



**MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL  
WILL BE HELD AT  
UNIVERSITY PARK ELEMENTARY SCHOOL  
4315 UNDERWOOD STREET  
7:30 p.m.  
February 3, 2020  
REGULAR SESSION**

**1. CALL TO ORDER: *Mayor Carey***

<b>Present:</b>	Brosch	<b>Absent:</b>	Brosch
	Schultz		Schultz
	Morrissey		Morrissey
	Verrill		Verrill
	Caskey		Caskey
	Wells		Wells
	Stephen		Stephen

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF THE AGENDA**

<b>Moved by:</b>	<b>Seconded by:</b>	
<b>Yea:</b>	<b>Nay:</b>	<b>Abstain:</b>

**4. PRESENTATION**

**A. HYATTSVILLE VOLUNTEER FIRE DEPARTMENT**

Hyattsville Fire Department Chief Josh Wortman, Deputy Fire Chief Ryan Pidgeon and Board of Directors Chair Mr. Stephen Hulick will discuss department services.

**5. CONSENT AGENDA**

**Motion:** To approve the following consent agenda item.

<b>Moved by:</b>	<b>Seconded by:</b>	
<b>Yea:</b>	<b>Nay:</b>	<b>Abstain:</b>

**A. BUILDING PERMIT APPLICATION TO INSTALL 4' FENCE**

**(Amber Watson and Alexander Stewart, 6609 Wells Parkway) Ward 4**

*To install a 4' fence, located on Lot 19, Block 22 and Section 7 at 6609 Wells Parkway.*

## 6. PERMITS

### A. PUBLIC HEARING

**Section 4-115. Special Exceptions**

The Common Council may consider an application for a special exception based upon a particular case or situation, and may approve the application provided that there is a showing of hardship, unique topography, unusual circumstances or safety considerations that warrant an exception. Special exceptions shall be granted by the Council only if it finds that such exception:

- (a) will not adversely affect the public health, safety, welfare or interest, nor the reasonable use of adjoining properties;
- (b) will not violate any covenants applicable to the property;
- (c) can be granted without substantial impairment of the purpose and intent of the Town building regulations;
- (d) will not interfere with or obstruct the visibility of motorists or cyclists; and
- (e) will not unduly impede the enforcement of any other applicable law. (Revised, effective December 12, 1989, February 28, 1998)

### A. BUILDING PERMIT APPLICATION WITH SPECIAL EXCEPTION FOR A 6' FENCE (Mathieu Greenwood and Gunita Singh of 4318 Clagett Pineway) Ward 5

A request has been made for a building permit to install a 100' section of non-conforming 6' fence on the rear property line located on Lots 69 and Block E at 4318 Clagett Pineway. This requires a Special Exception per Section 4-115 Sub-sections A-E of the Town Code. To approve a Special Exception, Council must make the requisite findings.

**Motion:**

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

## 7. PUBLIC COMMENT

## 8. CONTINUING BUSINESS

### A. ADOPT LEGISLATIVE RESOLUTION 2020-O-01: RESTRICTED PARKING AND RESTRICTED ENTRY ALONG UNDERWOOD STREET AND QUEENS CHAPEL ROAD NEARBY UNIVERSITY PARK ELEMENTARY SCHOOL *(Second Reading)*

**Motion:** To adopt Legislative Resolution 2020-O-01 to amend Town Code, Chapter 9 to restrict parking on the east (Baltimore Ave.) side of Queens Chapel Road for 95 feet north of Underwood, and on the south (Wells Run) side of Underwood for 93 feet east of Queens Chapel Road, Monday through Friday 7 a.m. to 9 a.m., and also prohibit entry onto Underwood eastbound (towards Baltimore Ave.) from Queens Chapel Road during those same hours as recommended by the Police, Traffic and Public Safety Committee.

*The earliest date this motion may be considered for passage is February 3, 2020.*

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

### B. ADOPT CHARTER RESOLUTION 20-CR-01: AMENDING ARTICLE V, “REGISTRATION, NOMINATIONS AND ELECTIONS, SECTION 503 “REGISTRATIONS” AND SECTION 506 “CANDIDATES FOR OFFICE” *(Second Reading)*

**Motion:** To adopt Charter Resolution 20-CR-01 to repeal and re-enact Article V, “Registration, Nominations and Elections”, Section 503 “Registration” and Section 506 “Candidates for Office” to clarify that qualified persons register to vote in the Town through Prince George’s County Board of Elections, delete the provision for a supplemental voter registration list, include the requirement for candidates to file a financial disclosure statement at the same time as the candidate petition, require that the candidate petition and financial disclosure statement be filed at least 29 days prior to the election, clarify the petition requirements for write-in candidates, delete outdated references, and make conforming and clerical changes.

