

City Council of Hyattsville, Maryland

AGENDA

**City Council Regular Meeting
Monday, December 19, 2016
8:00 PM**



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

CITY COUNCIL

[Mayor Candace B. Hollingsworth](#)

[Edouard Haba, Council President, Ward 4](#)

[Bart Lawrence, Council Vice President, Ward 1](#)

[Kevin Ward, Ward 1](#)

[Robert S. Croslin, Ward 2](#)

[Shani N. Warner, Ward 2](#)

[Patrick A. Paschall, Ward 3](#)

[Thomas Wright, Ward 3](#)

[Paula J. Perry, Ward 4](#)

[Ruth Ann Frazier, Ward 5](#)

[Joseph Solomon, Ward 5](#)

ADMINISTRATION

Tracey E. Nicholson, City Administrator

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

[Watch Council Meetings Live](#)

[View Past Council Meetings](#)

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 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 Disabilities 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.

Consent Agenda: Items listed on the Consent agenda are considered to be routine in nature, and are normally approved by one motion. Please note that most items on the Consent agenda have been discussed at a previous meeting. If a Councilmember wishes to comment on a particular item, that item shall be removed from the Consent agenda to "action" to allow for additional discussion.

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 publically 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 Meetings 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 daily at 7:00 a.m., 1 p.m., and 8 p.m. Meetings are also able for replay online at www.hyattsville.org/councilagendas.

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.



[Twitter](#)



[Facebook](#)



[Instagram](#)



[Vimeo](#)

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

I move that the Mayor and Council approve the Council Meeting Minutes for the following meetings: 1) Council Work Session of September 28, 2016 and (2) Public Hearing of October 26, 2016.

Motion #: N/A

Sponsor(s): At the Request of the City Administrator

[Minutes cover.pdf](#)

[Sept 28 Minutes FINAL.pdf](#)

[Minutes Oct 26 2016 FINAL.pdf](#)

5. Public Comment (8:10 p.m. – 8:20 p.m.) Limit 2 minutes per speaker

6. Presentations (8:20 p.m. – 8:25 p.m.)

6.a) FY-2015 Audit Update (5 minutes)

Motion #: Presentation Only

Sponsor(s): At the Request of City Administrator

[FY-2015 Audit Update Cover.pdf](#)

7. Consent Items (8:25 p.m. – 8:30 p.m.)

7.a) FY17 Budget Amendment: Purchase of Call-A-Bus

I move that the Mayor and Council amend the FY17 Budget and re-appropriate \$20,000 from #70 Sanitation Operations Capital Equipment Fund to #70 Recreation Operations Capital Outlay Fund in the FY17 Capital Improvements Budget for the purchase of a Call-A-Bus/Community Services Transport Vehicle, and authorize the City Administrator to expend an amount not to exceed \$55,000 on a 2017 Ford Champion Challenger from Rohrer School and Commercial Bus Sales.

Motion #: 92-12-FY17

Sponsor(s): At the Request of the City Administrator

[Purchase of Call-a-Bus cover.pdf](#)

[2017 Challenger Proposal.pdf](#)

7.b) FY17 Budget Amendment: Full-Time Temporary Elections Coordinator

I move that the Mayor and Council amend the FY-2017 Budget for the City Clerk by authorizing the Full-Time Temporary Position of Elections Coordinator and increasing the departments

total budget appropriation by \$26,000 to cover the cost of salary and equipment for this position.

Motion #: 93-12-FY12

Sponsor(s): At the Request of the City Administrator

[Election Coordinator cover.pdf](#)

7.c) FY17 Budget Appropriation: "Share Our Strength Cooking Matters At The Store" Grant

I move that the Mayor and Council amend the FY-2017 Community Services budget and accept and appropriate the \$1,000 grant from Share Our Strength to support the nutritional tours at local grocery stores for seniors and people with disabilities.

Motion #: 94-12-FY17

Sponsor(s): At the Request of the City Administrator

[Share Our Strength Grant cover.pdf](#)

[CMATS 2017 Agreement - City of Hyattsville.pdf](#)

7.d) FY17 Budget Appropriation: Operation Santa With A Badge Grant from Target Corporation

I move that the Mayor and Council accept and appropriate into the FY2017 budget a grant from the Target Corporation in the amount of \$2,000 to support the 2016 Operation Santa With a Badge program.

Motion #: 95-12-FY17

Sponsor(s): At the Request of the City Administrator

[Santa with a Badge cover.pdf](#)

[Target Grant 2016.pdf](#)

7.e) Schedule Council Work Session: City Facilities Planning

I move that the Mayor and Council schedule a Council Work Session to be held on Wednesday, February 15th at 8:00 p.m. to discuss the strategic planning for City owned facilities.

Motion #: 96-12-FY17

Sponsor(s): At the Request of the City Administrator

[Schedule Work Session cover.pdf](#)

7.f) Contract extension between American Traffic Solutions (ATS), Howard County Department of Police and the City of Hyattsville

I move that the Mayor and Council approve a contract extension between American Traffic Solutions (ATS), Howard County Department of Police and the City of Hyattsville for the Automated Red Light Enforcement Program. The term of the contract extension will end on December 31, 2017.

Motion #: 97-12-FY17

Sponsor(s): At the Request of the City Administrator

[ATS Contract cover.pdf](#)

[Memo to CA re ATS 12 7 2016 \(1\).docx](#)

[Red Light MOU All Signed FINAL 6 21 2016.pdf](#)

[HYATTSVILLE Amendment Renewal 2017.docx](#)

7.g) Hyattsville Youth@Work/Summer Youth Enrichment Program Partnership

I move that the Mayor and Council authorize the City Administrator (and/or her designee) to negotiate a memorandum of understanding with Prince George's County Office of Human Resources, Recruitment, Examination and Classification Division on agreeable terms for Hyattsville to serve as a host site for the Prince George's County Youth@Work/Summer Youth Enrichment Program (SYEP).

Motion #: 98-12-FY17

Sponsor(s): Solomon

[Youth at Work cover.pdf](#)

[Staff Comments on Youth at Work 12-5-2016.docx](#)

7.h) Council of Governments Policy Committee Appointments

I move that the Mayor and Council make the following appointments to the Council of Governments Policy Committees for a term of one-year, beginning on January 1, 2017:

- Region Forward Coalition: Mayor Candace B. Hollingsworth, with staff alternate Jim Chandler
- Human Services & Public Safety Policy Committee: Mayor Candace B. Hollingsworth, with staff alternate Jake Rollow
- Climate Energy & Environment Policy Committee: Mayor Candace B. Hollingsworth, with staff alternate Lesley Riddle
- Chesapeake Bay & Water Resources Policy Committee: Mayor Candace B. Hollingsworth, with staff alternate Lesley Riddle

Motion #: 99-12-FY17

Sponsor(s): Hollingsworth

[COG Policy Committee Appointments cover.pdf](#)

[MWCOCG Policy Committees.pdf](#)

7.i) Re-appointments to the Hyattsville Environment Committee

I move that the Mayor and Council re-appoint Jim Groves (Ward 2), Janet Nackoney (Ward 2) and Julie Wolf (Ward 2) to the Hyattsville Environment Committee for a term of 2 years to expire on December 31, 2018.

Motion #: 100-12-FY17

Sponsor(s): Paschall

[HEC Appts cover.pdf](#)

[Jim Groves_HEC Reappointment Application_redacted.pdf](#)

[Janet Nackoney_HEC Reappointment Application_redacted.pdf](#)

[Julie Wolf_HEC Reappointment Application_redacted.pdf](#)

7.j) Appointments to the Education Advisory Committee

I move that the Mayor and Council appoint Jen Kubit (Ward 4, re-appointment), Jan Edwards (Ward 1), Daniel Broder (Ward 2), Deyo Johnson (Ward 2), Carter Ross (Ward 2, re-appointment), Frank Mills (Ward 3), and Cynthia Totten (Ward 4, re-appointment) to the Education Advisory Committee for a term of 2 years to expire on December 31, 2018.

Motion #: 101-12-FY17

Sponsor(s): Lawrence, Ward

[EAC Appt Cover.pdf](#)

[Jen Kubit EAC Reappointment redacted.pdf](#)

[Jan Edwards EAC Application redacted.pdf](#)

[Daniel Broder EAC Appointment redacted.pdf](#)

[Deyo Johnson EAC Appointment redacted.pdf](#)

[Frank Mills EAC Appointment redacted.pdf](#)

[Carter Ross EAC Application redacted.pdf](#)

[Cynthia Totten EAC Application redacted.pdf](#)

7.k) Re-appointment to the Code Compliance Advisory Committee

I move that the Mayor and Council re-appoint Deanna McDermon (Ward 5) to the Code Compliance Advisory Committee for a term of 2 years to expire on December 31, 2018.

Motion #: 102-12-FY17

Sponsor(s): Croslin, Perry, Solomon

[CCAC Appt Cover.pdf](#)

[Deanna McDermon Code Reappointment Application redacted.pdf](#)

7.l) Re-appointment to the Ethics Commission

I move that the Mayor and Council re-appoint T. Carter Ross (Ward 2) to the Ethics Commission for a term of 2 years to expire on December 31, 2018.

Motion #: 103-12-FY17

Sponsor(s): Haba

[Ethics Commission Appt Cover.pdf](#)

[Carter Ross Ethics Reappointment redacted.pdf](#)

7.m) Appointments to the Planning Committee

I move that the Mayor and Council appoint Thomas Sheffer (Ward 1, re-appointment), Chad Copeland (Ward 1, re-appointment), Todd Dengel (Ward 2) and William Maxwell (Ward 5) to the Planning Committee for a term of 2 years to expire on December 31, 2018.

Motion #: 104-12-FY17

Sponsor(s): Haba, Wright, Lawrence

[Planning Appt Cover.pdf](#)

[Thomas Sheffer Planning Committee Re-appointment redacted.pdf](#)

[Chad Copeland Planning Committee Re-appointment redacted.pdf](#)

[William Maxwell Planning Committee Application redacted.pdf](#)

8. Action Items (8:30 p.m. – 8:40 p.m.)

8.a) Hyattsville Resolution 2016-05: Election 2017 Ballot Question: Composition of Council (5 minutes)

I move that the Mayor and Council adopt Hyattsville Resolution 2016-05, a Resolution of the City Council of Hyattsville, Maryland whereby the City Council directs the Board of Supervisors of Elections for the City to place an advisory, non-binding referendum question on the ballot for the upcoming 2017 regular election. The referendum question requests the input of voters regarding the number of Councilmembers on the City Council, as well as requesting information on the number and size of the election wards, the number of Councilmembers per ward, and whether there should be any Councilmembers elected at large by all the voters of the City.

Motion #: 105-12-FY17

Sponsor(s): Hollingsworth

[Resolution 2016-05 cover.pdf](#)

[Resolution 2016-05 Referendum Composition of Council FINAL 121316.pdf](#)

8.b) Comcate Contract for Services (5 minutes)

I move that the Mayor and Council authorize the City Administrator to renew and execute a software licensing contract with Comcate Inc., 144 Linden Street, Oakland, California for a term of 12-months, upon the review and approval of the City Attorney.

Motion #: 106-12-FY17

Sponsor(s): At the Request of the City Administrator

[Comcate Contract cover.pdf](#)

[Memo - Comcate Contract for Services.docx](#)

9. Discussion Items (8:40 p.m. – 9:35 p.m.)

9.a) Establishing regulations governing the disposal of pet waste (10 minutes)

I move that the Mayor and Council authorize the City Attorney to prepare an ordinance that amends Chapter 65 of the Code of the City of Hyattsville to include an article that establishes the regulations for proper disposal of pet waste and the enforcement and fines for violations thereof.

The draft ordinance shall be provided to the Code Committee prior to its submission to the Mayor and Council for approval. Comments on the draft ordinance shall be submitted to the Mayor and Council via the Committee's staff liaison within 45 days of its submission to the Committee.

Motion #: Discussion Only, Scheduled for Action on 1/9/17

Sponsor(s): Hollingsworth

[Pet Waste Ordinance cover.pdf](#)

[Model Ordinance - Pet Waste.docx](#)

9.b) Residential Parking Zone Committee - Recommendations to City Council (30 minutes)

Motion #: Discussion Only

Sponsor(s): At the Request of the City Administrator

[Residential Parking Recommendations cover.pdf](#)

[Residential Parking Committee Recommendations 9.29.16.pdf](#)

[Residential Parking Zone Packet.pdf](#)

[Memo - Residential Parking Zone.pdf](#)

[Code Minutes March 2015.pdf](#)

[Residential Parking Zones - Complete.pdf](#)

[Residential Parking Committee Staff Review.xls](#)

9.c) Hyattsville Ordinance 2016-03: Revisions to Chapter 8, Elections Code (15 minutes)

Motion #: Discussion Only, Scheduled for Action on 1/9/17

Sponsor(s): At the Request of the City Administrator

[Chapter 8 cover.pdf](#)

[Chapter 8 Elections 121516 DRAFT.pdf](#)

10. Council Dialogue (9:35 p.m. – 9:40 p.m.)

11. Community Notices and Meetings

11.a) City Calendar: December 20 - January 9, 2016

Motion #: N/A

Sponsor(s): At the Request of the City Administrator

[Main City Calendar Dec 20 - Jan 9.pdf](#)

12. Motion to Adjourn



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Legislative
Agenda Section: Approval of the Minutes

SUBJECT

Approval of the Minutes

Motion #

N/A

Recommendation:

I move that the Mayor and Council approve the Council Meeting Minutes for the following meetings: 1) Council Work Session of September 28, 2016 and (2) Public Hearing of October 26, 2016.

Sponsor(s):

At the Request of the City Administrator

ATTACHMENTS

[Sept 28 Minutes_FINAL.pdf](#)

[Minutes_Oct 26 2016_FINAL.pdf](#)

Summary Background:

Please see attached minutes.

Next Steps:

Upon approval, final 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



**WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE MD
WEDNESDAY, SEPTEMBER 28, 2016**

Present: Mayor, Candace Hollingsworth
Ward 4 Council President, Edouard Haba
Ward 1 Council Vice President, Bart Lawrence
Ward 1 Councilmember, Kevin Ward
Ward 2 Councilmember, Robert Croslin
Ward 2 Councilmember, Shani Warner
Ward 3 Councilmember, Thomas Wright
Ward 5 Councilmember, Joseph A Solomon

Absent: Ward 3 Councilmember, Patrick Paschall
Ward 4 Councilmember, Paula Perry
Ward 5 Councilmember, Ruth Ann Frazier

Also present were the following City staff members:
City Administrator Tracey E. Nicholson
City Treasurer Ron Brooks
Director of Human Resources Vivian Snellman
City Clerk Laura Reams

1) Call to Order and Council Roll Call

Mayor Hollingsworth called the meeting to order at 8:06 p.m.

2) Pledge of Allegiance to the Flag

3) Approval of the Agenda

Councilmember Wright requested a change in the order of agenda items, reversing the order of Items 5. c. (Repeal of the 2nd Amendment) and 5. d. Assault Weapons Ban.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Haba
SECONDER:	Lawrence
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Solomon
NAYS:	None
ABSENT:	Paschall, Perry, Frazier

4) Public Comment (8:10 p.m. - 8:20 p.m.) Limit 2 minutes per speaker

There were no individuals who wished to address the Mayor and Council.

5) Discussion Items



**WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE MD
WEDNESDAY, SEPTEMBER 28, 2016**

Mayor Hollingsworth provided background information on the discussion items and noted that the approved items would be presented at the City's annual Legislative and Partnership Event on November 10, 2016.

**5.a Legislative Priority: Integrated Public Health and Safety Strategies
Suggested Action:**

I move that the Mayor and Council adopt integrated public health and safety strategies as a legislative priority for 2016-17, with an initial focus on citywide bicycle and pedestrian improvements. Priority should be placed on primary pedestrian routes to the two (2) Metro stations, three (3) commercial corridors, and all public amenities. Improvements shall include, but not be limited to:

- Citywide traffic study with considerations for one-way, restricted, and/or shared roads (in progress); Roadway resurfacing where needed, particularly on roadway with sharrows;
- Replacement of drainage grates and utility covers with suitable, bicycle-friendly alternatives, particularly on roadway with sharrows;
- Review and enforcement of existing property standards and requirements related to tree overhangs, shrubs, weeds, poles, and other sidewalk obstructions;
- Implementation of connected bikeshare system(s) within the City and with neighboring municipalities;
- Installation of in-roadway and/or in-pavement pedestrian lighting at critical non-signalized intersections;
- Installation of sidewalks where needed;
- Continuous review of appropriateness of traffic control devices;
- Refreshed or new pavement markings at suggested pedestrian crossings; and
- Continued coordination with MD SHA to address timing/signalization of existing intersections to enhance pedestrian safety and for completion of necessary upgrades on managed roads.

Mayor Hollingsworth provided background information on the item and stated that the intent of the proposed item was to demonstrate the link between the built environment, including sidewalks, streets and overall vehicular and pedestrian connectivity and community policing and initiatives to be a healthier city. Mayor Hollingsworth provided details on a variety of activities linked to the proposal including a traffic and pedestrian study and improvements to public amenities. Mayor Hollingsworth stated that the goal was to have individuals at the event who would be able to help the City secure additional resources to meet these goals as well as to engage the philanthropic community around public health, safety and community policing.



**WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE MD
WEDNESDAY, SEPTEMBER 28, 2016**

Council President Haba inquired about the process of the meeting and asked if Council would vote on one item at a time. Mayor Hollingsworth asked the Council how they would prefer to proceed and stated that there would not be a formal vote but the goal was to get a consensus from the Councilmembers on which items would be on the October 3, 2016 consent agenda. The Council indicated that they would prefer to go through all items first and then take an informal vote on which items would be presented.

Councilmember Solomon stated that the requests from both the State and County had been more specific in the past and asked for clarifications on the current proposal. Mayor Hollingsworth noted that the even would be the same, with no shift in audience. Mayor Hollingsworth added that she believed it to be a donor cultivation activity and noted that the items for last year were heavier on certain sectors of the community.

5.b Legislative Priority: HVLGenerations

Suggested Action: I move that the Mayor and Council adopt HVLGenerations, an initiative supporting a comprehensive approach to enhancing the quality of life and outcomes for all residents with a special emphasis on youth from age 3-17 and adults 65+. This initiative shall include, but not be limited to the following:

- Re-prioritization of the design, layout, and function of Magruder Park;
- Exploration of potential sites, design, and financing of recreation center(s) with intergenerational amenities;
- Determination of the feasibility of and cost benefit analysis for indoor and/or outdoor turf fields;
- Identifying partnerships to support early language learning, promote kindergarten readiness, encourage youth and young adult employment and workforce development, and proliferate mentoring networks for young adults;
- Collaboration with area school leaders, advocates, and business partners to develop a local fund to offer incentives for performance and the narrowing of the achievement gap;
- Development of desired planning and community standards for age-friendly housing; and
- Conducting ongoing measurement of indicators of economic health and affordability.

Mayor Hollingsworth provided background information on the proposal for Hyattsville Generations. Mayor Hollingsworth noted that the City focused on particular subsets of the community and wanted to shift the focus to different generations of Hyattsville. Mayor Hollingsworth highlighted potential initiatives, which included a recreational facility, partnerships for kindergarten readiness, adopting standards for affordable and age-friendly housing, and conversations about economic health and affordability in the City.



**WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE MD
WEDNESDAY, SEPTEMBER 28, 2016**

Council President Haba asked how far in the planning process this item was and noted that a package would need to be compiled for presentation. Mayor Hollingsworth stated that she would call this item more of an initiative than a program and provided an example of a discussion for the use of the program at the upcoming Legislative & Partnership Event. Mayor Hollingsworth clarified that this would be a request for partnership.

Council President Haba asked for clarification on the structure of the initiative and Mayor Hollingsworth stated that the item contained specific ideas and designed for presentation to partners and stakeholders in a way that they could find ways to collaborate with the City.

Councilmember Wright asked if the City would consider a partnership with the Maryland National Capital Park and Planning Commission and Mayor Hollingsworth confirmed that it would. Councilmember Solomon asked when the specifics of the proposal would be available and Mayor Hollingsworth clarified that the two initiatives were broad scale and the specifics were not laid out because the City did not yet have funds for them. Mayor Hollingsworth added that the initiatives rather stated what the Council was interested in bringing to the City and would be formed with partners. Councilmember Wright added that this initiative was a theoretical approach.

5.c Legislative Priority: Repeal of 2nd Amendment
Suggested Action: I move that the Mayor and Council adopt the repeal of the 2nd amendment as a City of Hyattsville FY17 legislative priority to be presented at the City's November legislative event.

Councilmember Wright provided background information on the proposed priority and noted that the item was a far-reaching idea. Councilmember Wright continued to explain that the City could send a proclamation of support for this item to elected leaders to send a message of support to legislative leaders.

Councilmember Solomon thanked Councilmember Wright for bringing these items to the Council and noted that it would be important to let residents be a part of the discussion. Councilmember Solomon added that he did not know how votes would fall on this item but noted that the body could still work on a resolution regarding this issue. Councilmember Wright replied that he intended to just introduce the idea.

Council Vice President Lawrence reminded Council to use the "Request to Speak" function. Council Vice President Lawrence added that he believed a proclamation or letter of support would be appropriate but did not believe that this priority would be appropriate for the City's Legislative Event. Councilmember Wright expressed agreeance. Council President Haba noted that the State of Maryland passed an item to ban assault weapons and Councilmember Wright continued to explain that it was upheld in a court challenge. Council President Haba also stated that a proclamation would be a better venue for this item.

Councilmember Croslin asked if it was intended for the letter to influence State representatives and Councilmember Wright noted that he did not know who was working on the items at the



**WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE MD
WEDNESDAY, SEPTEMBER 28, 2016**

time. Councilmember Wright added that both of the items in the proposal were at the federal level and the next step would be to take them to the corresponding congressional leaders.

Council President Haba asked which part of the 2nd Amendment Councilmember Wright was asking to repeal. Councilmember Wright clarified that he wanted to repeal the whole thing or the section that references “arming of militia to overthrow a government.” Council President Haba asked how that would affect the City’s current armed militia. Councilmember Wright clarified that this proposal was a reaction to grass roots efforts.

5.d Legislative Priority: Assault Weapons Ban
Suggested Action: I move that the Mayor and Council adopt an assault weapons ban as a City of Hyattsville FY17 State legislative priority to be presented at the City's November legislative event.

5.e [Ager Road Green Street Project](#)
Suggested Action: I move that the Mayor and Council adopt the Ager Road Green Street Project as a 2017 legislative priority of the City of Hyattsville.

Council President Haba provided background information on the Ager Road Project and noted that the design was 90% complete. Council President Haba assured Council that funding would not be an issue at that time and that ground would be broken in 2018. Council President Haba concluded with his vision to show or let the County know that the City cared about this project.

Councilmember Solomon stated that the project was one of the successes from the prior year’s legislative session. Councilmember Ward asked if this project was funded and Council President Haba clarified that monies had not been completely allocated.

Note for the record: Councilmember Croslin left at 8:37 p.m.

5.f [West Hyattsville Transit District Development](#)
Suggested Action: I move that the Mayor and Council adopt the West Hyattsville Transit District development as the City of Hyattsville's legislative priority for 2017.

Council President Haba provided background information on the West Hyattsville Transit District Development and noted continued conversations with WMATA and Hogan Properties. Council President Haba stressed that the Green Street Project and the West Hyattsville Development would grow the City and he added that he wanted the City to continue to push for the project.

Councilmember Ward addressed concerns regarding the timeframe. Mayor Hollingsworth stated that the primary audience for this priority would be WMATA and asked if the plan would need to be revised. Council President Haba clarified that the plan would not be revised.

5.g [Legislative Priority: Taxation Model Modifications](#)
Suggested Action: I move that Mayor and Council adopt Taxation Model Modifications as a City of Hyattsville FY2017 State and County legislative priority to be presented at the City's November 2016 legislative event.



**WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE MD
WEDNESDAY, SEPTEMBER 28, 2016**

[MEMO TAXATION MODEL MODIFICATIONS.pdf](#)

[Maryland_Attorney_General_Opinion_Taxation_Model_Modifications.pdf](#)

[City_of_Chicago_Expands_Tax_Reach_to_Internet_Services.pdf](#)

[Chicago AFA - 2015.pdf](#)

Councilmember Solomon provided background information on the proposal for Taxation Model Modifications. Councilmember Solomon explained that there had been a decrease in use of residential land lines and noted that the revenues for the City would also decrease. Councilmember Solomon referenced a model from the City of Chicago that taxed electronic licenses and noted office email accounts such as Office365 and Dropbox as examples. Councilmember Solomon then highlighted the second modification known as the Amusement Tax, which would expand the tax to include electronic mediums. Councilmember Solomon added that the request was for the State to begin to take on this item and he included prior correspondence from the Maryland State Attorney's General, which stated that the State or City could make these changes without clarity on subjection to lawsuits. Councilmember Solomon stated that fifteen states had chosen to move in the direction of this model and expressed hope that the State of Maryland would follow in that direction.

