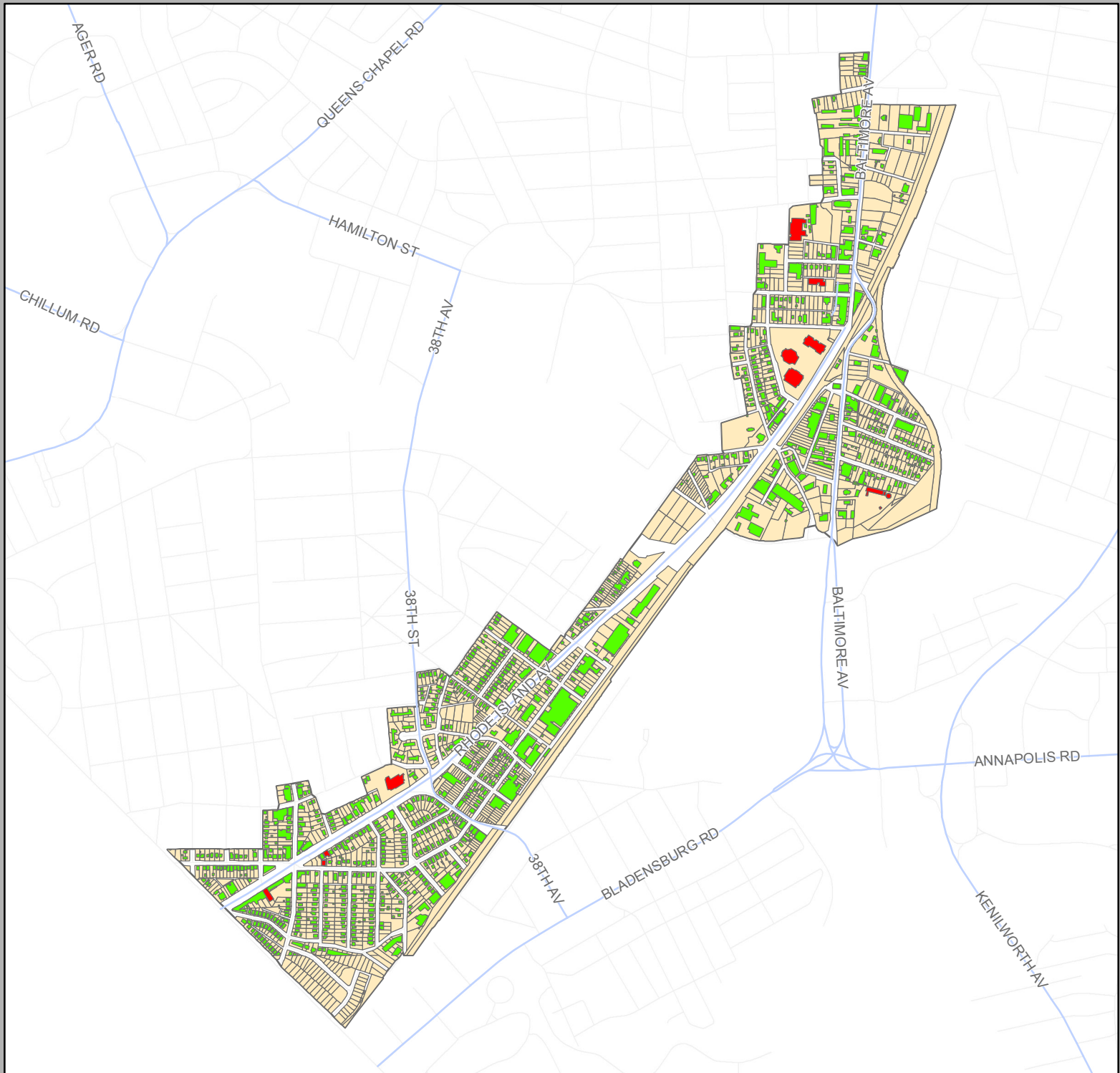
City of Hyattsville, Maryland


William F. Gardiner, Mayor




GATEWAY ARTS DISTRICT DOZ



Prince George's County Gateway Arts District Public and Private Buildings



Legend

-  Public building
-  Private building
-  Gateway Arts District

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(310) 985-5000
www.hyattsville.org
Map created by A. Diaz
Community Development
March 31, 2011