*The earliest date this motion may be considered for passage is February 24, 2020.*

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

## 9. NEW BUSINESS

### A. APPROVE AMENDMENT TO UPPD GENERAL ORDER SECTION 402.1, *FOREIGN NATIONALS*

**Motion:** To approve amendment of the General Order Manual revising section 402.1, *Foreign Nationals* to provide instructions on dealing with issues of citizenship status.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**B. INTRODUCTION OF LEGISLATIVE RESOLUTION 2020-O-02: CHAPTER 2, ENACTING SECTION 114, *WELCOMING TOWN (Introduction)***

**Motion:** To approve introduction of Legislative Resolution 2020-O-02 to amend Town Code, Chapter 2 by enacting section 114, “Welcoming Town” to regulate how US Citizenship status information is obtained, used and retained, and to make provision for Town benefits and services without regard to US citizenship status.

*The earliest date this motion may be considered for passage is March 2, 2020.*

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**C. CONTRACT FOR THE INFRASTRUCTURE PROJECTS**

**Motion:** Per Section 2-105 (b) of the Town Ordinances, to override sealed-bid procedures for good cause and award a contract for approximately \$1 million to NZI Construction Corporation, 11601 Spruce Avenue, Beltsville, Maryland to repair concrete and asphalt infrastructure on streets impacted by the WSSC CHE Water Main Replacement Project, as well as sidewalk repairs needed on various streets throughout town, and to authorize the Mayor and Town Attorney on the behalf of the Town to negotiate and sign a contract with NZI Construction Corp. for such purchase. Good cause to override the sealed bid procedure is that the Town will “ride” an existing Prince Georges County unit cost contract executed in February of 2017 after a competitive bid process consistent with that adopted by the Town. Further, it will enable those streets which are not part of a group where new sidewalks are proposed and grant funding is being sought to be completed in 2020. Waiting for grant funding to begin construction would delay all construction until Summer 2022 and the grant requirements make it necessary to contract any grant-funded work separately. The current Prince Georges County contract expires in November 2020.

**Excerpt from Town Code Article 1, Section 2-105 – Duties of the Treasurer.**

(b) Purchasing. The Treasurer shall oversee all purchase orders. Except in situations where good cause has been demonstrated to the Council, the Treasurer shall make any single purchase or expenditure of more than ten thousand dollars (\$10,000.00) by means of sealed bids. Such bids shall be opened publicly after public notice at such time and place as the Treasurer shall determine. Whenever the State of Maryland, or any department thereof, or any Prince George’s County, or the Metropolitan Washington Council of Governments or individual member government, or other local government in Maryland, has conducted a competitive bid process that is consistent with that adopted by the Town, and has awarded a contract that authorizes local governments to purchase the bid item at the bid price, the Treasurer may purchase the bid item at the bid price from the successful bidder, subject to the prior approval of the Mayor.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**D. LETTER OF SUPPORT FOR LEGISLATION TO ADOPT ELECTRIC INDUSTRY – COMMUNITY CHOICE AGGREGATION ACT**

**Motion:** To authorize the Mayor to write and send a letter of support for SB315 and HB561 to adopt a Community Choice Aggregation (CCA) Act which would allow local governments the opportunity to negotiate with electricity providers on behalf of its residents creating more flexibility in negotiating the purchase of renewable energy at competitive rates.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**E. HELPING HANDS UNIVERSITY PARK (HHUP) FEDERAL GRANT OPPORTUNITY FOR SENIORS**

HHUP Chair Loretta Vitale Saks to discuss grant opportunity for seniors.

**Motion:** To consider the request for HHUP to participate in the Community Care Corporation grant application along with Aging in Place Prince George’s County to benefit University Park seniors.