Councilmember Ward asked how this model would be implemented and expressed concerns surrounding the digital piece. Councilmember Ward specifically asked if residents would be charged for textbooks, Netflix, etc. Councilmember Solomon stated that the taxing would take place when making a purchase and noted that the City of Chicago's model asked the vendor to collect the tax. Councilmember Solomon then clarified that the request was to have the State clarify the law, not just the City.

Councilmember Wright noted that a large portion of the current revenue came from landline usage and Treasurer Brooks provided clarity on current revenues and discussed the current Verizon fee structure. Councilmember Wright asked procedural questions and noted that the City taxed Verizon because it was a fixed asset. Treasurer Brooks clarified that there were existing taxes on various utilities. Councilmember Solomon added that the proposal would be a change in the model. Councilmember Solomon stated that the need for fixed assets was shifting because residents were using mobile communications, which created the need to tax the service instead of the fixed asset. Councilmember Wright then asked for clarification on the pool of providers that would be included and how free services could be taxed. Mayor Hollingsworth and Treasurer Brooks discussed the existing model and clarified that taxes on cloud services would be on operating lease taxes. Councilmember Solomon added that there would still be no tax on a free service and stated that state assistance would be needed to iron out the details. Councilmember Solomon repeated that this item was not intended for the City to adopt, rather to encourage the State to move in the direction of this proposal.

Council Vice President Lawrence asked for the states had implemented this model and Councilmember Solomon stated that he did not have the names on hand but would follow up



**WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE MD
WEDNESDAY, SEPTEMBER 28, 2016**

with them. Council Vice President Lawrence stated that he was under the impression that the City of Chicago was the only municipality that had implemented this model and lawsuits had been made against the City as a result. Council Vice President Lawrence added that he was hesitant to support this proposal and asked for clarification on the City's diminishing revenue.

- 5.h [Legislative Priority: NW Branch / Sligo Creek Trail Safety](#)
Suggested Action: I move that the Mayor and Council accept Northwest Branch and Sligo Creek Trail safety as a City of Hyattsville FY2017 State and County legislative priority to be presented at the City's November 2016 legislative event.

[Park+Rules+Discussion+Draft.pdf](#)

[Proposed Policy Alternative.pdf](#)

[MNCPPC_201608230949336832.pdf](#)

[Trails%20Master%20Plan_low%20res.pdf](#)

[MEMO_TRAIL_SAFETY_IMPROVEMENTS.pdf](#)

Councilmember Solomon provided background information on the North West Branch/Sligo Creek Trail Safety item and noted that the proposal was advocating for money to be allocated to provide 24/7 admission to the trail system and safety and lighting apparatuses. Councilmember Solomon noted that this would be a large project across the entire trail system and did not expect a solution within a fiscal year.

Council Vice President Lawrence stated support for this item but asked for two amendments that would either expand the language or focus the proposal. Council Vice President Lawrence clarified that he thought the proposal should concern the Anacostia Trail and thought that it should include policy amendment number three. Mayor Hollingsworth clarified that there would be no vote, rather the Council would come to a consensus about which priorities it would like to undertake. Mayor Hollingsworth added that Councilmembers Solomon and Lawrence could provide an amended version to Clerk Reams to provide in the next Council Meeting packet.

Councilmember Ward asked that the proposal include specific sections and Council Vice President Lawrence clarified why the prior year's proposal had specified different areas of the trail and why that was not necessary for the current proposal. Council President Haba asked how the change from dawn to dusk operation to 24/7 access would work. Mayor Hollingsworth added that the overarching premise of this proposal was to allot more focus to the trails.

- 5.i [Legislative Priority: MD208/Hamilton Street Road Improvements](#)
Suggested Action: I move that the Mayor and Council adopt MD208/Hamilton Street road improvements as a City of Hyattsville FY2017 State and County legislative priority to be presented at the City's November 2016 legislative event.

[MEMO_MD208_HAMILTON_STREET_RENOVATIONS.pdf](#)



WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE MD WEDNESDAY, SEPTEMBER 28, 2016

[WMATA Bike and Ped Study Presentation, June 3, 2009.pdf](#)

[Hyattsville_Traffic_Plan_2010.pdf](#)

[ACCIDENTS - HAMILTON ST.pdf](#)

[MarylandSHSP_2016-2020-Final.pdf .pdf](#)

Councilmember Solomon introduced the final proposal for the MD208/Hamilton Street Road Improvements and provided background information on the request. Councilmember Solomon cited the recent community meeting where issues such as pedestrian safety, bike lanes, and repaving were discussed.

5.j Council Selection of Legislative Priorities

Mayor Hollingsworth opened up discussion to select three to five initiatives to focus on for the upcoming Legislative Event.

Councilmember Wright suggested that Council did not include 5.c. and 5.d. because the target audience would not be present at the event. Councilmember Wright also suggested consolidating some of the road improvement items in order to create ease.

Councilmember Warner stressed that the Council should choose priorities that lie specifically within the City's reach and focus on the residents' needs, such as focusing on West Hyattsville development.

Council President Haba echoed Councilmember Warner's remarks and suggested different ways to bring action to the priorities that would not be selected.

Mayor Hollingsworth noted themes within the remarks made and highlighted that the priorities that were favored included 5.a, 5.b, 5.e, 5.f, 5.h, and 5.i.

Councilmember Solomon stated that he was happy with the selection.

6) Council Dialogue

Councilmember Ward reminded residents of Healthy Hyattsville Weekend.

Councilmember Warner suggested that residents look at the route of the Zombie Run to be aware of road closures.

Council President Haba noted that a resident had started a petition online in support of limiting the postal code.



**WORK SESSION OF THE CITY COUNCIL, HYATTSVILLE MD
WEDNESDAY, SEPTEMBER 28, 2016**

Mayor Hollingsworth asked to have the Postal Service added as guests to the Legislative Event and thanked the Community and Economic Development team and other staff for their work in the past community engagement sessions.

Council Vice President Lawrence noted that the Zombie Run would be rain or shine.

Councilmember Croslin stated that he was stopped by one of the officers from the City of Hyattsville Police Department and was reminded of the community outreach that had taken place in the City by the work of Chief Holland. Councilmember Croslin then noted a recent program uncovering community biases, asked residents to recognize their biases, and hoped to see them at the session.

7) Community Notices and Meetings

7.a City Calendar: September 29 - October 3, 2016

[Main City Calendar_Sept 29 - Oct 3.pdf](#) 

[City Calendar_Oct.pdf](#) 

8) Motion to Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Warner
AYES:	Hollingsworth, Haba, Lawrence, Ward, Croslin, Warner, Wright, Solomon
ABSENT:	Paschall, Perry, Frazier

The meeting adjourned at 9:35 p.m.



**PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD
OCTOBER 26, 2016**

Notice of Public Hearing:

The Mayor and City Council held a public hearing on proposed Hyattsville Charter Amendment Resolution 2016-01, a Resolution amending the City Charter to change the qualifications for registering as a voter in City elections so that being a citizen of the United States is no longer a requirement. The resolution further allows for same day registration of voters in City elections which will be effective on or before January 1, 2019.

[Charter Amendment Article IV_2016-02 Qualifications of Voters.docx](#) 
[Motion_Voter Qualifications_7-21-2016_Clean.doc](#) 

Present: Mayor, Candace Hollingsworth
Ward 4 Council President, Edouard Haba
Ward 1 Council Vice President, Bart Lawrence
Ward 1 Councilmember, Kevin Ward
Ward 2 Councilmember, Robert Croslin
Ward 2 Councilmember, Shani Warner
Ward 3 Councilmember, Patrick Paschall
Ward 4 Councilmember, Paula Perry
Ward 5 Councilmember, Ruth Ann Frazier
Ward 5 Councilmember, Joseph A Solomon

Absent: Ward 3 Councilmember, Thomas Wright

Also present were the following City staff members:

City Administrator, Tracey Nicholson
Director of Human Resources, Vivian Snellman
City Clerk, Laura Reams

1) Call to Order

Mayor Hollingsworth called the public hearing to order at 8:06 p.m.

Mayor Hollingsworth provided a summary of the topic of the public hearing and details on the proposed changes for qualifications of voters in the City of Hyattsville.

2) Public Comment (8:00 p.m. - 10:00 p.m.)

Mr. Julio Murillos, a CASA representative, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Murillos provided background information on CASA and noted there were over 2,500 CASA members who lived in Hyattsville. Mr. Murillos added that CASA supported the charter amendment and thanked the City for its commitment to enfranchising the immigrant community, as public services affected all City residents. Mr. Murillos urged the Council to vote in support of this motion.



**PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD
OCTOBER 26, 2016**

Mr. James DeBerry, a Ward 2 resident, addressed the Mayor and Council in opposition of the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. DeBerry stated that he was upset when he received the green sheet and expressed concerns for undocumented residents. Mr. DeBerry expressed concern for the fourteen-day residency requirement as well as the identification required for registration. Mr. DeBerry asked for clarification on how the City would ensure that registrants would not be felons.

Ms. Shannon Wyss, a Ward 4 resident, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Wyss stated that local issues affected all residents and noted that about a quarter of the City could not vote. Ms. Wyss urged the Council to support the motion at hand.

Ms. Emily Palus, a Ward 3 resident, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Palus stated appreciation for the City for opening a dialogue regarding this issue. Ms. Palus shared experiences in outreach throughout the City and stressed the importance of outreach to renters in particular. Ms. Palus stated that she supported the charter amendment and its role in creating a civically engaged population.

Mr. David Perry, a Ward 4 resident, addressed the Mayor and Council in opposition of the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Perry stressed the weight of the motion at hand and believed that it would change the traditional and cultural understanding on the right to vote. Mr. Perry suggested that new residents might not have learned what to expect from their elected officials. Mr. Perry stated that he thought this item should go to referendum.

Mr. Kevin Oriani, a Ward 5 resident, addressed the Mayor and Council concerning the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Oriani stated that he believed the current proposal to be rash. Mr. Oriani highlighted ways to create a stronger community and suggested that the proposed amendment created a potential for abuse in the system or corruption. Mr. Oriani specifically asked for reevaluation of the fourteen-day residency requirement as well as sending the issue to referendum. Mr. Oriani asked for clarification of the motion makers' intentions.

Ms. Heather Olson, a Ward 1 resident, addressed the Mayor and Council in opposition of the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Olson stressed that she believed residents should go through the existing steps to becoming a citizen in order to vote. Ms. Olson also stated opposition to the same day registration requirement.

Ms. Marialis Zmuda, a Ward 2 resident, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Zmuda stated that she valued the diversity of Hyattsville and welcomed all new and old residents. Ms. Zmuda noted that voter fraud and same day registration were weak arguments.

Ms. Marisa Johnson, a Ward 1 resident, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Johnson echoed gratitude to the Mayor and Council for having the Public Hearing. Ms. Johnson noted that she was a U.S. citizen



**PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD
OCTOBER 26, 2016**

and supported the amendment. Ms. Johnson referenced “no taxation without representation” and stated that all were entitled to participate in our democracy. Ms. Johnson added that elected officials decisions affected every resident of the community and was proud that Hyattsville was being a pioneer in this regard.

Ms. Gloria Felix-Thompson, a Ward 1 resident, addressed the Mayor and Council regarding the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Felix-Thompson asked Council to reconsider the residency period, and perhaps change it to 30 days, if they approved the motion.

Mr. Carlos Lizanne, a Ward 5 resident, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Lizanne noted that he had served on the City Council for about ten years, and had proposed that the City further integrate the community and allow all permanent residents to vote in local elections about five years ago. Mr. Lizanne clarified that permanent residents were paying taxes and had a right to know where the revenue went and how the City used revenue. Mr. Lizanne redefined what it meant to be a citizen or an ancestor and urged our democratic nation to enjoy diversity as the Founding Fathers intended.

Ms. Yvonne Gowdy, a Ward 4 resident, addressed the Mayor and Council in opposition of the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Gowdy stated that there was too little information available to the public and echoed prior remarks about the 14-day residency requirement.

Mr. Rommel Sandino, a Ward 5 resident, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Sandino provided his own experiences as a resident and wanting to be active in the community. Mr. Sandino suggested that the residency requirement be shorter for new citizens of the City and asked residents to keep in mind that Council brought this proposal forward to increase resident engagement.

Mr. George Lundberg, a Ward 4 resident, addressed the Mayor and Council in opposition of the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Lundberg provided his own experiences as a first generation American and argued the value of becoming a citizen in order to vote.

Mr. William Doerner, a Ward 1 resident, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Doerner stated that he wanted to change the tone and provided information on his background in Guatemala. Mr. Doerner used his experience to stress that individuals choose to emigrate to the U.S. to participate in a fair democracy. Mr. Doerner added that residents did not need citizenship to be informed voters.

Ms. Carmen Washington, a Ward 4 resident, addressed the Mayor and Council in opposition of the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Washington echoed remarks concerning residency requirements and criminal status of voters. Ms. Washington then stated that she had been in affiliation with the City for almost thirty years and noted that she no longer felt safe in her neighborhood.



**PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD
OCTOBER 26, 2016**

Mr. Ben Lipovsky, a Ward 1 resident, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Lipovsky stated that the resolution was incomplete and needed to go to referendum. Mr. Lipovsky asked for clarification on registered voters' ability to run for a Council seat. Mayor Hollingsworth stated that the qualifications to run for office remained the same. Mr. Lipovsky then stated that he was not opposed to documented non-U.S. citizens voting in City elections.

Mr. Daniel Gibbons, a Ward 1 resident, addressed the Mayor and Council regarding the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Gibbons stated that he was undecided about the core issue, and asked that this item go to referendum to allow for a longer time for the community to talk about this proposal. Mr. Gibbons expressed concerns for the same day registration as well as the 14-day residency requirement.

Ms. Carmen Washington, a Ward 4 resident, addressed the Mayor and Council concerning 16-year old voting. Mayor Hollingsworth clarified that 16-year olds could already vote in local elections.

Ms. Kate Davison, a Ward 1 resident, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Davison clarified that she was not a U.S. citizen, but was a resident of Hyattsville for ten years who paid taxes and engaged in the community. Ms. Davison expressed understanding that this issue was very emotive for people, as citizenship was a powerful thing. Ms. Davison expressed support and noted that she was one of the residents that the City would be enfranchising.

Mr. David Marshall, a Ward 2 resident, addressed the Mayor and Council in opposition of the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Marshall stated that he was concerned with the same day registration and suggested a cut off time to increase procedural efficiency. Mr. Marshall then stated he believed the Council was devaluing the vote at every level with this proposal and alluded to national level issues that could occur.

Ms. Keche Jeffress, a Ward 3 resident, addressed the Mayor and Council in opposition of the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Jeffress expressed concern for potentially decreasing the value of citizenship with this proposal. Ms. Jeffress asked for the names of the motion makers, the motion makers' intentions behind the proposal, and where funding would come from.

Ms. Alyce Thompson, a Ward 2 resident, addressed the Mayor and Council in support of the proposed Hyattsville Charter Amendment Resolution 2016-01. Ms. Thompson stated that she had registered to vote on the first day that she moved to the City. Ms. Thompson stated that, as a minority, she could not pretend that there were valid excuses for excluding members of the community. Ms. Thompson added that voting was a right and a responsibility.

Mr. Jason Calvi, a Hyattsville resident, addressed the Mayor and Council in opposition of the proposed Hyattsville Charter Amendment Resolution 2016-01. Mr. Calvi stated that this proposal opened a possibility for corruption and asked for the motion to go to referendum.



**PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD
OCTOBER 26, 2016**

3) Council Dialogue

Councilmember Frazier commended Mr. Marshall and thanked him for his comments.

Councilmember Warner expressed gratitude for residents coming out to the Public Hearing and stressed the importance of working together as a community. Councilmember Warner then encouraged residents to vote in the next election and to consider running for office or participating in committees. Councilmember Warner stated that she was grateful for the civil dialogue and the respect that Hyattsville residents had for one another.

Council President Haba thanked residents for participating and stated that he was one of the motion makers for the proposed Hyattsville Charter Amendment Resolution 2016-01. Council President Haba addressed any concerns regarding lack of communication from the motion makers to clarify what the motion intended. Council President Haba noted that he had heard remarks concerning citizenship and clarified that citizenship requirements belonged to the federal government. Council President Haba clarified that the State of Maryland gave the City the right to determine voter qualification and noted that there was a full requirement for identification. Council President Haba then addressed the remarks concerning safety and stressed that he did not believe this proposal would affect the City's safety. Council President Haba also clarified that the proposal did not include running for office, and that the 16-year-old voter qualification amendment passed in January of 2015. Council President Haba asked residents to continue the conversation and offered himself to any questions residents still had.

Councilmember Ward thanked residents for coming out and commended the passion on both sides of the conversation.

Councilmember Solomon thanked residents for voicing both sides of the issue and commended the Council for being courageous to bring this motion forward. Councilmember Solomon stated that he was one of the motion makers and clarified that the City designed the public hearing to hear resident feedback on the proposed motion. Councilmember Solomon made himself available for continued conversation regarding the structure of the proposal and noted that voter fraud would not be a concern. Councilmember Solomon then addressed concerns regarding voter safety and encouraged residents to talk to their neighbors and build the community.

Ms. Carmen Washington, a Ward 4 resident, approached the podium and stated that she did not feel safe. Mayor Hollingsworth directed Ms. Washington's concerns to Chief Holland.

Councilmember Solomon provided his final thought and noted that Luxembourg and Bolivia, amongst other countries, allowed non-U.S. citizens to live and vote in the U.S.

Councilmember Perry thanked everyone for attending the Public Hearing regardless of stances on the issue at hand. Councilmember Perry added that she believed the item should go to referendum and did not think that the engagement of all residents had been satisfied.

Councilmember Croslin thanked residents for expressing their views.



PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD OCTOBER 26, 2016

Councilmember Paschall stated that he was one of the motion makers and clarified that the intent of the green sheet sent out to residents was to provide a basic overview of the proposal. Councilmember Paschall expressed appreciation for the number of people that attended the Public Hearing and clarified that the purpose of the hearing was not to give a false air of legitimacy to the proposal at hand; the vote was to instruct the attorney to write the ordinance. Councilmember Paschall noted that the room seemed to be an even division on the issue and added that several residents emailed divided remarks to the City Clerk, as well as submitted to the online survey on speakuphv1.com. Councilmember Paschall stated agreement with Councilmember Solomon's remarks in terms of referendums, and added that there were two different issues at hand: qualifications for voters and same day voter registration. Councilmember Paschall then noted that Council introduced this item the prior summer and that discussions occurred in January, February, and March of 2016. Councilmember Paschall stated that this policy was talking about a resident's input in items like streets, policing, and trash collection and added that he hoped to see the passion from the hearing continue into substantive policy conversations.

Council Vice President Lawrence thanked residents for coming to the hearing and stated that he would be available to speak to anyone that had concerns regarding Council motives. Council Vice President Lawrence recalled his campaign, four years prior, and noted that he had spoken with Kate Davidson, who provided public comment, and added that she had been a resident longer than he had. Council Vice President Lawrence thanked residents for speaking and asked them to stay engaged.

Mayor Hollingsworth thanked residents for coming out with issues regarding voting qualifications. Mayor Hollingsworth noted that Council Chambers was full of people that she engaged with on a daily basis. Mayor Hollingsworth commended her colleagues on the Council for not rushing motions and noted that the proposal at hand deserved a long and thoughtful process. Mayor Hollingsworth expressed support for the motion and added that it also served as a great opportunity to show everyone how local government works and urged residents to sign up to receive City issued updates and information.

Councilmember Perry noted that the City needed to reach those residents without cable or internet.

Mayor Hollingsworth noted that the City Clerk could make copies of Council Meeting DVDs and other ways residents can access information.

3) Motion to Adjourn

The meeting adjourned with a motion moved by Councilmember Croslin and seconded by Councilmember Ward at 9:50 p.m.



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Ron Brooks

Submitting Department: Finance

Item Type: Audit

Agenda Section: Presentations (8:20 p.m. – 8:35 p.m.)

SUBJECT

FY-2015 Audit Update (5 minutes)

Motion #

Presentation Only

Recommendation:

Sponsor(s):

At the Request of City Administrator

ATTACHMENTS

Summary Background:

The FY-2015 audit is in the last phase. Auditors continue their focus on Debt Service and Capital Funds. This includes a review of various files, policies, budget adjustments, fixed assets and City Contracts. Within the next week we should receive the first draft of the “notes to financials” and other sections of the audit for review and comments. As previously reported I project closing out this audit the second week of January 2017. As we get closer to completion other issues may arise that could extend the final completion date. If this occurs we will inform everyone immediately.

Next Steps:

As we close out each phase of the audit, we will transfer that information into the draft copy of the FY-2015 financial statements until completed.

Fiscal Impact:

Late audit filings to the Department of Administrative Services can result in the loss of various State Grants, loss of revenues from State Highway Funds and create limited opportunities to secure funding for current and future capital improvement needs.

City Administrator Comments:

See summary background above.

Community Engagement:

N/A

Strategic Goals:

Goal 1 - Ensure Transparent & Accessible Governance.

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Jake Rollow

Submitting Department: Finance

Item Type: Budget

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

FY17 Budget Amendment: Purchase of Call-A-Bus

Motion #

92-12-FY17

Recommendation:

I move that the Mayor and Council amend the FY17 Budget and re-appropriate \$20,000 from #70 Sanitation Operations Capital Equipment Fund to #70 Recreation Operations Capital Outlay Fund in the FY17 Capital Improvements Budget for the purchase of a Call-A-Bus/Community Services Transport Vehicle, and authorize the City Administrator to expend an amount not to exceed \$55,000 on a 2017 Ford Champion Challenger from Rohrer School and Commercial Bus Sales.

Sponsor(s):

At the Request of the City Administrator

ATTACHMENTS

[Cover Page Purchase of Call-a-bus.pdf](#)

[2017 Challenger Proposal.pdf](#)

Summary Background:

The staff requests \$20,000 be re-appropriated from the Department of Public Works to the Department of Community Services to purchase a reliable Transport Vehicle/Call-A-Bus.

In FY 2016 the Mayor and Council approved \$65,000 in the CIP for the purchase of one multi-purpose vehicle to serve as a Call-A-Bus/Community Services Bus and a Cargo Van to support community events. The staff was unable to identify a vehicle to meet both needs. As an alternative, the City purchased a Cargo Van for approximately \$25,000 and encumbered the remaining funds while researching the cost of a Transport Bus. Used Transport Buses can be purchased for approximately \$35,000 and new buses between \$50,000 and \$100,000. Using a state rider contract, the staff was able to identify a 2017 Ford Bus that meets the functionality requirements for approximately \$53,000.

Unfortunately, the current Prince George's County Call-A-Bus requires repairs which puts it out of service on average 20% of the time each month. This is far too frequent and costly to continue to be used as a primary vehicle. Additionally, the constant maintenance requirements create a hardship for residents who rely on this service and support for medical appointments, medication pick-up and more. The staff has met with, and made multiple requests to the County for a new bus, but all have been denied. The County indicated that they have a backlog of municipalities who have unserviceable buses. Borrowing or sharing with surrounding municipalities has been significantly challenging and in some cases the borrowed vehicles are in worse condition than our own.

A new Call-A-Bus will provide reliable transportation for seniors and people with disabilities and can also support other community-building activities.

Next Steps:

Move CIP funds from the Department of Public Works to the Department of Community Services.

Fiscal Impact:

\$55,000

City Administrator Comments:

Recommend Support

Community Engagement:

N/A

Strategic Goals:

Promote a Safe and Vibrant Community.

Strengthen the City's Identity as a Diverse, Creative and Welcoming Community.

Legal Review Required?