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**10. APPROVAL OF MINUTES:** *January 27, 2020*

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**11. APPROVAL OF CLOSED SESSION MINUTES:** *January 27, 2020*

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**12. MAYOR AND COUNCIL REPORTS**

**A. MAYOR’S REPORT**

**B. COUNCIL AND COMMITTEE REPORTS**

**13. ADJOURNMENT**

**\*\* A Closed Session may be called \*\***

**Agenda Item 5A**  
**Watson/Stewart Building Permit Application**



# Building Permit Application

◆ The Town of University Park ◆

An incorporated municipality in Prince George's County, Maryland  
Town Hall, 6724 Baltimore Avenue, University Park, Maryland 20782  
Phone: (301) 927-4262 Fax: (301) 277-4548 Email: townhall@upmd.org

*For Office Use Only*  
Ward # 4 Date Received: 1/29/20  
Permit Application: Approved [ ]  
Rejected [ ]  
Check/Cash Amt.: \$10.00  
Permit Number: \_\_\_\_\_  
Date Issued: \_\_\_\_\_

Name of Applicant(s): Amber Watson ; Alexander Stewart

Telephone Number: [REDACTED] Home [REDACTED] Cell [REDACTED]

Work: \_\_\_\_\_ Email: [REDACTED]

Street Address of Property: 6609 Wells Pkwy

Lot Number: 19 Block Number: 22 Section Number: 7

Person/Company Doing the Work: All American Fences

Address/Phone: PO BOX 219, Sterling VA — 703-731-7635

Signature of Property Owner: [Signature] Date: 1/28/20

### Description of Work

Check all that apply:

**Fence:** Height: 4 ft, Material: Cedar Wood, Style: Plank/Solid Board

**Outbuilding:** Dimensions: \_\_\_\_\_, Height at Apex: \_\_\_\_\_  
Materials: \_\_\_\_\_

**Other:** (Please Specify): \_\_\_\_\_  
Dimensions: \_\_\_\_\_, Height at Apex: \_\_\_\_\_  
Materials: \_\_\_\_\_

Please Specify Reason for Structure: To enhance use and enjoyment of backyard for the owners and the owners' two dogs.

**POD or Dumpster** (check one) Unit will be placed on the property: \_\_\_\_\_ or on the street: \_\_\_\_\_

Dates the unit will be delivered: \_\_\_\_\_ picked up: \_\_\_\_\_

Permit and Non-Refundable Filing Fee Paid (\$10 + 10% of County permit fee (if applicable)) = \$ 10

**Caution:** To begin construction before a permit has been issued and prominently displayed for inspection at the construction site is a clear violation of municipal law.

# Proposal/Invoice

## All American Fences Inc.

Commercial & Residential

VA Contractor License  
A2705129167

MD License  
MHIC131423

P.O. Box 219, Sterling, VA 20167 • Tel: 703-731-7035 • 703-437-7365 • Fax: 703-435-9247

E-mail: allamericanfences@yahoo.com • salesallamericanfences@gmail.com

MR Alex Stewart

Jan. 22, 2020

6609 Wells Parkway  
University Park MD 20782

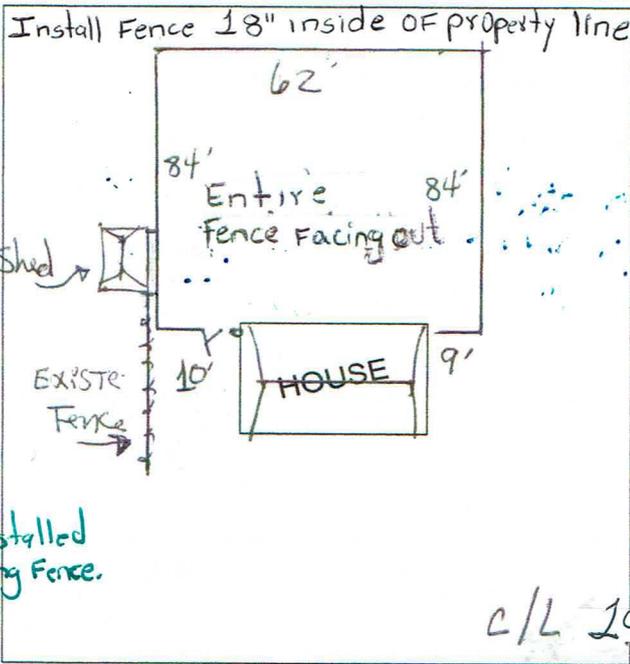
Cell [REDACTED]

Work Phone \_\_\_\_\_

Email [REDACTED]

FAX \_\_\_\_\_

DESCRIPTION	CHECKLIST
<b>STYLE/HEIGHT #33</b> Solid Board Privacy Fence 1" x 4" x 4" WRC <input checked="" type="checkbox"/> Call Customer Day In Advance WALK GATES 1 / DIGATES 0 MATERIALS Gate Post 6" x 6" Fence Post 4" x 4" <input type="checkbox"/> Wire Mesh Color _____ <input checked="" type="checkbox"/> Residential Other _____ <b>All American Fences Inc.</b> <input checked="" type="checkbox"/> Will <input type="checkbox"/> Will Not Call Miss Utility	<input type="checkbox"/> Stepped <input checked="" type="checkbox"/> Follow The Ground <input type="checkbox"/> DIP <input type="checkbox"/> Arch <input checked="" type="checkbox"/> Cap Board <input checked="" type="checkbox"/> Posts in Concrete Dry Pack <input checked="" type="checkbox"/> Take Down Existing Fence/Deck by: <input type="checkbox"/> Customer <input checked="" type="checkbox"/> AAF <input type="checkbox"/> Trim Trees, Brush, Shrubs by: <input type="checkbox"/> Customer <input type="checkbox"/> AAF <input type="checkbox"/> Haul Debris Away by: <input type="checkbox"/> Customer <input type="checkbox"/> AAF <input type="checkbox"/> Underground <input type="checkbox"/> ELEC <input type="checkbox"/> GAS <input type="checkbox"/> TEL <input type="checkbox"/> CABLE <input checked="" type="checkbox"/> Property Pins Found: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/> Customer Responsible for Property Corners <input type="checkbox"/> Permit By AAF <input checked="" type="checkbox"/> Permit By Customer by CITY <input checked="" type="checkbox"/> Other Fence will be installed 18" inside of existing Fence. <input type="checkbox"/> Commercial <input type="checkbox"/> Sprinkler System <input type="checkbox"/> HOA / HOLD



- Black Post Caps - Vinyl
- Pool Code Fence
- Wood Fence
- Colonial Gothic Point
- Chain Link Fence
- Aluminum Fence
- Vinyl Fence
- Deck
- Concrete Patio
- Fence Removal & Haul Away
- Other

**NOTES:** Install APPROX 249' LFT OF 4' high Solid Board Privacy Fence - With Capboard style, 1" x 4" x 8' + 1" x 4" x 48" vertical Board, All Western-Red CEDAR Material, \* stainless steel Nails.

\* 2- Horizontal 2" x 4" x 8' Rails Per Section, + 4" x 4" Fence Post & 6x6 Gate Post, All Pressure Treated Yellow Pine Material

\* 1- Single Gate 4' wide x 4' high  
Quote Including 15% Discount.

Total Price \$4490.00  
Deposit \$1600.00  
Balance \$2890.00

A 3% transaction fee will be applied to each credit card transaction. **PLEASE PAY OUR FOREMAN THE REMAINING BALANCE!**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance.

All American Fences Inc. is not responsible for property lines or underground utilities. This embodies the entire understanding between the parties and there are no verbal agreements or representations in connection therewith. All material shall remain the property of All American Fences, Inc. until paid in full. All treated structural lumber is to comply with grading rules of S.P.I.B. Gate framing to be non-treated SPF lumber. If balance is not paid upon completion, purchaser agrees to pay accrued interest in the amount of 1 1/2% monthly, plus purchaser agrees to all costs of collection including court costs and attorney's fees.

All American Fence Estimator Nino Vidal [REDACTED]

**THIS CONTRACT IS SUBJECT TO THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE AND WHICH ARE MADE A PART HEREOF BY THIS AGREEMENT**