N/A

November 16, 2016

2017 FORD CHAMPION CHALLENGER

SEATING CAPACITY:

- Twelve (12) Ambulatory plus Two Wheelchair (2) Plus Driver

CHASSIS:

- Ford E350 Chassis with 158" Wheelbase
- 12,500# GVWR
- 6.8L V10 Gas Engine
- 225 Amp Alternator
- 650 CCA Battery
- 40 Gallon Fuel Tank
- Tilt Steering Column
- Cruise Control
- Rear Mud Flaps
- Chassis Front End Alignment

SEATING:

- Six (6) Freedman Mid-Hi Double Featherweight Rigid Seats Covered in Oxen Gray Vinyl
- Passenger Seats Supplied with 60" Non-Retractable Seat Belts
- Ford OEM Driver's Seat Covered in OEM Gray Cloth

ENTRANCE DOOR:

- 30" Electric Entrance Door
- Entrance Step with 9" Riser and 9" Tread
- Includes an Interior Step Well Light
- Yellow Step Nosing
- Entry Grab Rails at Entry Steps

REAR DOOR:

- Rear Door 37" Wide by 56" High with 2 windows
- Exterior Key Lock

WINDOWS:

- 36" X 45" T-Slide Windows Shall Be Supplied in the Body Sidewall
- Windows will be tinted to a 31% Light Transmission

BODY:

- Body Construction Includes A FULL STEEL ROLL CAGE, FULL INTEGRATED with Chassis Frame Rails
- All Body Wiring is Color Coded and Numbered Every Six Inches and Clearly Labeled Inside the Bus in an Easy Access Hinged Panels
- Small Back Up Alarm
- Exterior Noble Choice FRP panels
- Drip Rail Over Windows and Lift
- Overhead Storage Racks over the Fixed Seats
- 3 Year/36,000 Mile Extended Warranty

AIR CONDITIONING:

- 60,000 BTU ACT Air Conditioning System

HEATING:

- Rear Floor Mounted Heater – 65,000 BTU Rating with a Three (3) Position Fan
- Heaters To Be On Separate Switches
- Contains a Heater Shutoff Valve for Summer Time Usage
- All Heating and Air Conditioning Controls Are Located in Driver's Area Within Easy Reach

FLOOR COVERING:

- 5/8" CDX Plywood Floor
- Flooring Will Be Anthracite Black Gerfloor flooring
- Entrance Step Well Will Also Provide Yellow Nosing on Edge of Steps to Identify Each Step Nosing To Be Reinforced

BRAUN CENTURY LIFT PACKAGE:

- Braun Century Lift
- Dual Leaf Lift Door with 2 Windows
- Fast Idle Interlock
- Priority Seating Signs
- Wheelchair Location Signs
- Door Actuated Entrance Lighting
- Door Actuated Lift Lighting
- Q-Strait Deluxe Tie-downs with Retractable Lap/Shoulder Belts
- L Track

ELECTRICAL OPTIONS:

- Ford OEM AM/FM Radio
- Four (4) Speakers

PAINT:

- Exterior of Vehicle Will Be Standard White

Total Cost: \$52,793.00

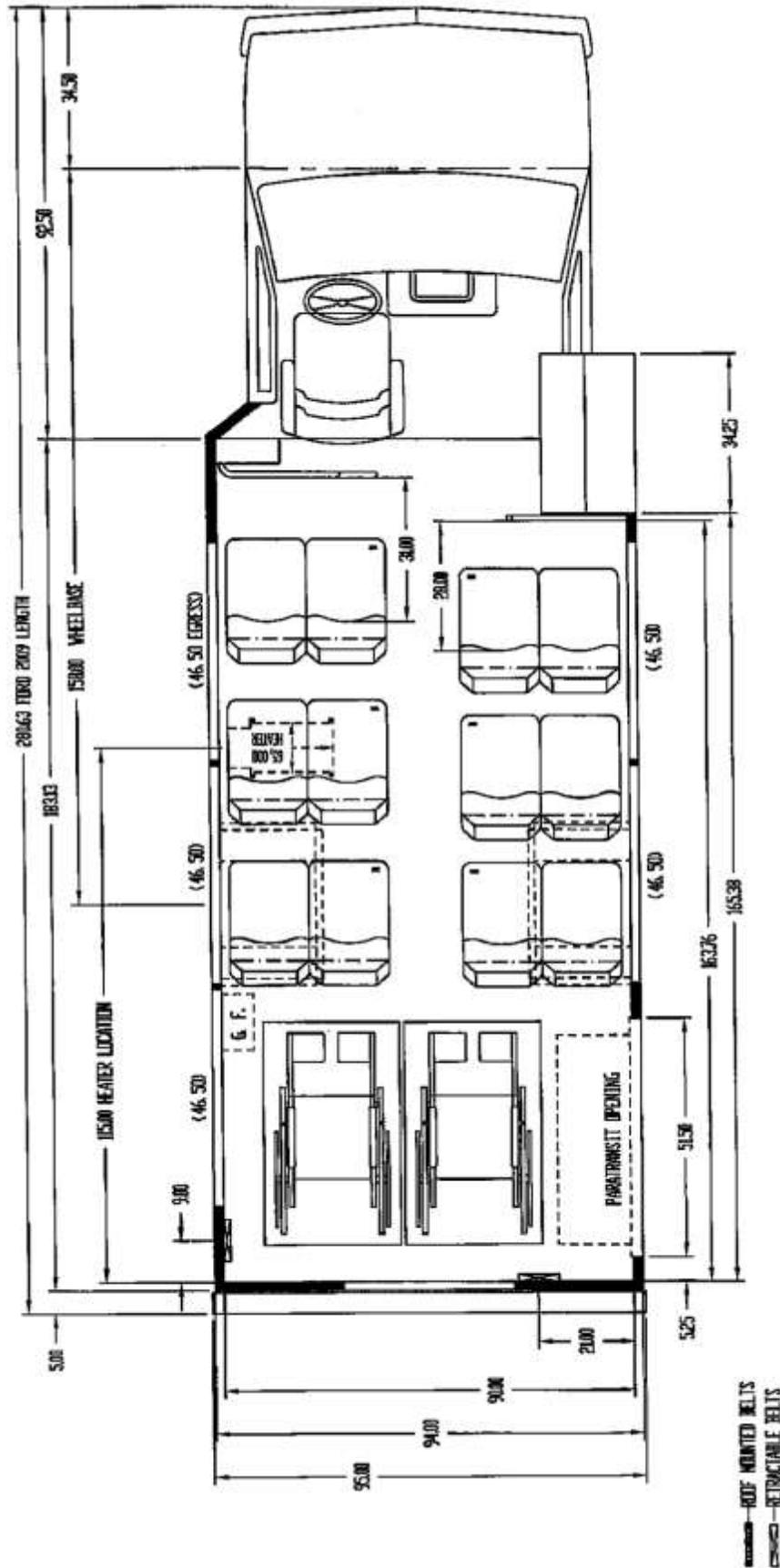
- **Price does not include any sales tax, if applicable**
- **Motor Vehicle Charges Are Additional**
- **Lead Time is approximately 120 Days from time of order**
- **All Ford Rebates In Effect At Time of Quote Have Been Deducted**



The Transportation
Company You Can
Depend On!

Andrew Clawson
Rohrer Bus Sales
410.980.1906
aclawson@rohrerbus.com

FLOORPLAN





Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Budget

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

FY17 Budget Amendment: Full-Time Temporary Elections Coordinator

Motion #

93-12-FY12

Recommendation:

I move that the Mayor and Council amend the FY-2017 Budget for the City Clerk by authorizing the Full-Time Temporary Position of Elections Coordinator and increasing the departments total budget appropriation by \$26,000 to cover the cost of salary and equipment for this position.

Sponsor(s):

At the Request of the City Administrator

ATTACHMENTS

[Cover Page Elections Coordinator.pdf](#)

Summary Background:

The Mayor and Council are considering significant changes to the City's Election Policies & Procedures. The staff presented the need for additional part-time support (Elections Coordinator) to implement and oversee the proposed/projected changes. The Elections Coordinator will be hired as a Full-Time Temporary position NTE \$26,000. Hiring the Coordinator as a Full-Time Temporary position precludes the 19 hours per week limitation imposed on part-time employees and allows flexibility of hours during the peak elections season. The Elections Coordinator will work with the Board of Supervisors of Elections and for the City Clerk to provide administrative elections support for the May 2017 City Election. The term of employment is anticipated to be January - June 2017. The personnel manual allows the Council to authorize a Full Time Temporary position for up to a period of 1 year.

The Council discussed this item on December 5, 2016.

Duties for the Elections Coordinator include the following:

- Coordinate and support the activities of the Board of Supervisors of Elections & Clerk's office for the planning, administration and organization of the May 2017 municipal election.
- Prepare election documents including City-only voter registration applications, candidate packages, financial report forms and judges manuals.
- Coordinate election day procedures under the supervision and guidance of the Board and City Clerk.
- Develop and manage City-only Voter Registration Record Database, Vote-by-Mail Record database and related voter registration forms.
- Process City-only voter registration applications.
- Assist with coordination and execution of Voter Registration Events and Public Information Sessions for the 2017 Ballot Referendum.
- Facilitate the evaluation of 2017 campaign finance reports in accordance with City Code Chapter 8
- Coordinate with Prince George's County Board of Elections and the City's election vendor
- Assist with Election Judge hiring and training for the May election

- Other administrative duties as assigned

Next Steps:

Upon approval, City staff will proceed with filling the position with an anticipated start date of January 1, 2017.

Fiscal Impact:

Not to Exceed \$26,000 for salary and equipment

City Administrator Comments:

Recommend Support

Community Engagement:

N/A

Strategic Goals:

Goal 4 - Foster Excellence in all City Operations.

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Jake Rollow

Submitting Department: Community Services

Item Type: Budget

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

FY17 Budget Appropriation: "Share Our Strength Cooking Matters At The Store" Grant

Motion #

Recommendation:

I move that the Mayor and Council amend the FY-2017 Community Services budget and accept and appropriate the \$1,000 grant from Share Our Strength to support the nutritional tours at local grocery stores for seniors and people with disabilities.

Sponsor(s):

At the Request of the City Administrator

ATTACHMENTS

[CMATS 2017 Agreement - City of Hyattsville.pdf](#)

Summary Background:

This grant will be used to buy gift certificates to local grocery stores for seniors and people with disabilities who participate in nutritional tours hosted by the City and Cooking Matters.

Next Steps:

Accept grant.

Fiscal Impact:

\$1,000

City Administrator Comments:

Recommend Support

Community Engagement:

This program hosts about 20 residents each month.

Strategic Goals:

SG2 - Ensure the Long-Term Economic Viability of the City

SG% - Strengthen the City's Identity as a Diverse, Creative and Welcoming Community

Legal Review Required?

NA



SHARE OUR
STRENGTH
NO KID HUNGRY

1030 15TH STREET NW, SUITE 1100W
WASHINGTON, DC 20005

TEL 800 969 4767
FAX 202 347 5868

NOKIDHUNGRY.ORG

December 7, 2016

Tracey Nicholson
City Administrator
City of Hyattsville
4310 Gallatin Street
Hyattsville, MD 20781

Dear Tracey,

Congratulations! City of Hyattsville has been awarded a grant for \$1000 from Share Our Strength to lead *Cooking Matters at the Store* tours in your community. Below information is a reminder of the requirements associated with this grant.

- As described in your proposal, these grant funds are intended to help you reach a minimum of 100 participants with *Cooking Matters at the Store* tours to be completed by 11/30/2017.
- These funds must be used to support the implementation and/or growth of *Cooking Matters at the Store* tours as outlined in the eligible grant uses and your recent grant application. Tours are intended for low-income adults only, and must be offered at no charge to all participants.
- All funds must be expended and all tours must be completed by November 30, 2017.
- You will be asked to report on your tours, including participation numbers and tour schedule, through an online database within 7 days of each tour. You may also be asked to complete narrative updates. Additional training on how to complete these actions will be provided through the online training and Getting Started Webinar, described below. Failure to do so may jeopardize your ability to participate in future grant opportunities.
- Your program coordinator is required to participate in a series of trainings to support your organization's efforts to lead *Cooking Matters at the Store* programming, including:
 - **By Tuesday, January 3rd:** You and the person listed as responsible for program implementation will receive email instructions to register for the grantee onboarding webinar.
 - **Friday, January 6th at 1pm ET:** The person listed as responsible for the program (program coordinator) is required to participate in the onboarding webinar, *Getting Started as a Cooking Matters at the Store Grantee*. Call in information will be provided in the aforementioned email.
- Please submit a written request, in advance, to us if you wish to change the use of the grant funds from what was submitted in your grant application.

- Please notify us, as soon as possible, if you anticipate difficulties with reaching the projected number of tour participants described in your proposal. **Significant changes in projected or actual number of tour participants reached may necessitate a return of a portion or all of your grant funds.**
- Please notify us within one week of any changes in contact information to ensure receipt of communications regarding this grant and any future opportunities.
- You are required to notify Share Our Strength of any change in your public charity status.
- This agreement also gives Share Our Strength your permission to use photographs, logos, and other materials you supply in your communications with Share Our Strength in press releases and/or publications.

If you have any questions about the conditions described in this letter, or about your grant in general, please contact Liz Evancho, Associate Director of Grants Administration, at eevancho@strength.org.

We wish you the best of success and look forward to hearing about your progress.

Sincerely,



Bill Shore
Founder and CEO

To allow for release of your grant funds, please return a signed copy of this agreement via email to grants@strength.org by **January 4, 2017**.

Grantee Name: City of Hyattsville

Per your application, check payee name: **City of Hyattsville**

Please provide an authorized signature, retain a copy for your records, and return promptly.	
Signature	_____
Printed Name	_____
Title	_____
Date	_____



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Douglas Holland

Submitting Department: Police Department

Item Type: Grant

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

FY17 Budget Appropriation: Operation Santa With A Badge Grant from Target Corporation

Motion #

95-12-FY17

Recommendation:

I move that the Mayor and Council accept and appropriate into the FY2017 budget a grant from the Target Corporation in the amount of \$2,000 to support the 2016 Operation Santa With a Badge program.

Sponsor(s):

At the Request of the City Administrator

ATTACHMENTS

[Target Grant 2016.pdf](#)

Summary Background:

The Operation Santa with a Badge is a community outreach program which was initiated in 2003. The program provides children with limited financial resources a day of holiday shopping with police officers from Hyattsville and surrounding municipalities. The shopping is followed by a group lunch.

The program is funded by community donations from various groups to include the Mall at Prince George's, Fraternal Order of Police 119, Target Corporation and others. Target is a major sponsor of the program. This year, Target contributed \$2,000 which was used to purchase twenty \$100 gift cards.

Next Steps:

The program was successfully conducted on December 10, 2016 with about 80 children.

Fiscal Impact:

An additional FY2017 appropriation and expenditure of \$2,000.

City Administrator Comments:

Recommend Approval. A very successful and rewarding event.

Community Engagement:

The program provided a positive Holiday shopping experience for approximately 80 children and provided positive interactions and relationship building between youth, their families and police officers.

Strategic Goals:

Goal 3 Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Welcome to our Online Grant Application

Your Submitted Application

The application you previously submitted appears below. No further changes may be made to this application. [Click here](#) to return to the Welcome page.

Contact Information

* Prefix Colonel

* First Name Douglas

* Last Name Holland

Suffix

* Title Chief of Police

* Telephone 301-985-5084

* E-mail Address dholland@hyattsville.org

* Contact Type Application Primary Contact

Contact Information

* Prefix Sergeant

* First Name Suzette

* Last Name Johnson

Suffix

* Title Sergeant

* Telephone 240-876-9176

* E-mail Address sjohnson@hyattsville.org

* Contact Type Application Primary Contact

Organization Information

* Year Established 1886

* Organization Type (US) Police/Law Enforcement

Official Name

* Organization Name Hyattsville City Police Department

AKA Name

* Street Address or P.O. Box 4310 Gallatin Street

Suite Number

* City Hyattsville

* State Maryland

* Zip/Postal Code 20781

* 4-Digit Extension 2050

* Main Phone Number 301-985-5060

* Organization Website www.hyattsville.org

Facebook

Twitter

* Mission Statement DEPARTMENT MISSION

The Hyattsville City Police Department is a municipal police agency whose members are committed to:

1. Protecting life, property and City Interest
2. Improving the quality of life for all who live, work and visit the City
3. Satisfying community demands and maintaining legitimacy with those policed

The Mission will be accomplished by:

1. Working with the community, City Departments and other government agencies
2. Using data and technology to develop and implement proactive, problem-solving strategies
3. Planning growth to keep pace with community demands
4. Maintaining a workplace which promotes equal employment opportunities, respects employees as individuals and fosters teamwork

DEPARTMENT VALUES

Department members are committed to professionalism through:

1. SERVICE: by providing quality services and protection to all people in an efficient and competent

manner, tempered with courtesy, compassion and understanding

2. INTEGRITY: by upholding the public trust and confidence through honest, consistent and forthright interaction with all people in order to foster an atmosphere of mutual trust and cooperation

3. RESPECT: by treating all persons with dignity and respect, by promoting equality and fairness, and by upholding the Constitutional rights of all people

Government Information Letter
(file)

- Letter to target Santa with a badge.docx (212.61 K), uploaded by Doug Holland on 11/17/2016

Organization Request Details

- * Organization History At the City's incorporation in 1886 a chief bailiff was appointed for the purposes of collecting taxes, making arrests, and serving process for violations of any ordinance of the corporation. The Department has evolved from a single bailiff into a modern day law enforcement agency that utilizes many technologies and has a rich tradition of community involvement. In 2002, the agency joined other area police departments in the County's first multi-jurisdictional, mutual aid agreement. The Department has been continuously and internationally accredited since 1999.
- * Organization Goals
 - 1.To Control Crime Fear and Disorder
 - 2.Deliver Public Value through budgeting accountability
 - 3.Maintain Reverence for law and authority, use authority fairly, efficiently and effectively.
 4. Achieve Community Satisfaction through service and accountability.
- * Organization Changes Their have been no major organization changes over the past 12 months.
- * Total Operating Budget \$2,000.00
- * Change In Net Assets (\$) \$0.00
- * Total Unrestricted funds \$0.00
- * Sources of Revenue The Mall at Prince George's 60%
- * Target Involvement Yes
- Explain Target Involvement Target employees some of our officers as supplemental security guards while they are off duty.
- * Current Elected Official No
- * Target Board Members No

* List Non-Target Board Members None

* Previous Target Funding for This Program Yes

Number of Target Grants Received for This Program 3

Recent Target Grant #1 Date Received (This Program) 11/30/2015

Recent Target Grant #1 Amount Awarded (This Program) \$2,500.00

Recent Target Grant #2 Date Received (This Program) 11/30/2014

Recent Target Grant #2 Amount Awarded (This Program) \$4,000.00

Recent Target Grant #3 Date Received (This Program) 11/30/2013

Recent Target Grant #3 Amount Awarded (This Program) \$5,000.00

Proposal Details

* Group/Region/Distribution Center G499

* Request Amount \$2,000.00

* Project/Program Title Operation Santa With A Badge

* Project/Program Start Date 12/10/2016

* Project/Program End Date 12/10/2016

* Program Area Law Enforcement Partner

* Year Project/Program was first implemented 2003

* Total Project/Program Budget \$10,000.00

* Primary Project/Program Expenses Gift Cards \$10,000

* Project/Program Description The Hyattsville City Police Department is preparing for the 13th annual Operation Santa with a Badge Program to take place on December 10th 2016 at 1000. Contributions will provide 100 less fortunate children from the Hyattsville area each with a \$100.00 gift card and shopping experience. Each child will be provided with a partner police officer, a ride to The Mall at Prince Georges in a police vehicle lights and siren activated, a meeting with Santa Claus, and a \$100.00 shopping spree at Target and The Mall at Prince George's followed by a holiday celebration party.

* Corporate Benefits? No

Volunteer Opportunities? Yes

Describe Volunteer Opportunities Target staff can assist with the shopping activities on the day of the event.

Demographics

- * Estimated Number of People Served 100
- * Ethnicity
 - 30% Black or African American
 - 30% Hispanic or Latino
 - 30% White or Caucasian
 - 10% Remaining Unknown
- * Gender
 - 50% Male
 - 50% Female
- * Age Groups
 - 90% Elementary Students - Grades K-5 (5-10 years old)
 - 10% Middle School Students - Grades 6-8 (11-14 years old)

Population Served by this Project/Program

- * Active Military Served % 0
- * Blind/Vision Impaired % 0
- * Deaf/Hearing Impaired % 0
- * Economically Disadvantaged % 100
- * Immigrants/Newcomers/Refugees % 0
- * Lesbian, Gay, Bisexual, Transgender and Ally (LGBTQA) % 0
- * Persons with Developmental Disability % 0
- * Physically Impaired % 0
- * Single Parents % 0
- * Veterans % 0
- * General Population % 0

Additional Information

- * Key Metrics We will compare the list of participants with the use of the gift cards to see if the goal is met.

Additional Files

Need Support?



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Legislative

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

Schedule Council Work Session: City Facilities Planning

Motion #

96-12-FY17

Recommendation:

I move that the Mayor and Council schedule a Council Work Session to be held on Wednesday, February 15th at 8:00 p.m. to discuss the strategic planning for City owned facilities.

Sponsor(s):

At the Request of the City Administrator

ATTACHMENTS

Summary Background:

Staff will provide the Mayor and Council with an update on City facility planning options including 3505 Hamilton Street and 4310 Gallatin St.

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?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Douglas Holland

Submitting Department: Police Department

Item Type: Contract

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

Contract extension between American Traffic Solutions (ATS), Howard County Department of Police and the City of Hyattsville

Motion #

97-12-FY17

Recommendation:

I move that the Mayor and Council approve a contract extension between American Traffic Solutions (ATS), Howard County Department of Police and the City of Hyattsville for the Automated Red Light Enforcement Program. The term of the contract extension will end on December 31, 2017.

Sponsor(s):

At the Request of the City Administrator

ATTACHMENTS

[ATS Contract_cover.pdf](#)

[Memo to CA re ATS 12 7 2016 \(1\).docx](#)

[Red Light MOU All Signed FINAL 6 21 2016.pdf](#)

[HYATTSVILLE Amendment Renewal 2017.docx](#)

Summary Background:

The City of Hyattsville entered into a contract with Lasercraft, Inc., (now ATS) on September 1, 2006, to provide digital camera traffic enforcement services, related citation management and back office processing for the Red Light Camera Program. The City of Hyattsville entered into three more extensions with ATS in 2014, 2015 and 2016 and has the option to extend through 2017. The program is self sustaining, meaning it does not cost the City any out of pocket expense to operate the cameras. The program is self funded by fines levied on violators. The City currently has three Red Light Cameras located at:

1. North Bound Baltimore Avenue @ Hamilton Street
2. North Bound Queens Chapel Road @ Queensbury Road
3. East Bound East-West Highway @ Queens Chapel Road

The program has been an effective deterrent to traffic violations and safety hazards.

Next Steps:

Sign the contract and continue existing services through 2017.

Fiscal Impact:

The program is self funded by fines levied on violators.

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

Goal 3: Orinite a Safe and Vibrant Community.

Legal Review Required?

The contract has been reviewed for legal sufficiency by City Attorney (retired) Richard Colaresi.



Memo

To: Tracey Nicholson
From: Lieutenant Chris Purvis
Date: December 5, 2016
Re: Red Light Camera Contract Extension with ATS

Purpose

The purpose of this memorandum is to provide you with a brief overview of the Agreement between American Traffic Solutions (ATS), Howard County Department of Police and the City of Hyattsville and to extend the Agreement for another year.

Background

The City of Hyattsville entered into a contract with Lasercraft, Inc., (now ATS) on September 1, 2006, to provide digital camera traffic enforcement services, related citation management and back office processing for the Red Light Camera Program. The City of Hyattsville entered into three more extensions with ATS in 2014, 2015 and 2016. We have the option to extend the contract if we so desire. The program is self sustaining, meaning it does not cost the City any out of pocket expenses to operate these red light cameras; rather, the program is self funded by fines levied on violators.

The City currently has three Red Light Cameras located at:

1. North Bound Baltimore Avenue @ Hamilton Street

2. North Bound Queens Chapel Road @ Queensbury Road
3. East Bound East-West Highway @ Queens Chapel Road

Citations Issued:

2013 - 4239

2014 - 4116

2015 - 4923

2016 - 3502 (to date)

Recommendation

I am recommending that we continue the services of ATS. The contract extension has been reviewed for legal sufficiency by Richard Colaresi, City Attorney.



DEPARTMENT OF POLICE

Chief Gary L. Gardner

MEMORANDUM OF UNDERSTANDING

THE CITY OF HYATTSVILLE AND HOWARD COUNTY

This document is designed to serve as a guideline for operations and for the implementation of the Regional Automated Enforcement Center's (RAEC) program.

THIS MEMORANDUM OF UNDERSTANDING is made this 27 day of May, 2016, by and between Howard County, Maryland, and the City of Hyattsville, Maryland, a municipality located in Prince George's County, each a body corporate and politic of the State of Maryland.