### ACCEPTANCE OF PROPOSAL

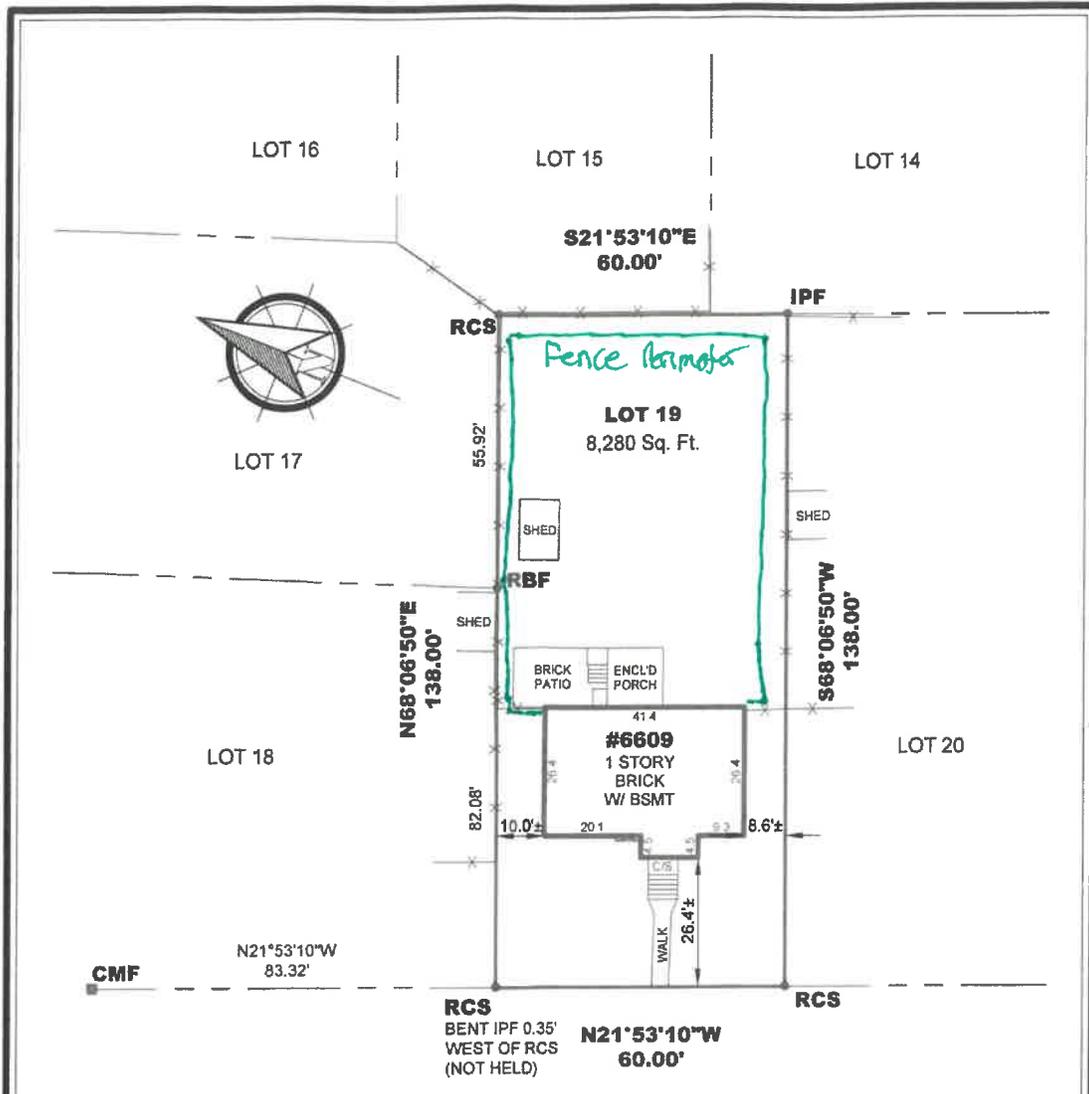
The above prices, specifications and conditions are satisfactory and hereby accepted. You are to do the work as specified. Payment will be made as outlined above.

Date of Acceptance \_\_\_\_\_ Print Name \_\_\_\_\_ Signature \_\_\_\_\_  
Start Date \_\_\_\_\_



33

Flat Board Cedar



**WELLS PARKWAY**

- LEGEND:**
- CMF - CONCRETE MONUMENT FOUND
  - IPF - IRON PIPE FOUND
  - RBF - REBAR FOUND
  - RCS - REBAR & BLUE CAP SET
  - X- - FENCE (LOCATIONS AND DIMENSIONS SHOWN REFER TO CENTER OF POSTS)