1. Background

In 1993, personnel in the Howard County Police Department began taking the actions necessary to establish the automated red light enforcement program in Howard County. Howard County personnel visited the sites of existing automated red light operations; conducted a four-month pilot test program; reviewed legal authority of other States; met extensively with Maryland State legislators to explain the automated program and the legislation necessary to implement it; testified in favor of the authorizing legislation passed in 1997; developed a request for proposals which required vendors to provide product options and, after extensive interviews and demonstrations, selected vendors ("Vendors") to operate the automated red light enforcement program.

Howard County operates a red light enforcement processing facility, known as the Regional Automated Enforcement Center (the "RAEC") at 9250 Bendix Road, Columbia, Maryland. Vendors have operations at the processing facility. Howard County allows Vendors to process work for jurisdictions in addition to Howard County, provided that the citations issued for the other jurisdiction are aggregated (where applicable) with those of Howard County (and other jurisdictions mutually agreed upon) to establish the unit price and each participating jurisdiction compensates Howard County for the additional costs incurred.

The City of Hyattsville is contracting with one or more of the Vendors and desires to conduct all or certain portions of its red light enforcement operations at the RAEC.

2. Purpose of Memorandum of Understanding

This Memorandum of Understanding sets forth the respective rights and responsibilities of Howard County and the City of Hyattsville with respect to the use of the RAEC in Howard County and provides for cooperative development of other similar projects.

3. Facilities and Resources Provided by Howard County

a. *Facilities.* Howard County will provide the facilities needed by the City of Hyattsville as follows:

- (1) office space for the use of the City of Hyattsville employees and vendors employees supporting the automated red light enforcement operation, with mutually agreed upon improvements;
- (2) MILES/NCIC access; and
- (3) electricity, HVAC, janitorial services, etc. for the use of the City of Hyattsville employees and vendors' employees supporting the City of Hyattsville's automated red light enforcement operation.

b. *Resources.* Howard County will, through the Howard County Automated Enforcement Commander, provide the following services and resources:

- (1) provide police management, support, and oversight of the Regional Automated Enforcement Center, to include, but not limited to; training of partner jurisdictions; providing quality assurance reviews of the Regional Automated Enforcement Center program operations; oversight of Vendors' operations; ensuring that MILES/NCIC requirements are not violated, image evidence are handled, logged and stored according to established and mutually agreed upon procedures, and maintain adequate records to establish a chain of custody; that vendors' personnel operate in a manner in which violation records cannot be manipulated; and research and development efforts to evaluate competing technologies. In addition, Howard County will maintain necessary relationships with State Highway Administration, the offices of the Chief Judge of the District Court of Maryland, the Maryland Motor Vehicle Administration, and provide legislative testimony as needed;
- (2) communicate regularly with the supervisor designated by the City of Hyattsville and report any observations about the sufficiency of staffing or other concerns (this does not include supervising the personnel within the RAEC);
- (3) facilitate discussions to initiate process improvements, to develop future strategies and to resolve any questions which may arise about the use of the facility;

- (4) provide samples of materials which may be used for a public awareness campaign and will share the insight gained from Howard County's experience implementing this program;
- (5) if requested, provide an appropriate individual to testify in Court about evidentiary matters or technical issues related to the program;
- (6) conduct background investigations for additional vendor employees working at the RAEC for the City of Hyattsville.

4. Payment by the City of Hyattsville

Facilities. The City of Hyattsville will pay Howard County a monthly fee established in accordance with the jurisdictional cost assessment matrix, an example of which is attached (see Attachment A). This matrix ensures equitable distribution of the operational costs of the Regional Automated Enforcement Center for facilities and services provided. The Matrix includes Howard County operational costs allocated based on the number of cameras in use by each jurisdiction. The Matrix will be adjusted as necessary for changes in actual costs, or number of cameras. Jurisdictions will be billed monthly for these expenses. In addition, the following expenses will be paid, if applicable:

- a. the cost of any mutually agreed upon improvements to the space;
- b. the actual cost of furniture provided to additional vendor employees assigned to work for the City of Hyattsville.
- c. the actual amount charged to Howard County by the State for MILES/NCIC access if required to support the work for the City of Hyattsville.

5. Responsibilities of Each Jurisdiction

The City of Hyattsville and Howard County shall each:

- a. supervise and control its own employees;
- b. maintain all insurance, such as workers compensation insurance, required to meet the County's statutory responsibilities;
- c. be responsible for all acts or omissions of its own employees;
- d. enter into a separate agreement with each of the vendors and be responsible, independently, for administering all aspects of the contract, including making payments to the Vendors;

- e. provide or reimburse Howard County for consumables used and items such as postage furnished; and
- f. conduct a background investigation for each public employee assigned to work at the RAEC
- g. abide by the policies and procedures outlined in the Regional Automated Enforcement Center's Uniform Standards Guide ("Uniform Standard's Guide") and allow Howard County access to data to evaluate all components of the Regional Automated Enforcement Center's programs.

6. Failure to Abide by the Uniform Standard's Guide or Permit Access to Data

In order to maintain the integrity of the automated red light enforcement program and to provide credible supporting testimony in court, Howard County must be able to ensure that the Uniform Standard's Guide is followed. To do so, Howard County must have access to program data of all jurisdictions whose violations are processed at the RAEC, including data maintained by on site personnel of the jurisdiction and a vendor on behalf of the jurisdiction. If the City of Hyattsville or its vendor fails to adhere to the Uniform Standard's Guide or fails to allow Howard County personnel access to program data, Howard County has the right to: (1) terminate this Memorandum of Understanding; (2) direct the vendor to cease all work at the RAEC for the City of Hyattsville; (3) take any action necessary to terminate communication connections between the RAEC, MILES, and the City of Hyattsville. Howard County will provide written notice to a designated official of the City of Hyattsville that Howard County considers the City of Hyattsville to have violated the terms of this Section 6 and will exercise its rights under this section if the violation has not been cured within seven (7) calendar days of the date of the notice.

7. Cooperation on Additional Projects

Howard County will share the results of other research and development efforts to evaluate competing technologies to determine the most advantageous technology.

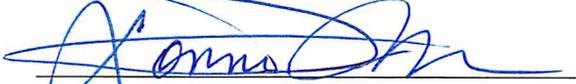
8. Term of MOU

This Memorandum of Understanding will be in effect from May 27, 2016 to December 31, 2016. This Memorandum of Understanding shall automatically renew each year unless cancelled. Each party has the right to terminate this Memorandum of Understanding by providing the other party with thirty (30) days written notice.

REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the undersigned have set their hands and seals as of the date first above mentioned.

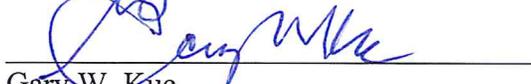
ATTEST:


Lonnie Robbins
Chief Administrative Officer

HOWARD COUNTY, MARYLAND

By: 
Allan H. Kittleman
County Executive 6-9-16

APPROVED FOR LEGAL SUFFICIENCY this ^{FORM AND} 27th day of May, 2016


Gary W. Kuc
County Solicitor

APPROVED:


Gary L. Gardner, Chief
Howard County Police Department

APPROVED FOR SUFFICIENCY OF FUNDS:


Stanley Milesky, Director
Department of Finance

Reviewing Attorney:


Cynthia G. Peltzman
Senior Assistant County Solicitor

ATTEST:

CITY OF HYATTSVILLE, MARYLAND

Name:
Chief Administrative Officer

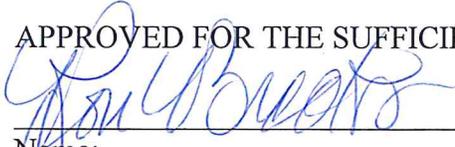

Name: Tracy
Mayor City Hyattsville

APPROVED FOR LEGAL SUFFICIENCY:

APPROVED:

Name:
City Attorney

APPROVED FOR THE SUFFICIENCY OF FUNDS:


Name:
Department of Finance

ATTACHMENT A

Regional Automated Enforcement Center
Equitable Distribution Matrix
January 2016

Jurisdiction	Active Cameras	Cost per Camera	Monthly Invoice
Bel Air	4	\$171.57	\$686.28
Charles County	18	\$171.57	\$3,088.26
Cheverly	4	\$171.57	\$686.28
Cottage City	2	\$171.57	\$343.14
Greenbelt	6	\$171.57	\$1,029.42
Howard County	28	\$171.57	\$4,803.96
Hyattsville	3	\$171.57	\$514.71
Landover Hills	3	\$171.57	\$514.71
Morningside	2	\$171.57	\$343.14
Westminster	1	\$171.57	\$171.57
Totals	71	\$171.57	\$12,181.47

Formula

Total Expenses (A+B+C) Divided by Quantity of Cameras

(Updated Jan. 12, 2016)

- (A) 25% of LT, SGT and LT's Admin. Support Tech. Salaries \$66,817.50
- (B) 10% of Red Light Support Staff Salaries \$14,836.60
- (C) Annual Lease Value in Dorsey Building (2,518 sq. ft., class B office space, full service lease) \$64,525.00

Annual Total \$146,179.10
divided by 12 Months

Monthly Total **\$12,181.59**
divided by 71 Cameras

Cost per camera per month \$171.57



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Joseph Solomon, W5

Submitting Department: Legislative

Item Type: Legislative

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

Hyattsville Youth@Work/Summer Youth Enrichment Program Partnership

Motion #

98-12-FY17

Recommendation:

I move that the Mayor and Council authorize the City Administrator (and/or her designee) to negotiate a memorandum of understanding with Prince George's County Office of Human Resources, Recruitment, Examination and Classification Division on agreeable terms for Hyattsville to serve as a host site for the Prince George's County Youth@Work/Summer Youth Enrichment Program (SYEP).

Sponsor(s):

Solomon

ATTACHMENTS

[Staff Comments on Youth at Work_12-5-2016.docx](#)

[Cover Page Youth at Work.pdf](#)

Summary Background:

The Prince George's County Youth@Work/Summer Youth Enrichment Program (SYEP) provides an opportunity for young people across the County to participate in career development, life-skills training and summer employment opportunities.

This robust and exciting initiative is a collaboration between Prince George's Community College, Greater Prince George's County Business Roundtable, Prince George's County Chamber of Commerce, Public George's County Public Schools, The Maryland-National Capital Park and Planning Commission and Prince George's County Government. As stakeholders of the greater Prince George's County community, we pledge and are committed to providing quality and enriching opportunities for our youth!

The Prince George's County Youth@Work/SYEP Program has several components.

Job Readiness Training prepares youth for job success. County youth are strongly encouraged to register for Youth@Work/SYEP job readiness training, offered in partnership with the Prince George's Community College and Prince George's County Public Schools. Participants will receive a certificate of completion at the end of the program and have priority placement for summer employment positions

Next Steps:

The Department of Community Services has completed the application process. Once approved, the staff is prepared to negotiate an MOU for participation. The Council discussed this item on December 5, 2016 and recommended providing authorization for staff to negotiate an MOU if the City's application is approved.

Fiscal Impact:

None- No cost program

City Administrator Comments:

Recommend Support. The Community Services Staff submit an application for participation with the County. If approved, and upon mutual agreement w/ the County on program guidelines, and upon legal review, we will sign and execute an MOU for participation.

Community Engagement:

Conducted an initial discussion with Director Rollow of the City of Hyattsville, and Program Specialist for Youth@Work. Community Services followed-up by submitting an application for participation consideration. If approved, outreach to the community, residents and schools will be made as appropriate.

Strategic Goals:

Goal 5: Partnerships & Diversity

Legal Review Required?

TBD



Memo

To: Mayor and Council (FONT FOR HEADER IS CALIBRI 12 pt)
From: Jake Rollow, Community Services Director
CC: Tracey Nicholson, City Administrator
Date: December 5, 2016
Re: Staff Comments on the Youth @ Work Program

Staff Comments

Staff supports pursuit of this program, and has already submitted an application for placement of two youth interns to serve the City in the summer of 2017. Staff's goal is to provide professional experience to youth in the area in a way that supports City operations.

Years ago, the City was disappointed by participation in this program. Prince George's County, the administrator of the program, bused youth to our office each day who lacked motivation to work. Some walked off the job while others ignored their assignments and slept on the premises. However, by contract with the County the City was not allowed to terminate the employment of any youth. Because of this history, this year the City is moving forward cautiously. The County has assured us that the program has been vastly improved, that we will have the opportunity to interview potential interns, and that we will be able to dismiss any youth who does not conduct him/herself professionally.



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Legislative

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

Council of Governments Policy Committee Appointments

Motion #

99-12-FY17

Recommendation:

I move that the Mayor and Council make the following appointments to the Council of Governments Policy Committees for a term of one-year, beginning on January 1, 2017:

- Region Forward Coalition: Mayor Candace B. Hollingsworth, with staff alternate Jim Chandler
- Human Services & Public Safety Policy Committee: Mayor Candace B. Hollingsworth, with staff alternate Jake Rollow
- Climate Energy & Environment Policy Committee: Mayor Candace B. Hollingsworth, with staff alternate Lesley Riddle
- Chesapeake Bay & Water Resources Policy Committee: Mayor Candace B. Hollingsworth, with staff alternate Lesley Riddle

Sponsor(s):

Hollingsworth

ATTACHMENTS

[MWCOG Policy Committees.pdf](#)

Summary Background:

The Council joined the Metropolitan Washington Council of Governments in October 2016. Membership to COG provides the opportunity for Elected Officials and Staff members to participate in COG Policy Committees. The term of the appointment will be for one-year. Appointments are required to be submitted to COG by January 6, 2017.

Next Steps:

Upon approval by the Council, the appointments will be submitted to COG and the City will begin participating in meetings.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

N/A

Strategic Goals:

Goal 4 - Foster Excellence in all City Operations

Legal Review Required?

N/A

MWCOG POLICY COMMITTEES

POLICY COMMITTEES

Policy committees are advisory committees of the COG Board.

Chesapeake Bay and Water Resources Policy Committee

Chesapeake Bay and Water Resources Policy Committee (CBPC) advises the COG Board on Bay-related policies and tracks developments under the federal-state Chesapeake Bay Program for implications to local governments. It also considers questions of potable water supply and waste water treatment. The CBPC regularly prepares position statements in response to state and federal legislation affecting the Bay.

Climate, Energy and Environment Policy Committee

Climate, Energy and Environment Policy Committee (CEEPC) advises the COG Board on climate change, energy, green building, alternate fuels, solid waste and recycling policy issues, and other environmental issues as necessary. The CEEPC is responsible for managing implementation of the COG Climate Change Report adopted by the COG Board on November 12, 2008. This responsibility includes development of a regional climate change strategy to meet the regional greenhouse gas reduction goals adopted by the Board.

Human Services and Public Safety Policy Committee

The Human Services and Public Safety Policy Committee (HSPSC) advises the COG Board on a variety of issues including affordable housing, homelessness, child welfare, crime control and prevention, and traffic safety. Recent actions have included reports on homelessness and crime trends in the region as well as a foreclosure summit to address the significant increase in home foreclosures across the region.

Region Forward Coalition

Regional Forward Coalition is to oversee the next steps recommended in Region Forward and advise the COG Board on future comprehensive regional planning and implementation activities. The Coalition's primary responsibilities includes overseeing the Region Forward performance Baseline analysis and future regional progress reports; use Region Forward as a guide to update the Regional Activity Centers; and create clear strategies and initiatives to support the transformation of regional centers into Complete Communities. The Coalition will provide cross-cutting regional policy capacity and long-range regional planning recommendations to the COG Board. The Coalition includes members from public, private and nonprofit sectors which all have a role in helping the Region meet its goals.



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Appointment

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

Re-appointments to the Hyattsville Environment Committee

Motion #

100-12-FY17

Recommendation:

I move that the Mayor and Council re-appoint Jim Groves (Ward 2), Janet Nackoney (Ward 2) and Julie Wolf (Ward 2) to the Hyattsville Environment Committee for a term of 2 years to expire on December 31, 2018.

Sponsor(s):

Paschall

ATTACHMENTS

[Jim Groves_HEC Reappointment Application_redacted.pdf](#)

[Janet Nackoney_HEC Reappointment Application_redacted.pdf](#)

[Julie Wolf_HEC Reappointment Application_redacted.pdf](#)

Summary Background:

Please see attached re-appointment applications. The current term for these members expires on Dec 31, 2016.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

Agendas for the HEC Meetings are posted on the City's website. Meetings are open to the public and all are encouraged to attend.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Action 1.1 - Provide Information and Opportunities for Resident Participation in Civic Endeavors.

Legal Review Required?

N/A

Board, Committee and Commission Application

Status: submitted

Profile

Jim

First Name

Groves

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 2

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Hyattsville Environment Committee

Am already a member

Referred By:

Biographical Statement

Served as chair of HEC from beginning of Committee until Nov 2016. Now serving as Secretary.

Board, Committee and Commission Application

Status: submitted

Profile

Janet

First Name

Nackoney

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 2

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Hyattsville Environment Committee

Former member-- seeking renewal

Referred By:

Biographical Statement

Hello, I am Janet Nackoney from Ward 2. I have been a member of the Hyattsville Environmental Committee since around 2014. I am a Geographer by profession (employed by the University of Maryland) and have dedicated my life and career to pursuing environmental conservation topics and natural resources management. Participation in the Hyattsville Environmental Committee is an excellent opportunity to become more involved in City sustainability efforts and promote a "greener" place to live. I am especially passionate about preserving tree canopy cover in the city and protecting trees from invasive ivy, as well as promoting bike accessibility and pedestrian safety. Thank you for providing this opportunity for me to serve our city.

Board, Committee and Commission Application

Status: submitted

Profile

Julie

First Name

Wolf

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 2

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Hyattsville Environment Committee

Shani Warner

Referred By:

Biographical Statement

Julie is a soil scientist who works on agriculture and climate change issues. She has gardened, composted, saved rainwater, and explored sustainable home and yard care in Hyattsville since 2004.



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Appointment

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

Appointments to the Education Advisory Committee

Motion #

101-12-FY17

Recommendation:

I move that the Mayor and Council appoint Jen Kubit (Ward 4, re-appointment), Jan Edwards (Ward 1), Daniel Broder (Ward 2), Deyo Johnson (Ward 2), Carter Ross (Ward 2, re-appointment), Frank Mills (Ward 3), and Cynthia Totten (Ward 4, re-appointment) to the Education Advisory Committee for a term of 2 years to expire on December 31, 2018.

Sponsor(s):

Lawrence, Ward

ATTACHMENTS

[Jen Kubit_EAC Reappointment_redacted.pdf](#)

[Jan Edwards_EAC Application_redacted.pdf](#)

[Daniel Broder_EAC Appointment_redacted.pdf](#)

[Deyo Johnson_EAC Appointment_redacted.pdf](#)

[Frank Mills_EAC Appointment_redacted.pdf](#)

[Carter Ross_EAC Application_redacted.pdf](#)

[Cynthia Totten_EAC Application_redacted.pdf](#)

Summary Background:

Please see attached new appointment and re-appointment applications. The term for the re-appointment expires on Dec 31, 2016. All current members with terms expiring have been invited to re-apply for appointment.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

Agendas for the EAC Meetings are posted on the City's website. Meetings are open to the public and all are encouraged to attend.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Action 1.1 - Provide Information and Opportunities for Resident Participation in Civic Endeavors.

Legal Review Required?

N/A

Board, Committee and Commission Application

Status: submitted

Profile

Jen

First Name

Kubit

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 4

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Education Advisory Committee

Referred By:

Biographical Statement

I've spent twenty years working in the field of education. I currently work in PGCC's adult education program which conducts ESL and high school diploma preparation programs for adult learners in the community. Prior to this, I taught elementary school in PGCPs, taught middle school math and science on the Navajo reservation, and worked in schools in post-apartheid South Africa as a Peace Corps volunteer. I currently write curriculum, organize, and teach a high school diploma preparation program for adult English language learners. I have served on this advisory committee for the past two years and have thoroughly enjoyed working with this committee.



Board, Committee and Commission Application

Status: submitted

Profile

Jan Edwards

First Name

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 1

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Education Advisory Committee

Kathy Dow-Burger

Referred By:

Biographical Statement

I recently moved to Hyattsville from Madison, WI. I have a longstanding connection with Hyattsville because my 91-year-old father was born and raised in Hyattsville (6020 43rd Ave.) and I spent many vacations here with my grandmother as a child. I am a professor in the Hearing and Speech Sciences Department and an associate director of the Language Science Center at the University of MD. My research interests focus on language and literacy development in children, particularly children from low socioeconomic status families. I would welcome the opportunity to be involved in education at the local level in my new community.



Board, Committee and Commission Application

Status: appointed

Profile

Daniel

First Name

Broder

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 2

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Education Advisory Committee, Hyattsville Environment Committee

Referred By:

Biographical Statement

My name is Daniel Broder and my wife and I moved to Hyattsville in the summer of 2016. We are expecting our first child early next year. I am eager to utilize my professional skills that I have acquired in cyber security, solar power and technical writing to make contributions to the community. It would be a privilege and an honor to serve on these committees and I would be a flexible, positive, hard-worker if given the opportunity. Please let me know if you have any additional questions.

Board, Committee and Commission Application

Status: submitted

Profile

Deyo

First Name

Johnson

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 2

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Education Advisory Committee

No one

Referred By:

Biographical Statement

Deyo M. Johnson has nearly ten years experience in the federal sector with key positions as a Senior Strategic Planner, Business Process Integration Analyst, and Organizational Change Management Agent. He also has over seven years experience in private sector as a small business owner and working as a consultant, as well as an additional six years experience in nonprofit work as a tutor, mentor, counselor and program lead. He has received numerous professional and academic awards for his professional and academic knowledge and expertise, as well as for his commitment to public service. Deyo completed his Bachelors of Arts in Economics at Grinnell College in Iowa and Masters in Public Administration at the University of Colorado-Denver. He is pursuing his PhD in Public Administration and Policy at Arizona State University, where he focuses on questions around conditions for successful public (and employee) engagement with decision-making processes to produce equal and equitable public policy outcomes in communities (or decision outcomes in the workplace). He is currently working on his dissertation. A product of Head Start programs, public assistance, and public school education, Deyo grew up in a low-income household in the Mississippi Delta with a single father who stressed the importance of education to him and his siblings. Deyo is a firm believer in the rights of the public, particularly its disadvantaged members, to shape government decision making and public policies to product just outcomes for them. A current Mentor in Higher Achievement and youth tutor with his local church, Deyo is an avid supporter of public education and wants to use his background to help enhance education opportunities for students in Hyattsville.

Board, Committee and Commission Application

Status: submitted

Profile

Frank

First Name

Mills

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 3

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Education Advisory Committee

Referred By:

Biographical Statement

My name is Frank Mills and I am the Director of Education of the Chelsea School, located across the street from the PG Plaza Shopping Mall in Hyattsville. Next year, I will be assuming the role of Co-Head of School. Chelsea School is in its 40th year of serving students with learning disabilities, but is still new to Hyattsville, having moved here two years ago. Since coming to our new location, we have been enthusiastically welcomed to the community and have been excited to begin to establish roots here. Chelsea School is designated as a nonpublic school, meaning we service both publicly-funded and private families. Our school's mission is to educate promising students with specific language-based learning differences in a rigorous, individualized college preparatory environment to become lifelong, independent learners. As a teacher, school leader, and now Co-Head of School, I would bring to the city's education committee a unique educational perspective. As the only school of our type in Hyattsville, I think that our voice would bridge the public-private divide and add to the committee's expertise a perspective on students with special needs. I thank you for your consideration. Sincerely, Frank Mills, M.Ed.

Board, Committee and Commission Application

Profile

T. Carter

First Name

Ross

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 2

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Education Advisory Committee

self

Referred By:

Biographical Statement

As a resident of Hyattsville since 1998 and father two a current 5th grader at Hyattsville Elementary and 7th grader at Hyattsville Middle, I believe that the city has an important role to play as a supporter and promoter of the public schools that educate our children. Strengthening and working on behalf of these schools benefits all residents of Hyattsville by increasing opportunities for our youth and improving the impression and character of our neighborhoods. I believe that I can continue to work on behalf of our city and our students as a member of the EAC.



Board, Committee and Commission Application

Status: submitted

Profile

Cynthia

First Name

Totten

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 4

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Education Advisory Committee

Edouard Haba

Referred By:

Biographical Statement

I am the mother of a 4-year old, living in West Hyattsville. I have truly enjoyed serving on the education advisory committee for these past (almost) two years, and would be honored to continue to serve. I have learned a great deal, and can only hope that my involvement has made some difference to ensuring that the children in my community have strong and impactful educational experiences and opportunities that prepare them for their lives ahead. I hope to continue to work to strengthen educational opportunity for my son's benefit as well. My day job is in human rights, working to protect incarcerated persons from sexual abuse, and to ensure they get the help they need if victimized. I see the work of the committee as being very closely linked to my professional efforts given the school to prison pipeline. The work on the committee is a way to try to address these issues on the front end--helping ensure that fewer children end up in the criminal justice system, because they receive the support, help and non-discriminatory access to opportunity in their early lives. Thank you.



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Appointment

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

Re-appointment to the Code Compliance Advisory Committee

Motion #

102-12-FY17

Recommendation:

I move that the Mayor and Council re-appoint Deanna McDermon (Ward 5) to the Code Compliance Advisory Committee for a term of 2 years to expire on December 31, 2018.

Sponsor(s):

Croslin, Perry, Solomon

ATTACHMENTS

[CCAC Appt_Cover.pdf](#)

[Deanna McDermon_Code Reappointment Application_redacted.pdf](#)

Summary Background:

Please see the attached re-appointment application. The current term expires on Dec 31, 2016. All current members with terms expiring have been invited to re-apply for appointment.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

Agendas for the Code Compliance Advisory Committee Meetings are posted on the City's website. Meetings are open to the public and all are encouraged to attend.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Action 1.1 - Provide Information and Opportunities for Resident Participation in Civic Endeavors.

Legal Review Required?

N/A

Board, Committee and Commission Application

Status: submitted

Profile

Deanna

First Name

McDermon

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 5

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Code Compliance Advisory Committee, Ethics Commission, Police & Public Safety Citizens' Advisory Committee

Councilman Joseph Solomon

Referred By:

Biographical Statement

Hello my name is Deanna McDermon. I've been in the wonderful city of Hyattsville Maryland for almost 22 year's. I'm a retired Social Worker & Cosmetologist. I've watched Our, beautiful city evolve into something great!! But I know we can only get better if we ALL do our part. I,bring a wealth of knowledge & resources with me; pertaining to Children,adults,seniors etc. My,prayer for Hyattsville is we continue to grow as a Strong Community, welcome diversity, economic growth & empowerment for ALL. Along with, excellent schools, safety, & tons of amenities! God Bless & Thank You!!





Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Appointment

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

Re-appointment to the Ethics Commission

Motion #

103-12-FY17

Recommendation:

I move that the Mayor and Council re-appoint T. Carter Ross (Ward 2) to the Ethics Commission for a term of 2 years to expire on December 31, 2018.

Sponsor(s):

Haba

ATTACHMENTS

[Carter Ross_Ethics Reappointment_redacted.pdf](#)

Summary Background:

Please see attached re-appointment application. The current term for this member expires on Dec 31, 2016.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

Agendas for the Ethics Commission Meetings are posted on the City's website. Meetings are open to the public and all are encouraged to attend.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Action 1.1 - Provide Information and Opportunities for Resident Participation in Civic Endeavors.

Legal Review Required?

N/A

Board, Committee and Commission Application

Status: submitted

Profile

T. Carter

First Name

Ross

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 2

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Ethics Commission

Edouard Haba

Referred By:

Biographical Statement

A resident of Hyattsville since 1998, I have served on the Ethics Commission since October 2013 and as its chair since September 2014. I have two daughters in PGCPS schools in Hyattsville and am actively involved with our city, county, and state government. Professionally, I handle communications for a construction sector trade association and previously I worked as a trade media journalist covering broadcast technologies.



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Appointment

Agenda Section: Consent Items (8:25 p.m. – 8:30 p.m.)

SUBJECT

Appointments to the Planning Committee

Motion #

104-12-FY17

Recommendation:

I move that the Mayor and Council appoint Thomas Sheffer (Ward 1, re-appointment), Chad Copeland (Ward 1, re-appointment), Todd Dengel (Ward 2) and William Maxwell (Ward 5) to the Planning Committee for a term of 2 years to expire on December 31, 2018.

Sponsor(s):

Haba, Wright, Lawrence

ATTACHMENTS

[Thomas Sheffer_Planning Committee Re-appointment_redacted.pdf](#)

[Chad Copeland_Planning Committee Re-appointment_redacted.pdf](#)

[William Maxwell_Planning Committee Application_redacted.pdf](#)

Summary Background:

Please see attached new appointment and re-appointment applications. The term for the re-appointment expires on Dec 31, 2016. All current members with terms expiring have been invited to re-apply for appointment.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

Agendas for the Planning Committee Meetings are posted on the City's website. Meetings are open to the public and all are encouraged to attend.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Action 1.1 - Provide Information and Opportunities for Resident Participation in Civic Endeavors.

Legal Review Required?

N/A

Board, Committee and Commission Application

Status: submitted

Profile

Thomas

First Name

Sheffer

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 1

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Planning Committee

Bart Lawrence

Referred By:

Biographical Statement

Reappointment. I've worked as a planner for the National Park Service for the past 6 years with a masters in urban and regional planning from Virginia Tech.

Board, Committee and Commission Application

Status: submitted

Profile

Chad

First Name

Copeland

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 1

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Planning Committee

Candace Hollingsworth (2014)

Referred By:

Biographical Statement

I have served for the past two years. I enjoy giving back to my city and find the experience rewarding.

Board, Committee and Commission Application

Status: submitted

Profile

William

First Name

Maxwell

Last Name

[Redacted]

Email Address

[Redacted]

Street Address

[Redacted]

City

[Redacted]

Suite or Apt

[Redacted]

State

[Redacted]

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

Ward 5

Ward

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Which Boards would you like to apply for?

Planning Committee

Gia Maxwell

Referred By:

Biographical Statement

I am an almost 10 year resident of Hyattsville, MD and of Ward 5. I have been working in the Washington, DC for a Technology Support Company for almost 17 years, specializing in Network Support and Planning for the area's Non-Profit community. I also have a growing interest in the development and plan for the City of Hyattsville and specifically Ward 5. There is a lot of what looks like dead space in my city and I would like to see it developed into more than just housing. I think it comes from the years working with non-profits. I want to be able to give back, and if there is space for me to do that on the Planning Committee I would like that opportunity. Thank you.





Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: Legislative

Item Type: Legislative

Agenda Section: Action Items (8:30 p.m. – 8:45 p.m.)

SUBJECT

Hyattsville Resolution 2016-05: Election 2017 Ballot Question: Composition of Council (5 minutes)

Motion #

105-12-FY17

Recommendation:

I move that the Mayor and Council adopt Hyattsville Resolution 2016-05, a Resolution of the City Council of Hyattsville, Maryland whereby the City Council directs the Board of Supervisors of Elections for the City to place an advisory, non-binding referendum question on the ballot for the upcoming 2017 regular election. The referendum question requests the input of voters regarding the number of Councilmembers on the City Council, as well as requesting information on the number and size of the election wards, the number of Councilmembers per ward, and whether there should be any Councilmembers elected at large by all the voters of the City.

Sponsor(s):

Hollingsworth

ATTACHMENTS

[Resolution 2016-05_Referendum_Composition of Council_FINAL_121316.pdf](#)

Summary Background:

The last credible debate over the size of the Hyattsville City Council came in 2012 upon examination of the City's boundaries during the redistricting process. The Council rejected the proposals from the committee that would result in the reduction in size of the Council. This motion would allow the Council to solicit an advisory opinion from the voters to help inform next steps. Should the results of the ballot question imply majority support of this effort, the Council is encouraged to a) identify a desired proposal for composition of the Council, and b) convene a resident committee to work with the Board of Elections Supervisors, the City Attorney, and GIS staff to devise an actionable plan of implementation.

The Council discussed this item on September 19, October 17 and November 7, 2016. The City Attorney was authorized by the Council on November 7 to draft a resolution based on those discussions. The drafted Resolution is attached for discussion. An initial discussion of the drafted resolution was held on December 5. The resolution was updated by the City Attorney per Council comments from that discussion.

Next Steps:

The exact wording of the referendum contained in the resolution shall be placed on the ballots or voting machines when the referendum is submitted to the qualified voters of the City.

Per Section C2-10 of the Charter, the Resolution must be approved by a minimum two-thirds (2/3rds) of the Council members and must be passed by the Council at least one hundred and twenty (120) calendar days prior to the election date the referendum is to be submitted to a vote of the qualified voters of the City. 120 days prior to the May 2017 election is January 2, 2017. Therefore, the Council must take action on the Ballot Question Resolution by the Council Meeting of December 19, 2016.

Fiscal Impact:

Professional services provided by the City Attorney(s). Staff & Board of Elections time for Public Outreach and to hold the Public Information Hearings.

City Administrator Comments:

N/A

Community Engagement:

City staff will coordinate with the Election Board on education, outreach and logistics pertaining to the referendum. The 2017 voter guide should include information on the ballot question along with at least two public hearings in advance of the election.

Strategic Goals:

Goal 1: Ensure Transparent and Accessible Governance

Legal Review Required?

Complete

RESOLUTION 2016-05

A Resolution of the City Council of Hyattsville, Maryland whereby the City Council directs the Board of Supervisors of Elections for the City to place an advisory, non-binding referendum question on the ballot for the upcoming 2017 regular election. The referendum question requests the input of voters regarding the number of Councilmembers on the City Council, as well as requesting information on the number and size of the election wards, the number of Councilmembers per ward, and whether there should be any Councilmembers elected at large by all the voters of the City.

WHEREAS, C2-10(C) of the Charter of the City grants to the City Council the authority to submit to the voters of the City a question set forth in a resolution adopted by a two-thirds majority of the City Council, which question may be advisory; and

WHEREAS, the City Council deems it in the best interest of the City to place on the election ballot for the upcoming regular election of the City in 2017 advisory, non-binding questions relating to the size of the Council, the number of Councilmembers per ward, the size of the City election wards, and whether there should be any at-large Councilmembers on the City Council.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hyattsville in regular session assembled that the Board of Supervisors of Elections is hereby directed to place on the ballot for the next regular City election in 2017 the following advisory, non-binding referendum question:

ADVISORY NON-BINDING REFERENDUM QUESTION

The City Council is debating whether to reduce the size of the City Council. The following questions seek voter input as to the size of the City Council:

The City Charter currently provides that the City Council shall be composed of

- (1). a Mayor elected at large by the City voters; and*



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Contract

Agenda Section: Action Items (8:30 p.m. – 8:45 p.m.)

SUBJECT

Comcate Contract for Services (5 minutes)

Motion #

106-12-FY17

Recommendation:

I move that the Mayor and Council authorize the City Administrator to renew and execute a software licensing contract with Comcate Inc., 144 Linden Street, Oakland, California for a term of 12-months, upon the review and approval of the City Attorney.

Sponsor(s):

At the Request of the City Administrator

ATTACHMENTS

[Memo - Comcate Contract for Services.docx](#)

Summary Background:

The City of Hyattsville has utilized Comcate Incorporated as its business licensing and code management program software since 2012. The contract for services will expire in 2016. The staff is requesting the Council authorize a 12-month extension for the contracted services.

The annual renewal license fee for the software has increased from \$9,949 to \$10,978, exceeding the \$10,000 threshold and thus necessitating the requirement for City Council authorization to continue with the services.

The Staff is satisfied with the overall performance of Comcate Inc. and the cost effectiveness of the product. As the City plans for the selection of an Enterprise Resources Planning (ERP) system, the staff will assess whether it is in the best interest of the City to either continue or terminate services with Comcate Inc. at the end of the 12-month schedule.

Next Steps:

No additional action is required.

Fiscal Impact:

Funding for software licensing is included in the FY2017 budget

City Administrator Comments:

Recommend Support

Community Engagement:

N/A

Strategic Goals:

Goal 3: Promote a Safe and Vibrant Community

Action 3.3 – Provide effective, responsive, data-driven public safety and property standard services

Legal Review Required?

Pending



Memo

To: Mayor and City Council
From: Jim Chandler, Assistant City Administrator, Director CED
CC: Tracey Nicholson, City Administrator
Ron Brooks, City Treasurer
Date: December 11, 2016
Re: Comcate Contract for Services

This memorandum is to provide the City Council with a summary of a request for the extension of a contract of services for operational software licenses.

Summary

Since 2012, the City of Hyattsville has utilized Comcate Incorporated as its business licensing and code management program. The contract for services is set to expire in 2016 and the Staff is requesting the Council to authorize a 12-month extension to the contracted services.

The annual renewal license fee for the software has increased from \$9,949 to \$10,978, exceeding the \$10,000 threshold and thus necessitating the requirement for City Council authorization to continue with the services.

The Staff is satisfied with the overall performance of Comcate Inc. and the cost effectiveness of the product. As the City plans for the selection of an Enterprise Resources Planning (ERP) system, Staff will assess whether it is in the best interest of the City to either continue or terminate service with Comcate Inc. at the end of the 12-month schedule.



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: Legislative

Item Type: Ordinance

Agenda Section: Discussion Items (8:40 p.m. – 9:35 p.m.)

SUBJECT

Establishing regulations governing the disposal of pet waste (10 minutes)

Motion #

Discussion Only, Scheduled for Action on 1/9/17

Recommendation:

I move that the Mayor and Council authorize the City Attorney to prepare an ordinance that amends Chapter 65 of the Code of the City of Hyattsville to include an article that establishes the regulations for proper disposal of pet waste and the enforcement and fines for violations thereof.

The draft ordinance shall be provided to the Code Committee prior to its submission to the Mayor and Council for approval. Comments on the draft ordinance shall be submitted to the Mayor and Council via the Committee's staff liaison within 45 days of its submission to the Committee.

Sponsor(s):

Hollingsworth

ATTACHMENTS

[Model Ordinance - Pet Waste.docx](#)

Summary Background:

As we launch a citywide effort to address litter, we should also make an effort to address the proper disposal of pet waste. This ordinance is intended to provide residents with clear regulations for what the City of Hyattsville considers necessary to maintain clean, healthy, and safe communities. It is requested that staff review of this ordinance also detail what is needed (equipment, supplies, and/or staffing) to provide for sufficient disposal in public spaces.

A model ordinance is provided as a starting point/reference.

Next Steps:

Upon approval, the City Attorney will draft an ordinance to be provided to the Code Committee. The Code Committee will submit comments within 45 days. Staff review of requirements shall be conducted during the 45 days that the ordinance is under review by the Committee. The final draft ordinance shall be provided to the Council along with staff recommendations.

Fiscal Impact:

Staff attorney time and hours for the preparation of the ordinance. Costs for equipment, supplies or other supporting needs is TBD.

City Administrator Comments:

The staff will review the draft language and committee feedback.

Community Engagement:

None

Strategic Goals:

Action 3.1 – Enhance safety and security in public places including residential neighborhoods, parks and commercial corridors

Action 3.2 – Enhance the overall quality and profile of parks recreational programming and community amenities

Legal Review Required?

Pending

An ordinance to establish requirements for the proper disposal of pet solid waste in the City of Hyattsville so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

ARTICLE VIII – PET WASTE

DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Immediate: Occurring at once, without delay.

Owner/Keeper: Any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.

Person: Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Pet: A domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

Pet Solid Waste: Waste matter expelled from the bowels of the pet; excrement.

Proper Disposal: Placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

REQUIREMENTS FOR DISPOSAL

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

EXEMPTIONS

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

ENFORCEMENT

The provisions of this Article shall be enforced by Code Compliance of the City of Hyattsville.

VIOLATIONS AND PENALTY

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$100.

SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Legislative

Agenda Section: Discussion Items (8:40 p.m. – 9:35 p.m.)

SUBJECT

Residential Parking Zone Committee - Recommendations to City Council (30 minutes)

Motion #

Discussion Only

Recommendation:

Sponsor(s):

At the Request of the City Administrator

ATTACHMENTS

[Residential Parking Committee Recommendations 9.29.16.pdf](#)

[Residential Parking Zone Packet.pdf](#)

[Memo - Residential Parking Zone.pdf](#)

[Code Minutes March 2015.pdf](#)

[Residential Parking Zones - Complete.pdf](#)

[Residential_Parking_Committee_Staff_Review.xls](#)

Summary Background:

The Residential Parking Zone Ad Hoc Committee was formed at the direction of the City Council to evaluate the City's Residential Parking Zone program and submit to the City Council recommendations for addressing the deficiencies of the program.

On October 17, 2016, the Committee presented its recommendations to the Mayor and City Council for consideration. Staff has reviewed the Committee's recommendations and has provided comments regarding the operational and budgetary impacts of the respective recommendations. Based on the input and direction of the City Council, the Staff will draft revisions to Chapter 114 - Article IV for the Council's consideration.

The Staff has included previous related documents from the City Staff, Code Committee and other relevant materials.

Next Steps:

Once the City Council considers and adopts recommendations, the staff will coordinate with the City Attorney to draft an ordinance.

Fiscal Impact:

TBD

City Administrator Comments:

For review and discussion

Community Engagement:

The RPZ Committee meetings were open and frequently attended by members of the public.

Strategic Goals:

Goal 1: Ensure Transparent and Accessible Governance

Action 1.1 – Provide opportunities for resident participation in civic engagement

Action 1.2 – Make available timely public information on all City policies, programs, projects and reports

Legal Review Required?

Pending

CITY OF HYATTSVILLE
RESIDENTIAL PARKING AD HOC COMMITTEE
RECOMMENDATIONS TO CITY COUNCIL

September 29, 2016

Ad Hoc Committee Members:

Catherine Barron
Chair, Ward 1

Andrew Bishop
Member, Ward 4

Irma Echeverria
Member, Ward 5

Marquisha Powell
Vice Chair, Ward 1

Chris Slezak
Member, Ward

Joe Youhouse,
Member, Ward 1

Brian Minter
Secretary, Ward 2

Summary:

The City Council’s directive to the Residential Parking Ad Hoc Committee was to review and make recommendations on City policies related to the City’s residential parking zone program; to review the City’s current program by exploring gaps in service, needs, and best practices; and to develop recommendations for modifying the program in order to better serve parking needs in neighborhoods throughout the City.

The Committee convened its first meeting on April 26, 2016, and reviewed background materials on the current parking zone policies, procedures and enforcement thereof. Each Committee member selected one or more parking permit zones and agreed to visit those areas, talk to residents in those zones, and report to the Committee at the subsequent meeting in May. From that review and all subsequent Committee meetings, which were attended by interested City residents, it became clear to the Committee that: (a) the City of Hyattsville is becoming a “go to” location attracting new businesses and residents; (b) some of the premises upon which prior City regulations and policies were devised may no longer apply to our burgeoning City; and (c) one of the more important aspects to attracting businesses and residents is reasonable and accessible street parking.

After five months of review, the Committee recommends the following to the City Council, with the expectation that affirmative action on the recommendations can result in: (a) a harmonious plan for managing the existing parking permit zones while increasing parking capacity in the City; (b) education of residents and businesses on the City’s parking capacity and compliance procedures; (c) new processes to help residents and businesses manage their expectations regarding parking availability; and (d) a focus on options available to the City as alternatives to additional permit parking zones.

Should the City Council choose to proceed with any or all of the below recommendations, the Committee recommends three months advance notice and outreach to City residents.

Recommendations:

The Committee recommends the following to the City Council:

- 1. Void all current permits.** The current parking permit system is ineffective and inefficient. All existing parking permits should become void on a scheduled date (set by the City), and residents in parking permit zones should be required to register for new permits by a specific date to avoid fines.
- 2. Change the parking permit system to two year renewal.** Parking permits with no termination date are ineffective in a burgeoning City such as Hyattsville. Parking permits should be issued with two year renewal requirements.
- 3. Eliminate allowance of two hour grace period before issuing parking tickets to parkers without residential parking permits in established permit zones.** The use by Parking Compliance personnel of a two hour grace period before ticketing parked cars without parking permits in permit zones is a legacy practice from the Hyattsville Police Department. This is contrary to effective parking enforcement, wasteful of the City's resources in personnel time spent travelling to and from the locations to mark vehicle tires prior to ticketing, and impacts the ability of residents to park near their residences. As the two hour grace period is purely complimentary and does not exist in any regulatory language, the Committee recommends the use of this grace period be immediately eliminated.
- 4. Use the following metrics when issuing permits in parking permit zones:**
 - a. Within a designated residential parking permit zone, the overall number of permits issued by the City should be determined by the Parking Compliance Department based on the total amount of available street parking, minus a 10 percent buffer for guest parking. In this way, the total number of permits issued to residents would vary based on the availability of parking spaces on their street. Each Hyattsville home in parking permit zones should be issued no more than two parking permits for on-street parking.
 - b. The Parking Compliance staff should take the number of available off-street parking spaces (such as driveways and garages) into consideration when granting parking permits. Where street parking is limited, residents with off-street parking should be issued fewer permits.
 - c. Parking permits should only be issued to Maryland registered vehicles, with the exceptions including but not limited to active duty military personnel and students.
 - d. Additional permits may be granted based on special considerations such as onsite caregivers and others as may be determined by Parking Compliance staff.
- 5. Homeowners of rental properties should be required to collect all parking permits from their tenants upon termination of a lease.** Failure to do so should result in a limitation on, or elimination of, permits issued to future residents.

- 6. Establish a clear policy for guest permits.** Issued guest parking permits should be easily identified, and every permit should have an expiration date. One-day permit sets should be issued to residents at the time residential parking permits are issued to a resident. There should be a policy for short term and long term guest parking determined by the Parking Compliance Department separate from “party” or “event” permits.
- 7. Address and account for the parking needs of businesses owned and operated by Hyattsville residents in residential neighborhoods with permit parking zones.** There are several permit parking zones within the City where businesses are mixed with private residences. Some City residents owning and operating these businesses may have executed building purchase or lease documents based on relaxed enforcement of permit parking requirements at the time of execution. Guest parking permits can be problematic for the clients of these business owners. The Committee recommends that such business owners be allowed to review with Parking Compliance personnel an option for a number of temporary parking passes for their customers based on the number of available parking spaces on their street as determined by Parking Compliance personnel, or other appropriate means such as parking meters.
- 8. Improve confusing permit parking signage.** Parking permit zone signage is inconsistent relative to format, content, and display. The Committee recommends the following to ensure fair and effective enforcement: (a) improve the overall consistency of permit parking signage by color coding each zone, making certain that all signs have the zone number displayed; (b) clearly post the ordinance information; and (c) clearly display the applicable hours of enforcement.
- 9. Modernize parking enforcement with effective technology and additional Parking Compliance personnel.** The Committee researched the current state of enforcement and opportunities to improve enforcement effectiveness in parking permit zones. To ensure fair, speedy and effective enforcement in these zones, the Committee recommends that the City budget for the purchase of license plate readers for use by Parking Compliance personnel, and additional Parking Compliance personnel.
- 10. The City should publicize to City residents the process available for addressing parking concerns.** The City’s residents would benefit from preparation and distribution of helpful information on how residents can address parking concerns on their streets; how to ask for and obtain new permit parking zones; how to obtain guest passes; and how the City enforces parking in permitted areas. The Committee recommends that the City Council authorize the Parking Compliance Department to prepare and distribute this information.

Additional Recommendations:

- 1. Convert narrow two-way streets to one-way streets, using a one-way pairing rationale.** Based on safety concerns for residents, the City should study and convert some two-way streets to one-way streets based on the width of the streets as determined by an expert. This would allow for additional parking availability to residents.



RESIDENTIAL PARKING ZONE COMMITTEE

BOARD DETAILS



OVERVIEW



SIZE 7 Seats



TERM LENGTH Varies



TERM LIMIT N/A

The Residential Parking Zone Ad Hoc Committee was established to review and make recommendations on City policies related to the City’s residential parking zone program. The Mayor and Council shall strive to include at least one member on the committee from each Ward of the City. The committee shall conduct a review of the City’s current residential parking zone program, exploring gaps in service, needs, and best practices, with the intent of developing a set of recommendations for modifying the program in order to better serve parking needs in neighborhoods throughout the City. The committee shall make its recommendations to the Council within 120 days of its inception, after which the committee’s charter shall end.



DETAILS

ENACTING RESOLUTION

Motion # 130-10-15, Adopted on October 5, 2015

STAFF LIAISON(S)

To Be Determined

COUNCIL LIAISON(S)

N/A

COMMITTEE WORKSHEET



Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator
Lesley Riddle, Director, Public Works
Douglas Holland, Chief of Police
Chris Giunta, Manager, Code & Parking Compliance

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development

Date: January 6, 2015

Re: Residential Parking Zones

This memorandum serves as briefing for the City Council regarding the City's residential parking zone program and a set of general principles for modifying the program in order to better serve the intent of the program.