<p><b>BOUNDARY SURVEY OF:</b></p> <p style="text-align: center;"><b>#6609 WELLS PARKWAY</b>  <b>LOT 19 BLOCK 22 SECTION 7</b>  <b>UNIVERSITY PARK</b>          PLAT BOOK 12, PAGE 46          LIBER 4293 FOLIO 631          PRINCE GEORGE'S COUNTY, MARYLAND          SCALE: 1"= 30'    DATE: 01/27/2020          DRAWN BY: JCM    FILE #: 200372 - 700</p>	<p><i>A Land Surveying Company</i></p> <p><b>DULEY</b> and <b>Associates, Inc.</b></p> <p>Serving D.C. and MD.</p> <p>14604 Elm Street, Upper Marlboro, MD 20772</p> <p>Phone: 301-888-1111    Fax: 301-888-1114          Phone: 1-888-88-DULEY    Fax: 1-888-55-DULEY</p> <p>For survey order/approval forms, prices &amp; more visit us at <a href="http://www.duley.biz">www.duley.biz</a></p>
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**SURVEYOR'S CERTIFICATE**

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS PLAT AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENT OF RECORD, BUILDING RESTRICTION LINES AND EASEMENTS NOT SHOWN ON RECORD PLAT MAY NOT BE SHOWN HEREON.

LICENSE EXPIRATION DATE: 01-16-2021

**Agenda Item 6**  
**Public Hearing**  
**Building Permit Application for 6' fence**



# Building Permit Application

## VARIANCE REQUEST

◆ The Town of University Park ◆

An incorporated municipality in Prince George's County, Maryland  
 Town Hall, 6724 Baltimore Avenue, University Park, Maryland 20782  
 Phone: (301) 927-4262 Fax: (301) 277-4548

*For Office Use Only*  
 Ward # 5 Date Received: 1/17/20  
 Permit Application: Approved   
 Rejected   
 Check amt. & no.: \$26.25  
 Permit Number: \_\_\_\_\_  
 Date Issued: \_\_\_\_\_

Applications must contain the following information. **A copy of the site plan or plat, a copy of the building elevation plan(s)** (if applicable), **one (1) or more photographs** illustrating conditions of property that might cause the need for a variance and/or showing the character of surrounding neighborhood. All applications shall be accompanied by the required filing fee (\$10 + 10% of the County Fee (if applicable)). Applications must be received at least five (5) days prior to the Town Council meeting you wish your permit to be reviewed.

Name of Property Owner(s): Mathieu Greenwood and Gunita Singh

Telephone Number: ( ) \_\_\_\_\_ Home [REDACTED] Cell \_\_\_\_\_  
 ( ) \_\_\_\_\_ Work Email: [REDACTED]

Street Address of Property: 4318 Clagett Pkeway  
 Lot Number: 69 Block Number: E Section Number: \_\_\_\_\_

Person/Company Doing the Work: Charlie Blankenbaker / Crown Fence

Address/Phone: 1625 Mission Street Owings, MD 20736 (301) 262-7960

Have you applied for and been denied a permit?  Yes  No  
 Have you received a violation notice?  Yes  No If yes, date of notice \_\_\_\_\_  
 Has property been the subject of a previous appeal or zoning application?  Yes  No  
 If yes, provide case number(s) and dates \_\_\_\_\_

### Description of Structure for Which Permit is Requested

*(Please fill out as completely as possible.)*

Check One:

**Fence:** Height: 6 feet, Material: Vinyl, Style: Privacy Fence

**Outbuilding:** Dimensions: \_\_\_\_\_, Height at Apex: \_\_\_\_\_  
 Materials: \_\_\_\_\_

**Other:** *(Please Specify):*  
 Dimensions: \_\_\_\_\_, Height at Apex: \_\_\_\_\_  
 Materials: \_\_\_\_\_

Permit and Non-Refundable Filing Fee Paid (\$10 + 10% of County permit fee (if applicable))= \$ 26.25

**Excerpt from Town Code Section 4-115:**

The Common Council may consider an application for a special exception based upon a particular case or situation, and may approve the application provided that there is a showing of hardship, unique topography, unusual circumstances or safety considerations that warrant an exception. Special exceptions shall be granted by the Council only if it finds that such exception:

- (a) will not adversely affect the public health, safety, welfare or interest, nor the reasonable use of adjoining properties;
- (b) will not violate any covenants applicable to the property;
- (c) can be granted without substantial impairment of the purpose and intent of the Town building regulations;
- (d) will not interfere with or obstruct the visibility of motorists or cyclists; and
- (e) will not unduly impede the enforcement of any other applicable law.