Summary

The City currently has eleven (11) residential parking zones which operate with a varying degree of effectiveness. For the past several years, a variety of factors have compromised the City's ability to effectively manage residential parking zones including, but not limited to:

- Permits do not expire
- Abuse of guest permits
- Permits in excess of what a street/zone can physically support
- Grace period that compromises intent of the permitted hours
- Absence of adequate signage
- Conflicting signage
- Inefficient use of available off-street parking
- Antiquated permitting information system
- Roadways not intended to support both two-way traffic and two on-street spaces
- High concentrations of vehicles on certain streets

We believe that the intent of the residential parking zones is to protect the rights of residents that have requested a zone. The reasons these zones are requested vary, but are typically due to parking demand related to the following:

- Schools
- Commercial/retail opportunities
- Metro Stations
- Multi-family development which pre-existed parking requirements
- High concentration of student/rental housing
- District Court/County Services Building

While the City cannot guarantee parking in immediate proximity to a specific property, there is a reasonable expectation that parking can be provided within a reasonable proximity to their home.

1. Permits to be renewed on a 2 year schedule;
2. Staggered permit replacement schedules for each zone;
3. Permit fee to be minimal and include a set number of one-use guest permits;
4. Special permit to be fee based;
5. Reduce the 2-hour parking 'without a permit' timeframe to a 15-minute period;
6. Restrict the total number of permits per street based on physical dimensions of respective street;
7. Establish a set number of permits per household;
8. Reduce the set number of permits per household based on the number of parking spaces a property can support with off-street parking.

Residential Parking Permits

The City's current practice is to issue permits for the life of the vehicle with no renewal necessary. This is problematic as it does not comply with City ordinance, nor does it provide the City with the ability to accurately account for either the total number of active permits or the number of permits within each residential parking zone.

The Staff is recommending the program be modified so that residential parking permits are valid for a 2 year cycle, after which time the permit must be renewed. The permit color would coincide to the designated color of the sign and the permit design would be modified each cycle. Either the City's logo or seal would be watermarked, include a unique six digit identification number and a bar code that would provide the Parking Aides with the ability to verify valid permits with handheld devices. The permit will be approximately 2"x 2" and placed at either the rear left window, or in cases of convertibles at the right front window, of the vehicle.

Visitors/Guest Permit

Included with the resident permit, each household within the zone would be provided with approximately 50 one-day visitor permits at the time the main Residential Parking permit is issued, which would include the unique number tied to the permit holder and would require the

resident to enter both the date and license plate number of the visiting vehicle. This is identical to the very successful program operated by the City of College Park, which has operated for several years and strikes a balance between the need to manage the number of non-resident vehicles and provides adequate flexibility to accommodate guests. We are proposing that once the resident has used utilized all of their visitors passes, they can request an additional 50 guest passes at a cost of \$20.00. We are proposing that similar to our Commercial Permit that this request can be denied if the permit has been abused. We believe that providing a more effective guest permit system will reduce the need for a 2-hour window in which the display of a permit is not necessary, as this is often used as a “loop-hole” for individuals in residential zones to not secure a permit or in residential areas adjacent to commercial uses.

Special Permits

There are several instances which a “Special Permit” may be necessary. While there certainly may be additional reasons for a specialized permit, we have outlined below a variety of the more common requests for a permit:

- **One Day Event Permit:** Single day (24 hour) event permit so that a resident does not need to utilized a significant number of their visitors passes. The intent of extending a 24-hour window is to ensure that motorists are not required to leave the zone after an event in which alcohol is served. The “One Day Event Permit” would provide up to 10 passes at a cost of \$3.00.
- **Construction Permit:** The Construction Permit is available for residents that are having work completed on their home which requires the service provider to utilize on-street parking. The cost of the permit is \$10.00 is per vehicle and is valid for up to 14-calendar days. The permit will utilize the six-digit number of the main permit holder, but will also require the dates of use and license plate number of the construction services vehicle. The permit will be made available upon request.
- **Service Permit:** The Service Permit is intended to provide weekly or daily parking passes to service and maintenance providers, such as housecleaning, without the need use up the allotment of Visitors Permits. The Service Permit will utilize the six-digit number of the main permit holder and will not require the user to enter a date or time. The permit would be permitted for a maximum of 3-hours from 6 AM – 6 PM, seven days per week. The permit would be provided at no additional cost, but must be returned once the main permit expires. If the permit is not returned, a \$15.00 fee will be assessed for re-issuance of a Service Permit.

Residential Parking Signage Replacement

Separate from the operational aspects which require modification, the City’s Residential Parking Zone signage is inconsistent both in format, content and in many cases is faded or missing.

In order to provide both residents and staff with effective residential parking signage the following information must be included on each signage:

- Zone Number

- Ordinance – The City does not have the ordinance information posted to the sign, so in several instances, tickets that are challenged in court because of defined times or days of enforcement are being dismissed.
- Hours and Restrictions – Clearly marked and consistent throughout the designated zone.
- Individual Color for Each Zone – This will provide parking staff with the ability to quickly identify valid permits and identify permitted vehicles that are being parked in a zone other than the one that they are permitted for. This typically happens when residents parking in a residential parking zone, other than their own, to utilize Metro.

The intent of the signage is to create a consistency in layout and information included. The purpose of having the hours and ordinance on a separate placard is that if for any reason the effective days or hours are modified, the City would only have to replace the placard, not the entire sign, creating the potential for long-term cost savings. This model was utilized for our newest zone on the 5400 and 5500 blocks of 39th Avenue, Residential Parking Zone 13 and we believe it is highly effective. A sample sign and placard is below:



There are currently 458 residential parking zone signs located within the City of Hyattsville, the locations of which exist in the City's GIS inventory.

We often receive complaints of missing or damaged signage, which unfortunately is an accurate perception of our signage. Our observation has been that this issue is City wide, but with a higher concentration in Zones 8, 9A, 9B and 10. Our Staff recently completed a field data survey of missing or damaged in these residential parking zones with the following results:

- Zone 8: 19%
- Zone 9A: 21.6%
- Zone 9B: 57.1%
- Zone 10: 28.2%

This Spring we will be coordinating with Public Works to replace signage in these four zones and our intent is to utilize FY2016 funding to replace signage in the remaining residential zones. Based on field observations and a long standing acknowledgement of duplicative signage, we anticipate a 5% - 10% reduction in the total signage and also anticipate the reuse of 85% - 95% of the existing sign poles. Based on a recent price quote for similarly designed signs and placards, I estimate a replacement cost of approximately \$56.00 per sign (\$42 per sign + \$14 per placard), which is a total cost of \$23,083.20 (10% reduction in total signs), which does not include either DPW or Parking Compliance staff time for installation. The majority of signage will be placed at the ends of each block, however in circumstances where blocks exceed 500-linear feet, we will also have a additional signs posted at the mid-point of the block.

Conclusion & Recommended Actions

1. Funding for the balance of new residential parking signage is proposed for the FY2016 budget. If funding is provided, we expect that this signage could be in place by the end of August.
2. Provided the Council is supportive of the general principles outlined in this memorandum, we will provide a detailed program for Council adoption in April 2015, which may included draft revisions to the City Code. The program would include a block-by-block analysis of the number of permits that would be available by street and address. This will be a time intensive process, so before we proceed with this effort, we want to be certain that this concept is supported by the City Council.
3. We are using our experience with managing the Commercial Parking Permit Program as a beta test for rolling out the Residential Parking Program. While we believe most of the operations will transfer over seamlessly, the Commercial permit system is cost effective, but requires the manual transfer of data from registration through issuance of the permit. Our parking vendor has an automated system which would provide greater efficiency to both the user and our staff. We believe that the quantity of residential permits and managing renewal of permits dictates that an automated system be in place for the Residential permit program.

Code Compliance Advisory Committee Meeting

March 18, 2015

Attending:

Paul Koch, Chairperson

Nina Faye, Secretary

Tracey E. Nicholson, City Administrator

Shirley Fisher, Member

Pat Yinkey, Member

Gloria Felix-Thompson, Member

Joy M. Jeffries, Member

Sue Decker, Resident/Former Member

Charlene Laumer, Resident

Tom Wright, Resident/Candidate for Ward 3 Council Member

Agenda

1. Approval of February Minutes
2. Residential Parking Guidelines

Paul Koch called the Meeting to order at 7:03. Prior to the meeting being called to order, a resident explained problems she was having with neighbors parking too close to her driveway, preventing her from exiting or entering. New Code language before the Committee that would involve the distance a vehicle could be parked from a driveway was briefly discussed. The resident asked to be notified when that issue was on the Committee Agenda.

Motion: Gloria moved that the Committee Minutes from the February 18 Meeting be approved. Pat seconded. All voted in favor.

Paul, Nina, and Gloria had provided written comments by e-mail on the Residential Parking Guidelines prior to the meeting. Paper copies were distributed. Pat began the discussion by saying he liked Paul's comment that the two year cycle for permits was too short. He is not convinced that a new ordinance is needed. He also liked Paul's suggestion for large, 8 ½" X 11", laminated hang tags for visitor or special permits, as they would be much harder to forget to return. Paul displayed his sample of his hang tag design. Joy commented that some care workers need to stay all day. Shirley discussed a problem with a large truck. Nina added that there are at least two City parks, including the Community Garden, which would be affected by the reduction of free parking from two hours to 15 minutes. Paul suggested parking meters. A general

discussion ensued over why only the College Park model seemed to be considered and what process had taken place with Tom Slezak's matrix of what other surrounding communities do with residential parking. Joy asked for a copy of the matrix; Nina said she would e-mail her a copy.

Nina suggested the Committee examine sections of the proposed Guidelines and vote on each one. Nina made a motion to adopt Gloria's language, echoed by others, that one size does not fit all. **Motion: The eleven parking zones in the City have different needs, therefore a one size fits all solution will not be effective. The City should examine the needs of each zone and devise parking regulations that fit the needs of each zone.** Joy seconded the motion. All voted in favor.

The Committee had previously discussed and voted that the reduction of free parking from two hours to 15 minutes was not appropriate. To further clarify the Committee's comments, Nina made a motion using Gloria's language. **Motion: Shortening the time period that a non-permit holder is allowed to park in a residential parking zone would adversely affect the people living in those zones to have visitors, health care providers and contractors visit or work in their home. In addition this policy will create an undue burden on the blocks that do not have a residential parking zone, because the number of vehicles parking in those areas would increase dramatically. The city should leave in place the policy that non-permitted vehicles can park in a residential parking zone for 2 hours.** Pat seconded the motion. All voted in favor.

Nina proposed a motion using Paul's language for the length of permit cycle. **Motion: A two year parking permit is too short of a time. A four year cycle and staggering renewal dates would make it more manageable.** Pat seconded the motion. All voted in favor.

After much discussion by all of health permits, Nina made a motion incorporating everyone's proposals. **Motion: We strongly recommend Health Permits be 8 1/2" X 11" laminated hang tags, color coded for medical use, registered as health permits, with the resident's address and permit number on the tag. There should be no restriction of hours of the day or length of parking time. There should be no cost associated with the tags for residents. Health permits should be furnished as needed to residents.** Gloria seconded the motion. All voted in favor.

Tracey related that staff had been discussing changes to the Construction Permit section. Nina offered a motion to eliminate the category. **Motion: The Construction Permit section should be eliminated.** Joy seconded the motion. All voted in favor.

While discussing Service Permits, Gloria commented that emergencies, such as frozen/broken pipes, do not necessarily happen between 6:00 A.M. to 6:00 P.M. or only last for three hours. Nina mentioned problems with permits for babysitters on a regular or occasional basis, as well as pet sitters. Someone working second or third shift would need a babysitter more than three hours. Nina made a motion incorporating everyone's

proposed language. **Motion: We recommend Service Permits be 8 ½" X 11" laminated hang tags, color coded for service permits, registered as service permits, with the resident's address and permit number on the tag. There should be no restriction of hours of the day or length of parking time. There should be no cost associated with the tags for residents. They should be furnished as needed to residents.** Pat seconded the motion. All voted in favor.

The discussion of the proposed One Day Event passes centered on the problem of only ten being available to household—a small party. Nina combined everyone's points into a motion. **Motion: Strike the One Day Event Pass from the Guidelines. A resident would notify the City when a party was planned and request the number of passes needed.** Gloria seconded the motion. All voted in favor.

Throughout the discussions, members expressed concern about the cost of administering the proposed program, particularly from a staffing perspective. Joy described how the permits themselves could be inexpensive. Nina made a motion using Gloria's modified language. **Motion: It is recommended that the City Staff investigate other municipalities with similar parking regulations to ascertain those municipalities' staffing needs to institute their parking policies. The City Council should ask staff for an estimated cost for the implementation and operation of this program.** Pat seconded the motion. All voted in favor.

Tracey offered to discuss with Council the length of time it was taking the Committee to make recommendations on the Residential Parking Guidelines. She thought it would be fine. She also asked if the Committee could deal with Storage Bins and parking adjacent to driveways at the next meeting. Joy shared a photo of two storage pods that had been in a back yard for many months. Nina mentioned that the last time the driveway parking was discussed that several members were concerned about homeowners or someone the homeowner gives permission to, to be able to park across a driveway legally. That needs further research before the next meeting.

Nina made a motion to adjourn. Pat seconded the motion. The Meeting adjourned at 8:39.

Minutes submitted by Nina S. Faye, Secretary

Response of the Code Compliance Advisory Committee to the Residential Parking Guidelines. The following Motions have been voted on and passed by the Committee on March 18 and April 9, 2015.

- 1.) The eleven parking zones in the City have different needs, therefore a one size fits all solution will not be effective. The City should examine the needs of each zone and devise parking regulations that fit the needs of each zone.

- 2.) Shortening the time period that a non-permit holder is allowed to park in a residential parking zone would adversely affect the people living in those zones to have visitors, health care providers and contractors visit or work in their home. In addition this policy will create an undue burden on the blocks that do not have a residential parking zone, because the number of vehicles parking in those areas would increase dramatically. The city should leave in place the policy that non-permitted vehicles can park in a residential parking zone for 2 hours and indicate the "free" time on all residential signs.

- 3.) A two year parking permit is too short of a time. A four year cycle and staggering renewal dates would make it more manageable.

- 4.) We strongly recommend Health Permits be 8 ½" X 11" laminated hang tags, color coded for medical use, registered as health permits, with the resident's address and permit number on the tag. There should be no restriction of hours of the day or length of parking time. There should be no cost associated with the tags for residents. Health permits should be furnished as needed to residents.

- 5.) The Construction Permit section should be eliminated.

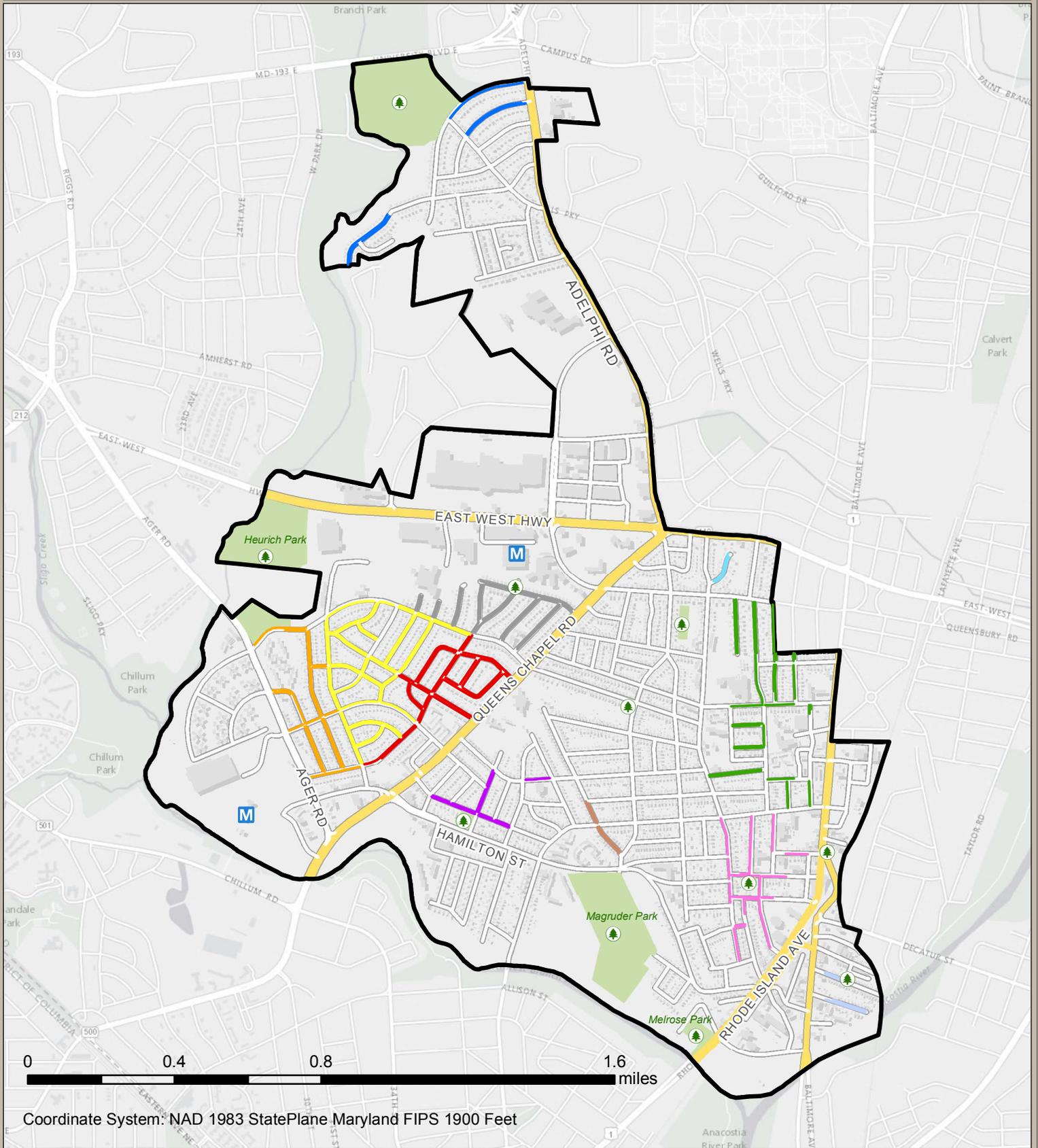
- 6.) We recommend Service Permits be 8 ½" X 11" laminated hang tags, color coded for service permits, registered as service permits, with the resident's address and permit number on the tag. There should be no restriction of hours of the day or length of parking time. There should be no cost associated with the tags for residents. They should be furnished as needed to residents.

7.) Strike the One Day Event Pass from the Guidelines. A resident would notify the City when a party was planned and request the number of passes needed.

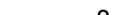
8.) It is recommended that the City Staff investigate other municipalities with similar parking regulations to ascertain those municipalities' staffing needs to institute their parking policies. The City Council should ask staff for an estimated cost for the implementation and operation of this program.

Residential Parking Zones

City of Hyattsville

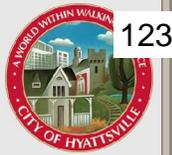


ZONE

	1		6		9A		11
	2		8		9B		12
			10		13		

Map Produced by Sandra Fuentes
August 20, 2014

Department of Community &
Economic Development
www.hyattsville.org
(301) 985-5000



Recommendation	Committee Recommendation Comments	Staff Comments	Budgetary Impacts
Void All Current Permits	The current parking permit system is ineffective and inefficient. All existing parking permits should become void on a scheduled date (set by the City), and residents in parking permit zones should be required to register for new permits by a specific date to avoid fines.	Concur. This will be an effective approach to managing and integrating a new Residential Parking Zone (RPZ) system.	Production Costs- to be determined (TBD)
Change the parking permit system to two-year renewal	Parking permits with no termination date are ineffective in a burgeoning City such as Hyattsville. Parking permits should be issued with two year renewal requirements.	Concur. An expiration schedule for permits is considered a "best practice". There will be an impact to participating residents, so we will need to ensure thoughtful implementation and communication to aide in the program's success.	Budget impact TBD. There will be additional staff time and cost to reproduce/upgrade permits. Cost and time will be determined by the quantity of new permits issued.
Eliminate allowance of two hour grace period before issuing parking tickets to parkers without residential parking permits in established permit zones	The use by Parking Compliance personnel of a two hour grace period before ticketing parked cars without parking permits in permit zones is a legacy practice from the Hyattsville Police Department. This is contrary to effective parking enforcement, wasteful of the City's resources in personnel time spent travelling to and from the locations to mark vehicle tires prior to ticketing, and impacts the ability of residents to park near their residences. As the two hour grace period is purely complimentary and does not exist in any regulatory language, the Committee recommends the use of this grace period be immediately eliminated	<p>This can be supported. Background: Section 114-28-I of the City Code defines Residential Parking Permit Area as a residential district where curbside parking on public streets and highways is limited to not more than two (2) consecutive hours per day, unless the vehicle properly displays a parking permit authorized by this Article IV. J. The City staff has historically administered this section of the code with the practice of permitting a two-hour grace period for non-permitted vehicles. The grace period was intended to allow visitors to park in a RPZ for a 'short' period of time without the need to secure and display a visitor permit.</p> <p>We concur that the practice of a 2-hour grace period diminishes the effectiveness of an RPZ and impacts the Staff's ability to effectively administer the program if they do not return within the appropriate window. It has also proven to be an inconvenience for residents. For example, Staff frequently receives reports of non-permitted vehicles parked in RPZs during restricted hours, but residents are advised that they have a 2-hour grace period. Other times non-permitted cars park leading into or out of a restricted time period. For example, if the RPZ restrictions are lifted at 8PM, a visitor could arrive at 6:15 without penalty until the restriction time expires.</p>	Could result in reduced personnel time and better time management.
Use the following metrics when issuing permits in parking permit zones:	<p>A. Within a designated residential parking permit zone, the overall number of permits issued by the City should be determined by Parking Compliance based on the total amount of available street parking, minus a 10 percent buffer for guest parking. In this way, the total number of permits issued to residents would vary based on the availability of parking spaces on their street. Each Hyattsville home in parking permit zones should be issued no more than two parking permits for on-street parking.</p> <p>B. The Parking Compliance staff should take the number of available off-street parking spaces (such as driveways and garages) into consideration when granting parking permits. Where street parking is limited, residents with off-street parking should be issued fewer permits.</p> <p>c. Parking permits should only be issued to Maryland registered vehicles, with the exceptions including but not limited to active duty military personnel and students.</p>	Staff generally concurs with this recommendation. Additional time will be needed to evaluate the quantity of unassigned permits and off street parking availability for each RPZ. Residents could feel penalized for having a driveway or garage.	This will be cost neutral during the phasing in of the new system.

Homeowners of rental properties should be required to collect all parking permits from their tenants upon termination of a lease.	Failure to do so should result in a limitation on, or elimination of, permits issued to future residents.	Staff is concerned about the City's ability to enforce this recommendation and the impact on future uses of the property/user in violation. It may be more effective to restrict parking permits for rental properties to a one-year renewal schedule.	TBD
Establish a clear policy for guest permits.	Issued guest parking permits should be easily identified, and every permit should have an expiration date. One-day permit sets should be issued to residents at the time residential parking permits are issued to a resident. There should be a policy for short term and long term guest parking determined by the Parking Compliance separate from "party" or "event" permits.	Concur. It is feasible to include in a 'Guest Permit' booklet one to two Guest Permits that are valid for a four (4) or five (5) day period of time. Additional short-term parking permits would be treated as a Special Permit request based on established administrative criteria.	There will be a minimal budget impact for the production of guest permit "booklets".
Address and account for the parking needs of businesses owned and operated by Hyattsville residents in residential neighborhoods with permit parking zones.	There are several permit parking zones within the City where businesses are mixed with private residences. Some City residents owning and operating these businesses may have executed building purchase or lease documents based on relaxed enforcement of permit parking requirements at the time of execution. Guest parking permits can be problematic for the clients of these business owners. The Committee recommends that such business owners be allowed to review with Parking Compliance personnel an option for a number of temporary parking passes for their customers based on the number of available parking spaces on their street as determined by Parking Compliance personnel, or other appropriate means such as parking meters.	This will require additional Staff review and input from the Council. We want to support our businesses, and believe it may be best to get their input on options. We could consider solutions that range from temporary parking passes, reserved spaces during business hours, or a combination of parking meters and/or zoned pay-by-phone designated areas.	TBD and will be based on the approved solution on a case by case basis.
Improve confusing permit parking signage	Parking permit zone signage is inconsistent relative to format, content, and display. The Committee recommends the following to ensure fair and effective enforcement: (a) improve the overall consistency of permit parking signage by color coding each zone, making certain that all signs have the zone number displayed; (b) clearly post the ordinance information; and (c) clearly display the applicable hours of enforcement.	Concur. The Parking Staff will coordinate the approved signage for phased implementation with the Department of Public Works.	The material cost for replacement of existing residential parking signage is approximately \$70,000.
Modernize parking enforcement with effective technology and additional Parking Compliance personnel.	The Committee researched the current state of enforcement and opportunities to improve enforcement effectiveness in parking permit zones. To ensure fair, speedy and effective enforcement in these zones, the Committee recommends that the City budget for the purchase of license plate readers for use by Parking Compliance personnel, and additional Parking Compliance personnel.	Concur. The City's new parking vendor, Passport Parking, has the capacity to integrate with Automated License Plate Reader (ALPR) technology.	The unit cost of Automated License Plate Reader (ALPR) is approximately \$14,500 and will be requested in the FY2018 budget.
The City should publicize to City residents the process available for addressing parking concerns.	The City's residents would benefit from preparation and distribution of helpful information on how residents can address parking concerns on their streets; how to ask for and obtain new permit parking zones; how to obtain guest passes; and how the City enforces parking in permitted areas. The Committee recommends that the City Council authorize the Parking Compliance Department to prepare and distribute this information.	Concur. A local "Parking" guide will be produced as part of the City's FY2018 budget and will include both residential parking and metered parking information. The guide will include a summary of all rules and regulations regarding parking. The City will also conduct outreach to residents impacted by the RPZ changes.	TBD. Funds to produce a guide will be requested in the FY2018 budget.
Convert narrow two-way streets to one-way streets, using a one-way pairing rationale.	Based on safety concerns for residents, the City should study and convert some two-way streets to one-way streets based on the width of the streets as determined by an expert. This would allow for additional parking availability to residents.	The City recently utilized this approach to resolve a residential parking demand issue on 4000 block of Gallatin Street. A comprehensive transportation management study will be conducted this year and will assess the street grids, traffic flow, parking availability and make recommendations for changes.	The majority of the recommended and approved modifications will be requested in the FY2019 Capital Budget.

<p>The City should create more public parking lots.</p>	<p>Additional parking solutions should be evaluated by the City near religious institutions, schools, and businesses with limited parking availability. Special parking accommodations could be made in nearby public and private parking areas to handle overflow parking during special events or scheduled services without affecting parking availability to residents near their homes.</p>	<p>Concur. The City has actively pursued the activation of City-owned property for use of public parking facilities.</p>	<p>Cost and impact will be evaluated on a case-by-case basis.</p>
<p>Residential streets without the benefit of sidewalks pose safety risks for pedestrians and should be considered for sidewalk installation.</p>		<p>Concur. The City continues to review sidewalks, connectivity, curbing, and crosswalks to improve safety. The City recently implemented a new Sidewalk Policy which addresses the requirements and process.</p>	<p>Funds are budgeted annually for this purpose.</p>



Hyattsville City Council Agenda Item Report

Meeting Date: December 19, 2016

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Ordinance

Agenda Section: Discussion Items (8:40 p.m. – 9:35 p.m.)

SUBJECT

Hyattsville Ordinance 2016-03: Revisions to Chapter 8, Elections Code (15 minutes)

Motion #

Discussion Only, Scheduled for Action on 1/9/17

Recommendation:

Sponsor(s):

At the Request of the City Administrator

ATTACHMENTS

[Chapter 8 Elections_121516 DRAFT.pdf](#)

Summary Background:

On January 4 and February 10, the Council held initial discussions on proposed changes to Chapter 8, Elections Code. Further discussions and action were held until a determination was made regarding the proposed Charter Amendment for qualifications of voters.

The proposed updates to Chapter 8 of the Code reflect changes in the Charter regarding qualifications to vote and to make explicit the authority of the Board of Supervisors of Elections, to provide for a Supplemental Voting Registry, to add a list of definitions and duties so as to clarify the elections law, to specify minimum times for the polls to be open, to adjust campaign finance reporting deadlines to reflect early voting dates, to specify certain rules and regulations and limitations regarding campaign finance and to outline a complaints procedure for elections law violations.

Additionally the proposed ordinance recommends a change in terminology from Absentee Ballot to Vote-by-Mail. The City has allowed voters to apply for absentee ballots with no excuse for many election cycles. The change in terminology to Vote-by-Mail more accurately describes the process, clarifying for voters who may believe the term "absentee" requires them to be out of town on Election Day to use this form of voting. The Election Board utilized the Vote-by-Mail term for the 2015 election and experienced a 47% increase in absentee ballot applications from the 2013 Election.

The Council held further discussions on the proposed ordinance on November 21 and December 5. Attached is an updated draft of the ordinance based on the December 5 Council discussion. Major changes are summarized below.

8-18 Maximum campaign contributions (changed to \$500)

8-18 Deleting most of the relaxed finance reporting for candidate with less than \$1,500

8-34 Increasing the penalty for voter fraud to \$1,000

8-40 Time to file complaints (changed to 180 days)

Next Steps:

The item is tentatively scheduled for action on January 9, 2016. Upon adoption, the Election Board will make the necessary modifications to the Board of Elections Rules and Regulations and work with City staff to update election materials for the upcoming 2017 City Election.

Fiscal Impact:

The new Elections Coordinator position will help to support the implementation of the ordinance.

City Administrator Comments:

Recommend Support

Community Engagement:

The Board of Elections will publish updated elections materials reflecting adopted changes in advance of the 2017 election.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

Complete

**CITY OF HYATTSVILLE
ORDINANCE 2016-03**

An ordinance whereby the City Council updates chapter 8 of the Code to reflect changes in the charter regarding qualifications to vote and to make explicit the authority of the Board of Supervisors of Elections, to provide for a Supplemental Voting Registry, to add a list of definitions and duties so as to clarify the elections law, to specify minimum times for the polls to be open, to change Absentee voting to Vote-by-Mail, to adjust campaign finance reporting deadlines to reflect early voting dates, to specify certain rules, and regulations and limitations regarding campaign finance, and to outline a complaint procedure for election law violations.

WHEREAS, Maryland Annotated Code, The Local Government Article, Section 5-202 grants to municipal corporations of the State of Maryland, including the City of Hyattsville, the power to protect the health, comfort, and convenience of their citizens; and

WHEREAS, the Mayor and City Council deem it in the best interest of its citizens to update the elections law to reflect early voting, City-Only Supplemental Voter Registry, voting and participation in elections, and define the powers of the Board of Supervisors of Elections.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hyattsville in regular session assembled that Chapter 8 of the Hyattsville Code is hereby amended to read as follows:

**Chapter 8
ELECTIONS
ARTICLE I**

General Election Procedures

- § 8-1. Definitions, and Powers and Duties of Board.
- § 8-2. Election Day, Advance Voting Day, **Vote-By-Mail**~~Absentee voting~~.
- § 8-4. Qualifications for Registration Officers, Clerks and Judges of Elections; oath of office and Applicability.
- § 8-8. Contests and appeals.
- § 8-9. Runoff elections.
- § 8-10. Campaign materials; authority line; penalty.
- § 8-11. Provisional voting.
- § 8-12. Registration of Voters for City-Only Supplemental Voter Registry.**

**ARTICLE II
Campaign Finance**

- § 8-15 Reports Required.
- § 8-16 Deadline for filing reports.
- § 8-17 Form; Affirmation of report.
- § 8-18 Special reporting requirements.
- § 8-19 Appointment of Campaign Treasurer.
- § 8-20 Failure to appoint a treasurer or file reports.
- § 8-21 Restrictions on Campaign Contributions.
- § 8-22 Restrictions on Use of Campaign Funds.
- § 8-23 Penalties.

ARTICLE III

Vote-by Mail Absentee Ballots

- § 8-27 Application Form for **Vote-By-Mail Absentee** Ballot.
- § 8-28 Contents of Application for **Vote-By-Mail Absentee** Ballot.
- § 8-29 **Vote-By-Mail Absentee** Ballots; Review of Applications, Delivery and Maintenance of Records.
- § 8-30 Form and Contents of **Vote-By-Mail Absentee** Ballots.
- § 8-31 Instructions to voters.
- § 8-32 **Vote-By-Mail Absentee** Ballots; Procedure for Assistance.
- § 8-33 Procedure for Counting and Canvassing **Vote-By-Mail Absentee** Ballots.
- § 8-13 Penalty.

ARTICLE IV

Complaints

- § 8-40 Filing Procedure for Complaints.
- § 8-41 Investigation of Complaints.
- § 8-42 Procedure When Violation of Chapter Not Found.
- § 8-43 Procedure When Violation of Chapter is Found.
- § 8-44 Board Hearings Generally.
- § 8-45 Board Action When Violation of Chapter Not Found.
- § 8-46 Board Action When Violation of Chapter Found.

[HISTORY: Adopted by the Mayor and Council of the City of Hyattsville 12-1-69. Section 8-7C amended at time of adoption of Code; see Ch. 1, amended 02-20-07 by HO-2007-03
General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

- Registration, nominations and elections - See Charter, Art. IV.
- Administration of government - See Ch. 4.
- Code of Ethics - See Ch. 10.

ARTICLE I

General Election Procedures

§ 8-1. Definitions, and Powers and Duties of Board.

A. As used in this chapter, the following terms shall have the meanings indicated unless a contrary meaning is clearly intended from the context in which the term appears:

Board: Board of Ssupervisors of Eelections for the Ceity.

Candidate: Individual who seeks nomination for election, or seeks election, to City office.

Contribution: A gift, in-kind, contribution, or promise of gift of money, donated to any candidate or representative or political committee.

Contributor: Any person who makes a contribution or expenditure of cash or in-kind contribution to or on behalf of a candidate or political committee.

Election: General or special elections, referenda, or other questions at any election held by the City.

Expenditure: Any transfer, disbursement or promise of money or valuable thing (in-kind contribution), by a candidate, treasurer, or other agent of such candidate, or political committee to promote or assist in the promotion of the success or defeat of a candidate or proposition submitted to a vote at any election.

Foreign National: A foreign government, foreign political party, foreign corporation, foreign association or partnership. A United States citizen living abroad and an immigrant with a green card shall not be considered a foreign national.

In-kind contribution: Anything of value, other than a gift or promise of money, donated to any candidate or representative, or a representative of any political committee, to promote or assist any candidate, political committee, or proposition submitted to a vote of any election.

Person: A corporation, business, other legal entity, or an individual.

Political committee or “committee”: Any combination of two (2) or more persons formed in any manner, which independently collects or expends a cumulative amount of one hundred dollars (\$100.00) or more to assist in the promotion of the success or defeat of any candidate or slate of candidates for City elective office or any cause to be submitted to the voters.

Report: A report of expenditures, loans, and contributions (in-kind or cash) received by any candidate or political committee.

Surplus campaign funds: Funds left in a candidate’s account after the election is certified and all campaign debts, including all loans, have been paid.

Treasurer: Any person appointed by a candidate or political committee to receive or disburse money or other things of value to promote or assist in the promotion of any candidate or proposition.

Vote-by-Mail: shall include the process whereby voters make application for and submit completed ballots by either mail or in person drop off at a location authorized by the Board.

B. Powers and Duties of the Board of Supervisors of Elections.

In addition to any power, duty, or responsibility provided in the City Charter, the Board of Supervisors of Elections shall be in charge of all City elections. The Board shall:

- (1) Issue and maintain all election records in a separate filing system provided by the City.
- (2) Provide for the nominations for elected City officers and verify the eligibility of election candidates, which includes reviewing and certifying petitions for office as outlined in this chapter, and verifying that such candidates are residents of the City.
- (3) Provide, receive, review, and certify that campaign reports from candidates are timely and complete as outlined in the Elections Code.
- (4) Coordinate Ceity staff, with the approval of the City Administrator, to assist and support the Board in its official duties.
- (5) Provide for voting by ~~Vote-By-Mail~~ ~~voting by absentee~~ ballot and provisional ballot.
- (6) Validate the authenticity of returned ~~Vote-By-Mail~~ ~~absentee~~ ballots and completed provisional ballots.
- (7) Provide a form for the certificate of polling place challengers and watchers.
- (8) Select and train election judges to assist in the operation of the polling places ~~on~~ for City elections ~~day~~. The Board shall also oversee the operations of the polling places.
- (9) Issue the official election ballot.
- (10) Keep, maintain, administer, and update the City Supplemental Voter Registry and accept, examine, and, as appropriate, approve registration applications for the Supplemental Voter Registry.
- (11) Certify all election results.
- (12) Provide for recount of ballots.
- (13) Administer and enforce all election laws.
- (14) Conduct, as necessary, administrative review. The Board shall investigate and/or conciliate any written complaints and shall hold hearings and make determination on any alleged violations of the elections provisions of the Charter or elections ordinance of the City Code. The Board shall promptly inform the City Administrator of any hearing. The Board, when conducting an administrative review, shall be granted the following powers to:
 - a. Investigate complaints filed with the Board of matters of election practices or other matters within the jurisdiction of the Board.
 - b. Dismiss complaints.

- c. Conciliate complaints.
- d. Summon concerned parties to hearings.
- e. Conduct hearings.
- f. Adopt rules and procedures for the conduct of hearings.
- g. Implement enforcement actions, which include cease and desist orders, and the ability to make recommendations to the City Administrator to impose civil penalties not to exceed one thousand dollars (\$500.00). The Board shall have the power to seek judicial enforcement of its decisions by application to courts of competent jurisdiction for injunctions, mandamus, and other appropriate judicial review when conducting an administrative review. The Board may also refer complaints to the Office of the State's Attorney for prosecution as the circumstance may warrant.
- h. Hearings conducted by the Board shall be open to the public. Unless otherwise provided, the City Attorney shall advise the Board. Either the complaining party or the respondent may request, in writing, a closed hearing. However, unless the Board finds a compelling reason to close the hearing (and closing is allowed by State law), the request shall ordinarily be denied. The deliberations of the Board shall not be public. The Board shall have the power to summon all witnesses it deems necessary. The hearing shall be held not less than seven (7) days, unless the Board determines that emergency circumstances require an earlier hearing, and not more than thirty (30) days after service of the statement of charges and summons. The summons so issued must be signed by the chairperson of the Board or a designee and shall require the attendance of named persons and the production of relevant documents and records. Failure to comply with a summons shall constitute violation of this chapter and subject to penalty pursuant to §8-34 of this chapter. The complaining party or parties and the respondent may, at their option, appear before the Board in person or by duly authorized representative(s) and may have the assistance of an attorney. The parties may present testimony and evidence that shall be given under oath or by affirmation. The Board shall keep a full record of the hearing. If the hearing is public, the record shall be open to inspection by any person, and, upon request by any principal party to the proceeding, the Board shall furnish such party a copy of the hearing record, if any, at such charges as are necessary to meet costs. The Board may extend the time for any hearing and the issuance of any finding, opinion, and orders. The Board has the power to adopt rules and procedures with reference to the conduct and manner of these proceedings.

§ 8-2. Election Day, Advance Voting Day, Vote-By-Mail Absentee voting. [Amended 2-9-09 by HO-2009-04]

A. Election Day for Special Elections and referenda shall ordinarily be done on a Tuesday as set by the City Council.

B. If the City Council or Board of Supervisors of Elections provides for an advance voting day in any referendum or Election, **ordinarily**~~unless otherwise directed~~, the Saturday

immediately before Election Day shall be an advance voting day when the polls shall be open to qualified voters at the times and places specified and advertised by the Board of Supervisors of Elections. The polls shall be open for a minimum of eight (8) hours on any advance voting day **that occurs on a weekend and at least four (4) hours on advance voting days on a weekday. In no event will an advance voting date be set more than fifteen (15) days before Election Day.**

C. Any person qualified to vote in the Election may **use a Vote-By-Mail** absentee ballot, but only pursuant to the provisions of this Chapter.

§ 8-4. Qualifications for Registration Officers, Clerks and Judges of Elections; oath of office and Applicability. [Added 5-3-76; Amended 2-6-89 by HB No. 1-89]

A. Registration Officers and Judges and Clerks of Elections appointed by the City Council or by the Board shall be registered voters of the City ~~and citizens of the United States~~. They shall, before entering upon their duties, take the oath required by law for all registration and election officials.

B. This chapter applies to elections as defined in this chapter.

§ 8-8. Contests and appeals. [Added 5-3-76; Amended 2-6-89 by HB No. 1-89]

Contests concerning voting or the validity of any ballot under this chapter shall be decided by the Board of Supervisors of Elections. No ballot shall be rejected except by the unanimous vote of the entire Board. Any candidate or ~~absentee~~ voter aggrieved by any decision or action of such Board shall have the right of appeal to the Circuit Court for Prince George's County, Maryland. Such appeals shall be taken by way of petition filed with the court within five (5) days from the date of the completion of the official canvass by the Board of all the votes cast at any election and shall be heard de novo and without a jury by said court as soon as possible. There shall be a further right of appeal to the Court of Appeals, provided that such appeal shall be taken within forty-eight (48) hours from the entry of the decision of the lower court complained of, and all such appeals shall be heard and decided on the original papers, including a typewritten transcript of the testimony taken in such cases, by the Court of Appeals, as soon as possible after the same have been transmitted to said court. Said original papers, including the testimony, shall be transmitted to the Court of Appeals within five (5) days from the taking of the appeal.

§ 8-9. Runoff elections. [Added 5-5-86 by HB No. 3-86]

A. If, at any election directed by the Charter, any two (2) or more candidates for the office of Mayor or Councilmember who have received the highest number of votes shall have received an equal number of votes, or the vote upon any referendum shall result in a tie, a special election shall be ordered by the Board of Election Supervisors.

B. The special election shall be held within three (3) months of the election at which the tie vote occurred, ~~-shall be only for~~ **include** those offices for which the equal number of votes was cast or referendum questions which resulted in a tie vote, and shall be conducted in the same manner as provided in the relevant sections of Article IV of the Charter.

§ 8-10. Campaign materials; authority line; penalty. [Added 2-20-2007 by HO-2007-03]

A. For the purposes of this Code, "campaign material" means any material that:

- (1) Contains text, graphics, or other images;

(2) Relates to a candidate, a prospective candidate, or the approval or rejection of a question; and

(3) Is published or distributed to anyone by, at the request of, or under the authority of, a candidate **or committee**.

B. Except as otherwise provided in this section, each item of campaign material shall contain, set apart from any other message, an authority line that states the name and address of the person, treasurer, or campaign manager responsible for the publication or distribution of the same.

C. The authority line need state only the name and title of the responsible person if:

(1) The name and address of the responsible person has been filed with the City Clerk; or

(2) The campaign material item is too small to include all the information specified in paragraph (B) of this section in a legible form.

D. Any material that is published or distributed in support of or in opposition to a candidate **or referendum** without being directly or indirectly authorized by the candidate as provided above in Subsection (A)(3) may and ordinarily should include the following statement: “this message has been authorized and paid for by (name of payer or any organization affiliated with the payer). This message has not been authorized or approved by any candidate.”

E. It shall be unlawful for any person to knowingly publish or distribute for the purpose of influencing votes any materials with a false or incorrect authority line. Any person who violates this section shall be guilty of a misdemeanor and subject to the penalties including a **fine of up to** five hundred dollar (\$500.00) and/or imprisonment **not to exceed** thirty (30) days.

§ 8-11 . Provisional Voting. [Added 12-1-14 by HO 2014-09]

A. Eligibility. An individual is eligible to cast a provisional ballot if:

(1) The individual declares in a written affirmation under oath submitted with the provisional ballot that the individual is a registered voter in the State **or the City** and is eligible to vote in that election, and

(2)

(i) The individual’s name does not appear on the City’s election register or list of voters; or

(ii) An election official asserts the individual is not eligible to vote.

B. Application. Before an individual casts a provisional ballot,

(1) The individual shall complete and sign the provisional ballot application prescribed by the Board of Elections Supervisors, and

(2) The individual shall be given a data sheet on how the voter may obtain information on whether the vote was counted or not counted and the reasons therefore.

C. Locations and procedure. An eligible voter shall be issued and may cast a provisional ballot at a polling location on Election Day or at an early voting location during early voting.

D. Special envelopes. When voted, a provisional ballot shall either be enclosed in an envelope designated for such ballots or stored in an electronic format as specified by the Board of Elections.

E. Penalties. Any person who is convicted of violation of any of the provisions of this section or of making a false statement pursuant to an application for a provisional ballot shall be guilty of a misdemeanor and subject to a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for no more than six (6) months, or both.

F. Canvass of provisional ballots.

(1) The Board of Elections shall adopt regulations regarding the handling and canvassing of provisional ballots.

(2) An envelope of a provisional ballot shall not be opened until the Board of Elections has approved the provisional ballot application.

(3) The Board of Elections may not reject a provisional ballot except by unanimous vote.

(4) The Board of Elections shall reject a provisional ballot if:

(i) The individual is not qualified to vote in the election;

(ii) The individual failed to sign the oath on the provisional ballot application;

(iii) The individual cast more than one (1) ballot for the same election; or

(iv) The provisional ballot is marked by an identifying mark that is clearly evident and can be used to identify the ballot.

(5) The Board of Elections shall establish a system that any individual who casts a provisional ballot may access whether the ballot was counted.

§ 8-12. Registration of Voters for City Only Supplemental Voter Registry.

A. Pursuant to the City Charter, the Board shall maintain a supplemental voter registry of those voters who are not registered to vote under the State Universal Registration Act. Any such voter qualified under C4-1, who is at least 16 years of age, has the City of Hyattsville as the applicant's primary residence, has resided within the corporate limits of the City for thirty (30) days, does not claim the right to vote elsewhere in the United States and has not been found by a Court to be unable to communicate a desire to vote, is eligible to register for the City Supplemental Voter Registry.

B. Procedures. Any person qualified to register to vote shall complete a City Registration Application, which shall be under oath and signed by the applicant. The applicant shall submit to the Board documentary proof as outlined in subsection C below ~~that the applicant meets the above qualifications to be on the City Supplemental Voter Registry.~~ Upon approval of the documentation, the Board shall register the applicant on the City Supplemental Registry.

C. Required identification and proof of residence. The following documents shall be considered acceptable to establish the qualifications for registration:

(1) Current photo identification or an identification card issued by a federal, state, or local government entity of the United States or any foreign country or school provided the identification document contains a photograph or identifying information such as

name, date of birth, gender, height, or eye color. Examples of acceptable documentation include a United States or foreign passport, visa, alien registration card, driver's license, Motor Vehicle Administration identification card, military identification, or school ID with photo; or

(2) Documents that establish current residency, if not already established by the documents above. Examples include a copy of a deed, house or apartment lease, utility bill, paycheck, bank statement, school record, or other official or government document that shows name current address in the City; or

(3) If the applicant is unable to provide the acceptable identification or proof of residence as recited above, it shall be acceptable proof if the applicant submits an affidavit on a form provided by the City Clerk attesting to the qualifications. The affidavit shall contain the following information:

- (i) the applicant's name and residence address including street and number;
- (ii) a statement that the applicant meets the registration requirements of the City Charter to be a qualified voter in the City;
- (iii) that the address on the application is the applicant's ~~his or her~~ primary residence;
- (iv) the applicant has lived in the City of Hyattsville for at least thirty (30) days; and
- (v) the applicant does not claim the right to vote elsewhere in the United States.

The affidavit shall be executed under the penalties of perjury.

ARTICLE II

Campaign Finance

[Added 4-9-07 by HO-2007-07]

§ 8-15. Reports required. [Amended 12-1-14 by HO 2014-10]

A. Each candidate for the Office of Council or Mayor and the candidate's designated campaign treasurer shall file with the City Clerk reports as specified below ~~which~~ **that** shall list individually each and every contribution and expenditure **as defined in this chapter** in furtherance of the candidate's nomination and election. The reports shall also include a total amount of all contributions.

B. Any political committee making expenditures in excess of one hundred dollars (\$100.00) to assist in the promotion of the success or defeat of any candidate or slate of candidates for elective office or to advocate a position on any cause to be submitted to the voters, shall file reports in accordance with this Article.

C. Unless otherwise provided, any report shall include contributions received or expenditures made by the candidate, ~~or made by~~ any other person with the knowledge of the candidate, ~~or~~ the candidate's treasurer, **or any person acting on behalf of a political committee.** Reportable contributions and expenditures shall include cash, campaign signs, brochures, postage, advertisements, professional services (*i.e.*, the entity or person is or has been compensated for similar services regularly on a full or part-time basis outside of the campaign), and any other material used for the campaign.

D. All reports filed shall be available for examination by any member of the public during normal office hours of the City Clerk.

E. **All candidates/committees shall file their campaign finance reports as herein provided as well as with the State Board of Elections.**

F. In this Article II the term “candidate” shall include any individual who has not registered as a candidate, but is actively running for elected office in a City election, or any individual who shall be declared as elected by the Board of Supervisors of Elections. **The Board shall determine the applicant’s campaign finance report(s) to be filed by such a “candidate.”**

§ 8-16. Deadline for filing reports; Review by Board.

A. **When there is no advance voting day, the following deadlines for campaign reports shall apply:**

1. **Initial Report** - An initial report shall be filed on the 15th day preceding the election day and shall include all reportable contributions and expenditures made since the last preceding election.