Describe what you propose to do and why you need a variance: We would like to have a 100 foot long, 6 feet tall, privacy fence constructed along the backyard property line of our house to create a proper boundary line with our neighbor Peter Ripley. This variance request is for privacy purposes in regard to my neighbor.

Town requires property owners to notify their neighbors on adjoining properties of intent to build/modify structure. **Please print names and mailing addresses of all adjoining property owners (These include properties located on either side, behind and across the street from your property.)**

Name

Address

Peter Ripley

6902 Pineway, University Park, MD 20782

Alison + Sander Olsen

4316 Clagett-Pineway, University Park, MD 20782

Andrew Shivone + Elizabeth Arno

4319 Clagett-Pineway, University Park, MD 20782

Signature of Property Owner:

M. Shren Greenwood

Date: January 16, 2020

**Caution:** To begin construction before a permit has been issued and prominently displayed for inspection at the construction site is a clear violation of municipal law.

**Project Plan for Fence Construction at 4318 Clagett Pineway  
Mathieu Greenwood & Gunita Singh**

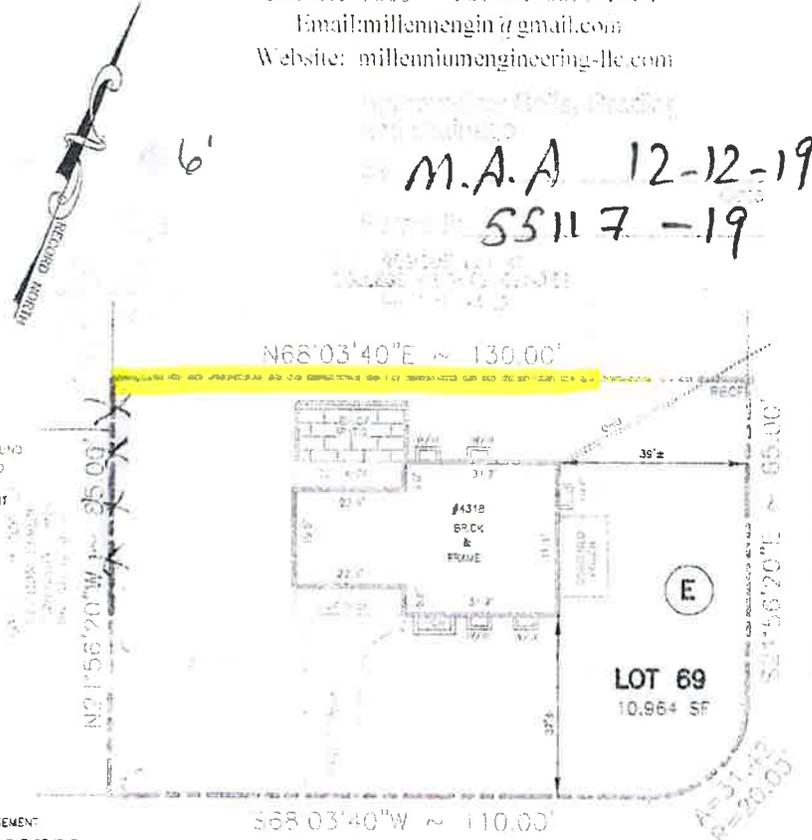
We would like to have a 6ft tall privacy fence constructed along the backyard property line of our house to create a proper boundary line with our neighbor Peter Ripley. The variance request is for privacy purposes regarding my neighbor. The fence would be 100 feet long, composed of vinyl material, and tan color to match the trim painting on our house. We'd like the fence to start at the northwest point of our property and travel northeastward along the property line towards the sidewalk on Pineway for 100ft, ending 30 ft short of the end of my property line.