2. **Second Report** - A second report shall be filed on the 7th day preceding the election day and shall include reportable contributions and expenditures made since the last preceding election.

3. **Third Report** - A third report shall be filed on the 7th day following the election day and shall include all reportable contributions and expenditures made since the last preceding election.

B. **When there are advance voting days, the following deadlines for campaign reports shall apply:**

1. **Initial Report** - An initial report shall be filed on the 5th day preceding the first advance voting day and shall include reportable contributions and expenditures made since the last preceding election.

2. **Second Report** - A second report shall be filed on the 7th day preceding the election day and shall include reportable contributions and expenditures made since the last preceding election.

3. **Third Report** - A third report shall be filed on the 7th day following the election and shall include reportable contributions and expenditures made since the last preceding election.

C. **Further Reports** - If a final report reflects a cash balance, unpaid bill(s), or a deficit greater than five hundred dollars (\$500.00), an annual report shall be filed on or before December 31 of each year, until the cash balance, unpaid bill(s), or deficit is eliminated and a report reflecting such is filed with the City Clerk’s Office. Each report filed shall include all contributions and expenditures made or received since the previous report.

D. Reports must be filed **at the office of the City Clerk** by 5:00 p.m. of the day they are due.

E. **The Board shall appoint an individual or individuals with some expertise in reading financial statements to promptly review all reports filed. This person shall notify the**

Board of any irregularities, discrepancies, or errors; recommend action to the Board; and attempt to assist the persons reporting to correct any deficiencies.

§ 8-17. Form; affirmation of report.

A. The reports shall be made on forms or in a format provided by the City Clerk and approved by the City Attorney. The reports shall be subscribed and sworn to (or affirmed) by the candidate and by the candidate's treasurer, **or by the officers of a political committee, and shall include the receipts for all expenditures, dates, amounts, and information to identify each contributor and recipient of funds.**

B. Each report shall include any balance remaining from the last reporting period (including prior elections), as well as all contributions received and expenditures made from the day of the filing of the last report (if any) through the day preceding the filing of the report.

§ 8-18. Special reporting requirements.

~~A. **Family contributions**~~ - a report need not identify separately the campaign contributions made by the candidate or the candidate's spouse or domestic partner but may aggregate such under one line or total.

~~B. — In a case where the total contributions for the campaign (excluding contributions by the candidate, or the candidate's spouse/domestic partner) are less than fifteen hundred (\$1,500.00) dollars for a Councilmember candidate or five thousand (\$5,000.00) dollars for Mayoral candidate, the candidate may file an abbreviated report that attests under oath that the contribution limits outlined herein were not exceeded, and states the total contributions, the contributions outlined in subsection (a) above, and the contributions outlined in section 8-15. **Nothing in this section 8-18 waives the requirements of reporting all expenses.**~~

§ 8-19. Appointment of Treasurer.

A. Each candidate **or political committee** shall appoint one treasurer and shall file the name and address of the treasurer, together with the treasurer's acceptance of the appointment in writing, on a form provided by, and returned to, the City Clerk, no less than thirty (30) days ~~prior to~~**before** the election. **In the event of the resignation of an appointed treasurer, the candidate or committee must immediately inform the Board and shall within seventy-two (72) hours appoint a new treasurer and so inform the Board in writing.**

B. A candidate **or member of the political committee** may serve as the treasurer so long as the candidate **or committee** has not received and does not intend to receive a total of reportable contributions more than fifteen hundred dollars (\$1,500.00) excluding contributions **to a candidate's campaign if made** by a candidate or the candidate's spouse.

C. In the event the contributions exceed the amount in subsection (b) immediately above, the candidate **or committee** must report such to the eCity eClerk, and appoint a treasurer and file the appropriate form within two (2) days.

§ 8-20. Failure to appoint a treasurer or file reports.

A. The Board ~~of Election Supervisors~~ or the Clerk shall promptly send a written notice to any candidate **or committee** who fails to appoint a treasurer or to file timely campaign finance reports. Such notice shall be posted on the City's website and on the City's bulletin board.

B. The Board of Election supervisors is responsible for ensuring that all forms and campaign finance reports are in substantial compliance with this chapter. If the Board identifies a reporting inaccuracy or deficiency, ~~they~~ **it** shall notify the candidate and candidate's treasurer in writing. A corrected report shall be filed within seven (7) days of such notice, unless the Board waives such inaccuracy or deficiency for good cause, with or without a hearing.

C. Failure to file a corrected report within seven (7) days after a notice from the Board or the City Clerk is sent shall render the report overdue.

§ 8-21. Restrictions on Campaign Contributions.

A. Maximum contribution. The maximum contribution per contributor for any one candidate or committee shall be no more than five hundred dollars (\$500.00) for any City election. No candidate or political committee may accept money from any contributor if the contributor has previously contributed five hundred dollars (\$500.00) to the election or issue.

B. Maximum contribution. No candidate or political committee or any person acting on behalf of a candidate or political committee may accept a contribution in excess of five hundred dollars (\$500.00) from any one person (or entity) in any election.

C. Prohibitions. No candidate or political committee shall accept any contribution from a(n) (1) anonymous contributor or (2) foreign national as defined in Section 8-1. Any such contribution shall be promptly paid over to the City to be used for any public purpose.

D. Candidate and spouse contributions. The contributions of a candidate or the candidate's spouse to the candidate's own campaign shall not be subject to the limitations of this Section 8-21, but monetary contributions must pass through the candidate's campaign account and be reported.

E. Separate campaign account. When the contributions received by a candidate or political committee exceed a total of two hundred dollars (\$200.00), all funds must be deposited in a campaign account opened with a financial institution and such funds must not be commingled with any other funds or accounts.

F. Loans for a campaign.

(1) A loan to a candidate is considered a contribution unless: (a) the loan is from a financial institution or other entity in the business of making loans or (b) the loan is to the candidate and repayment is personally guaranteed by the candidate and is due within one year of the date of the loan.

(2) A loan by the candidate or spouse is exempt from the requirements of this subsection.

(3) The total amount of all loans to a candidate or committee for any election shall not exceed five thousand dollars (\$5,000.00). Amounts spent by candidate of their own money shall not be limited by this subsection.

§ 8-22. Restrictions on Use of Campaign Funds.

A. No cash withdrawals shall be allowed.

B. Campaign funds shall not be used to pay a fine for a violation of this Chapter.

C. No person other than a candidate, treasurer, political committee, or other agent with specific written authorization by the candidate or political committee, shall make an expenditure from the campaign account.

D. Disposition of surplus funds. After an election, a candidate or political committee may retain surplus funds or surplus funds may be disposed of as follows:

(1) Returned, pro rata, to the contributors by the treasurer; or

(2) Paid to a charitable organization registered pursuant to Article 41, Section 103B, of the Annotated Code of Maryland, as amended, or to a charitable organization exempt from such registration pursuant to Article 41, Section 103 of the Annotated Code of Maryland, as amended; or

(3) Paid to a local board of education or to a recognized nonprofit organization providing services or funds for the benefit of pupils or teachers; or

(4) Paid to any public or private institution of higher education in the state for scholarship or loan purposes.

§ 8-23. Penalties. [Amended 12-1-14 by HO 2014-10]

A. The City Ethics Commission shall have non-exclusive jurisdiction to investigate and decide any violations of this Article II. **The City Administrator shall monitor and make appropriate recommendations to the Board and the Ethics Commission in the event of duplicative hearings.**

B. The penalties recited in this section are cumulative so that the imposition of one or more of the penalties does not preclude the imposition of any other penalty outlined in this section.

C. A candidate shall not be seated and sworn as an elected official and shall not receive a salary until all reports required by this chapter are filed in compliance with the requirements of this Chapter as well as all reports required by the City's Ethics Ordinance.

D. In addition to any other penalty or sanctions the City Council may, after notice and/or hearing, impose such censure or penalty on the person elected who has violated this Article that the Council deems reasonable and appropriate including a refusal to seat the individual, removal from office, and a declaration that the seat is vacant.

E. It shall be a misdemeanor for any person, including a treasurer or candidate for public office, to willfully violate or cause or allow a violation of this Article II. Upon conviction, a fine of up to one thousand dollars (\$1,000.00) may be imposed by the Court.

F. The Board may impose a fine of two hundred (\$200.00) dollars on any unsuccessful candidate and the candidate's treasurer if the final report as described in section 8-14 above is more than seven (7) days late. The Board shall have the power to waive or reduce the penalty for good cause with or without a hearing.

G. The Board may at its discretion choose not to qualify as a candidate any individual who in any previous campaign as a candidate has not filed all required reports. The Board shall not qualify as a candidate anyone who has consistently failed to observe any required procedures regarding election in previous campaigns. The Board shall have

discretion to consider any mitigating circumstances in any ruling on a candidacy. Appeals to Board action shall be available pursuant to C-4-7 of the Charter.

ARTICLE III

Vote-by-Mail Absentee Ballots

§ 8-27. Application Form for Vote-by-Mail Absentee Ballot. [Added 5-3-76; Amended 12-19-83 by HB No. 15-83; 2-6-89 by HB No. 1-89, Amended 2-20-07 by HO-2007-03]

A. Printed forms of applications for **Vote-by-Mail absentee** ballots in accordance with the requirements of this chapter shall be provided by the Board and shall be available to any qualified voter.

B. The Board of Supervisors of Elections shall prescribe the forms of application for candidacy, **Vote-by-Mail absentee** registration and ballot, application for **Vote-By-Mail absentee** ballot by a registered voter, and related affidavits and statements for consideration by the Mayor and City Council as the Board deems necessary.

§ 8-28. Contents of Application for Vote-by-Mail Absentee Ballot. [Added 5-3-76; Amended 2-6-89 by HB No. 1-89; Amended 2-20-07 by HO-2007-03; Amended 2-9-09 by HO-2009-04]

A qualified voter desiring to vote at any election as an **Vote-by-Mail absentee** voter shall make an application, in writing, to the Board for an **Vote-By-Mail absentee** ballot. The application shall contain an affidavit, which need not be under oath but which shall set forth the following information under penalty of perjury:

A. The voter's name and residence address, including the street and number.

B. That the person is a qualified voter at the residence address given.

C. If the person voted at the preceding election, the residence address from which he or she voted.

D. The address to which the ballot is to be mailed, if different from the resident address.

§ 8-29. Vote-by-Mail Absentee Ballots: Review of Applications, Delivery and Maintenance of Records. [Added 5-3-76; Amended 2-6-89 by HB No. 1-89, Amended 2-20-07 by HO-2007-03; Amended 2-9-09 by HO-2009-04]

A. Rejection of application. Upon receipt of an application containing the affidavit, the Board shall reject the application only upon the unanimous vote of the entire Board and, when rejected, shall notify the applicant of the reason therefor, if it determines, upon inquiry, that the applicant is not legally qualified to vote in the election.

B. Delivery of ballot. If the applicant is a qualified voter as stated in ~~the his/her~~ affidavit, the Board shall, as soon as practical thereafter, deliver to ~~the applicant him/her~~ **the applicant him/her** at the office of the Board or mail ~~the voter's Vote-by-Mail ballot to the applicant him/her~~ **the voter's Vote-by-Mail ballot to the applicant him/her** at an address designated by ~~the applicant him/her~~ **the applicant him/her** as ~~an Vote-by-Mail absentee voter's ballot~~. If the applicant is one with respect to whom free postage privileges are provided for by any other federal law, rule, or regulation, the Board shall take full advantage of these privileges. In all other instances, postage for transmitting ballot material to voters shall be paid by the voters. If the ballots are to be sent by mail, the determination required in Subsection A of this section shall be made in

such time as will allow the sending and return of the ballots by regular mail, depending on the mailing address, and including at least one (1) day for marking the ballots and completing the affidavit.

C. Record of applications received and ballots delivered.

(1) The Board shall keep a record of applications for **Vote-By-Mail**absentee voters²ballots as they are received; showing the date received and the names and residence of the applicants, and such record shall be available for examination by any registered voter.

(2) After approval of an application for an **Vote-by-Mail**absentee ballot and the mailing/delivery to the applicant of an **Vote-by-Mail**absentee ballot, ~~then~~ the **approved applicant's** voters record card in the precinct binder shall be removed and placed in a separate binder marked "registered **Vote-by-Mail**absentee voters" and retained in the office of the Board. A marker shall be placed in the regular precinct binder with the voter's name and shall record the fact that an **Vote-by-Mail**absentee ballot has been mailed, which shall show the date on which the ballot was sent. No such voter shall vote or be allowed to vote in person at any polling place.

D. One (1) ballot per applicant. Not more than one (1) **Vote-By-Mail**absentee ballot shall be mailed to any one (1) applicant unless the Board has reasonable grounds to believe that the **Vote-By-Mail**absentee ballot previously mailed has been lost, destroyed, or spoiled.

§ 8-30. Form and Contents of Absentee Ballots. [Added 5-3-76; Amended 2-6-89 by HB No. 1-89]

A. Printing of ballots for **Vote-By-Mail**absentee voters, envelopes, and instructions. In sufficient time ~~prior to~~**before** any election, the Board shall have printed an adequate number of absentee ballots, the three (3) kinds of envelopes described in this section, and the instructions to **Vote-By-Mail** absentee voters as set out in ~~§ 8-9~~ of this chapter.

B. **Vote-By-Mail**Absentee ballots, ~~in~~at the discretion of the Board, will be in the form of paper ballots. The form and arrangement of all ~~such~~absentee ballots shall be as prescribed by the Board of Supervisors of Elections.

C. Format and printing of ballots. The ballots shall contain the words "**Vote-By-Mail**absentee ballot" printed in large letters in a clear space at the top of each paper ballot. Underneath these words shall be printed the following warning: "Mark ballot by placing X in proper blank after each candidate or question. Do not erase or make identifying mark." The designation of the election ward shall be left blank on paper ballots on the back and outside of said ballots, and such designation shall be filled in by the Board before being sent to any registered absentee voter. All candidates shall be listed by office and alphabetically within the office. Referendum questions shall follow the listing of candidates for all offices.

D. Envelopes. The Board of Supervisors of Elections shall prescribe the size, form, and printed content of the **Vote-By-Mail**absentee ballot material envelopes, providing for a covering envelope, a ballot envelope, and a return envelope.

§ 8-31. Instructions to voters. [Added 5-3-76; Amended 2-6-89 by HB No. 1-89; Amended 2-9-09 by HO-2009-04]

Printed Instructions. The printed instructions for the casting of **Vote-By-Mail** absentee ballots shall be prescribed by the Board of Supervisors of Elections, and it shall prescribe instructions for paper ballots.

Restrictions regarding Ballots. No completed ballot shall be handled or delivered by a candidate or an individual volunteering or working for a candidate except for ~~their~~his/~~her~~ own ballot or that of ~~their~~his/~~her~~ immediate family member or a member of ~~their~~his/~~her~~ household.

Delivery. Completed ballots during voting hours may be hand-delivered to the City Clerk's Office during normal business hours or to the Board of Supervisors of Elections during voting hours at the voting places on any Election day or advance of Election Day, or at a place and time designated by the Board of Supervisors of Elections for receiving such.

§ 8-32. Vote-by-Mail Absentee Ballots; Procedure for Assistance. [Added 5-3-76; Amended 2-6-89 by HB No. 1-89, Amended 2-20-07 by HO-2007-03; Amended 2-9-09 by HO-2009-04]

A. Application procedure for voting. Any qualified voter shall make application for an **Vote-by-Mail** absentee ballot as provided in this chapter. The completed application shall be filed in the office of the Board of Supervisors of Elections no later than 10:00 a.m. on the last day the City offices are open for regular business ~~prior to~~ before election Day. No completed application shall be handled, or delivered by a candidate or an individual volunteering or working for a candidate except for ~~their~~his/~~her~~ own application or that of ~~their~~his/~~her~~ immediate family member or a member of ~~their~~his/~~her~~ household. Upon receipt of a completed application, the Board shall mail or provide to the voter entitled thereto an **Vote-By-Mail** absentee ballot.

B. Assistance in marking ballot. Any otherwise qualified voter who is blind, physically challenged or impaired and is for one (1) of these reasons unable to mark ~~their~~his/~~her~~ absentee ballot and sign the required oath may be assisted in voting by any person selected by the voter. Any person rendering assistance pursuant to this subsection must execute the certification of the oath of person assisting **Vote-By-Mail** absentee voter form.

§ 8-33. Procedure for Counting and Canvassing Vote-By-Mail Absentee Ballots. [Added 5-3-76; Amended 2-6-89 by HB No. 1-89; Amended 2-9-09 by HO-2009-04]

A. Opening or unfolding ballots. The Board shall not open or unfold any **Vote-By-Mail** absentee ballot at any time ~~prior to~~ before the closing of the polls and the beginning of the canvass of the absentee ballots.

B. Procedure generally. No absentee ballot shall be counted if it is received by the Board of Supervisors of Elections after the closing of the polls on election Day. Immediately following the canvass of the votes cast at the regular voting places in the City on Election Day, the Board shall meet at the usual office of the Board and shall proceed to count, certify, and canvass the **Vote-By-Mail** absentee ballots contained in the ballot envelopes received ~~by it~~ ~~prior to~~ before the closing of the polls on Election Day. No ballot shall be rejected by the Board except by the unanimous vote of the entire Board. This canvass shall be conducted by ward in accordance with the applicable provisions of § C4-11 of the City of Hyattsville Charter. All **Vote-By-Mail** absentee voters' applications, certifications, ballot envelopes, and ballots shall be kept separate and apart from ballots cast at the regular voting places and retained for six (6) months after the date of the election at which they were cast, unless prior to

that time the Board shall be ordered by a Court of competent jurisdiction to keep the same for any longer period.

C. Ballot voted for person who has ceased to be a candidate. Any **Vote-By-Mail**~~absentee~~ ballot voted for a person who has ceased to be a candidate shall not be counted for such candidate, but such vote shall not invalidate the remainder of such ballot.

D. Death of voter before ~~E~~election ~~D~~day. Whenever any Board shall determine from proof of investigation that any person who has marked and transmitted or deposited in person with the Board an **Vote-By-Mail**~~absentee~~ ballot, whether under act of Congress or the provisions of this chapter, has died before election day, said Board shall not count the ballot of said deceased voter, but it shall be preserved by the Board for six (6) months and may then be destroyed. If, at or ~~prior to~~ **before** the time of such counting and canvassing, the Board shall not have determined that the ~~absentee~~ resident who marked a ballot had died before election day, said ballot shall be counted, and the fact that said **Vote-By-Mail**~~absentee~~ resident may later be shown to have been actually dead on election day shall not invalidate said ballot or said election.

E. Placement of ballots in **Vote-By-Mail**~~absentee~~ ballot box and entry in registry; more than one (1) ballot in envelope; marking ballots. If the Board determines that the provisions for filling out and signing the oath on the outside of the ballot envelope have been substantially complied with and that the person signing the voter's oath is entitled to vote under this chapter in any ward of the City, as the case may be, and has not already voted therein on election day, it shall open the ballot envelope and remove the ballot~~the~~ therefrom and place it in an **Vote-By-Mail**~~absentee~~ ballot box. When any ballot envelope is opened, the Board shall enter in the appropriate register the fact that the voter whose name appears thereon has voted, using the initials "**VBMAB**" to indicate the vote has been by a **Vote-By-Mail**~~absentee~~ ballot. If there is more than one (1) ballot in the ballot envelope, all shall be rejected. **Vote-By-Mail**~~absentee~~ ballots may be marked by any kind of pencil or ink.

F. More than one (1) ballot received from the same person. If the Board receives from the same person ~~prior to~~**before** the closing of the polls on ~~E~~election ~~D~~day more than one (1) **Vote-By-Mail**~~absentee~~ ballot, it shall count, certify, and canvass only the **Vote-By-Mail**~~absentee~~ ballot with the earliest date, or, if both are undated or dated the same, none of the ballots received from such person shall be counted.

§ 8-34. Penalty. [Added 2-20-07 by HO-2007-03]

Anyone who willfully signs any~~false~~ application, **affidavit**, or oath **containing false information** or who willfully does any act contrary to the terms and provisions of this chapter with **the** intent to cast an illegal vote or to aid another in doing so or who willfully violates any of the provisions of this ~~C~~chapter or who applies for a ballot under any other name than **their**~~his/her~~ own name shall be guilty of a misdemeanor and, upon conviction, be subject to a fine of not more than **one thousand dollars** ~~five hundred dollars~~ (**\$1000.00**) or to imprisonment of not more than ninety (90) days, or to both, at the discretion of the Court.

ARTICLE IV
Complaints

§ 8-40. Filing Procedure for Complaints.

Any candidate for office who believes they should be certified as elected by the Board and has not been certified, must file with the Board a complaint within seven (7) days of the Board's certification. Any person who is a qualified voter of the City and believes that a violation of this chapter or a provision of the City Charter has occurred, except for the question of the certification of a candidate by the Board, may file a written complaint with the Board of Supervisors of Elections. The complaint shall include all particulars of the allegation, and must be signed by the complaining party. Such complaint must be filed with the Board within one hundred and eighty (180) days of the date of the alleged violation.

§ 8-41. Investigation of Complaints.

After the filing of any complaint, the Board of Supervisors of Elections shall make such investigation as deemed appropriate to ascertain whether there are reasonable grounds to believe the allegation is true. The Board may request the City Administrator's assistance in this investigation.

§ 8-42. Procedure When Violation of Chapter Not Found.

If the Board of Supervisors of Elections, in investigating a complaint, determines there are no reasonable grounds to believe that a violation of this chapter has occurred, the Board shall issue a written order dismissing the complaint.

§ 8-43. Procedure When Violation of Chapter is Found.

If the Board of Supervisors of Elections, in investigating a complaint, determines there are reasonable grounds to believe that a violation of this chapter has occurred, the Board or its designee shall attempt to conciliate the matter by methods of initial conference and persuasion with all interested parties and such representative as the parties may choose to assist them. If a complaint is conciliated, the terms of the conciliation agreed to by the parties may be reduced to writing and incorporated into a consent agreement as needed.

§ 8-44. Board Hearings Generally.

If there are reasonable grounds to believe a violation of law has occurred and the case has not been conciliated, the Board shall serve upon the person against whom the complaint has been filed (designated as the "respondent") a summons and statement of charges shall be served upon all interested parties along with a notice of the time and place of the hearing. The respondent or an authorized representative may file such statements with the Board before the hearing date as deemed necessary in support of respondent's position.

§ 8-45. Board Action When Violation of Chapter Not Found.

If, at the conclusion of a hearing, the Board determines, upon the preponderance of the evidence of record, that the respondent has not violated this chapter or any applicable election law, the Board shall state and publish its findings and issue an order dismissing the complaint.

§ 8-46. Board Action When Violation of Chapter Found.

If, at the conclusion of a hearing, the Board determines, upon the preponderance of the evidence of the record, that the respondent has violated this chapter or any applicable election law, the Board shall state and publish its findings and issue an order. Such order shall require the respondent to cease and desist from such unlawful conduct, impose such conditions, mandates or prohibitions on any violator as the Board determines to be appropriate and may require the respondent to take corrective action. In addition, the Board may recommend to the City Administrator the imposition of civil penalties not to exceed one thousand dollars (\$1,000.00) as defined in this chapter.

Any order of the Board may be appealed to the Circuit Court for Prince George's County, Maryland within fourteen (14) days of issuance. Failure to comply with an order of the Board shall constitute a violation of this chapter subject to the penalties outlined herein.

AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect twenty (20) days from the date of its adoption;

AND BE IT FURTHER ORDAINED that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public.

INTRODUCED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on _____, 2016.

ADOPTED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on _____, 2016.

Adopted: _____

Attest: _____
Laura Reams, City Clerk

Candace B. Hollingsworth, Mayor

⊖ indicate deletions

/BOLD indicates additions

Asterisks * * * Indicate matter retained in existing law but omitted herein

Main City Calendar: December 20, 2016 – January 9, 2017

Weekly Program Offerings

Ageless Grace Senior Exercise Classes

Wednesdays, Thursdays and Fridays, 10:00 AM @ the City Administrative Building

City Calendar: December 20, 2016 – January 9, 2017

Environment Committee Meeting

December 22, 7:00 PM – 9:00 PM @ the City Administration Building

City Council Meeting

January 9, 8:00 PM – 10:00 PM @ 3rd Floor Council Chambers

2016/17 Holiday and New Year Schedule Changes

City offices will be closed on December 26 and January 2.

Those TWO weeks, changes to the Trash Collection Schedule are as follows:

- No Monday yard waste pickup (Dec. 26 & Jan. 2)
- Compost pickup will be on Tuesdays (Dec. 27 & Jan. 3)
- No scheduled leaf collection