MILLENNIUM ENGINEERING, LLC  
 PARK PLACE PROFESSIONAL CENTER  
 3825 ALLENTOWN ROAD CAMP SPRINGS, MARYLAND 20746  
 301-433-0888 301-433-0897 FAX  
 Email: millenniumengin@gmail.com  
 Website: millenniumengineering-llc.com

LEGEND:

- PROPERTY LINE
- BUILDING LINE
- WOOD DECK
- BRICK WALK
- R/C - REPAIR & C/P FOUND
- R/PF - RINCH PIPE FOUND
- RF - IRON PIPE FOUND
- AC - AIR CONDITION UNIT
- WM - WATER METER
- C/C - CLEAN OUT
- P/W - PARTY WALL
- B/W - BAY WINDOW
- C/W - CELLAR WELL
- W/W - WINDOW WELL
- O/H - OVERHANG
- R/W - RIGHT-OF-WAY
- EXH FAN - EXHAUST FAN
- AW - AREAWAY
- CHV - CHIMNEY
- POR - PORCH
- ST - STOOP
- COV POR - COVERED PORCH
- ENCL POR - ENCLOSED PORCH
- ADDN - ADDITION
- ENTR - ENTRANCE
- SH - SHED
- PUE - PUBLIC UTILITY EASEMENT
- P/E - PUBLIC IMPROVEMENT EASEMENT
- BRL - BUILDING RESTRICTION LINE
- PRCF COR - PROPERTY CORNER
- SF - SQUARE FEET
- ESMT - EASEMENT
- YL - YARD LINE
- NF - NO PIPE FOUND
- LP - LIGHT POLE
- BALC - BALCONY



CLAGETT - PINEWAY (60')

The Maryland-National Capital  
 Park and Planning Commission  
**APPROVED** TNS  
 12/12/19  
**PERMIT # 55117-2019**  
 OK for 6' Fence



SURVEYOR'S CERTIFICATE

LICENSE EXPIRATION DATE: 03-30-2018

NOTES

1. This drawing is a plat of one lot in the College Heights Estates, Plat Book BB 6, Plat No. 30, Prince George's County, Maryland. The lot is located in the 21st Election District. The lot is bounded by Clagett - Pineway to the north, Pine Way to the east, and Clagett - Pineway to the south. The lot is 10,964 square feet in area. The lot is bounded by a 6-foot fence line to the north. The lot is bounded by a 6-foot fence line to the east. The lot is bounded by a 6-foot fence line to the south. The lot is bounded by a 6-foot fence line to the west.

ORDERED BY: **Monarch Title, Inc.**  
 101 E 14th Street, NW  
 Second Floor  
 Washington, DC 20009  
 Phone: (202) 298-6270  
 Fax: (202) 298-6278

PURCHASER(S):

LOCATION DRAWING  
 4318 CLAGETT - PINEWAY

LOT 69 BLOCK E

PLAT ONE  
**COLLEGE HEIGHTS ESTATES**

PLAT BOOK: BB 6 PLAT NO: 30

21ST ELECTION DISTRICT  
 PRINCE GEORGE'S COUNTY, MARYLAND  
 DATE: 10/25/2017 SCALE: 1"=30' FILE: M1 BE-17-4857 DWG: 48024



DRAWN BY: LJB  
 NEA

- 6% Maximum Slope Allowed On Residential Property  
 - 7% Maximum Parking Pad Slope and 12.5% Maximum Driveway Slope.  
 - 2.5% Minimum Slope Required On Yard or Lawn Areas. 10" in 10' Minimum Slope of Pad Away From Building is Required.

**APPROVED** 10/5  
 11/9/2020  
**PERMIT # 55117-2019-01**  
 OK to relocate 6' Fence

Approved for Soils, Grading and Drainage  
 By: **M.A.A 1-9-2020**  
 Date  
 Permit #: **55117-2019**

**PRINCE GEORGE'S COUNTY  
PERMIT**

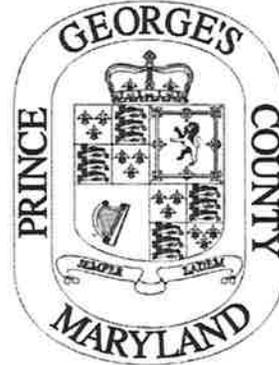
ISSUANCE DATE : Jan-09-2020

EXPIRATION DATE :

**DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT PERMITTING CENTER  
9400 PEPPERCORN PLACE, 1st FLOOR, LARGO, MD 20774 (301) 883-5900**

**PROPERTY OWNER**

GUNITA SINGH MATHIEU GREENWOOD  
4318 Clagett Pine WAY  
University Park, MD 20782 (301) 262-7960



**CONTRACTOR**

Greg Sullivan & Co  
3244 Rose Arbor DR  
Hernando Beach, FL 34607 (301) 262-7960  
LICENSE NUMBER: 35291

**OCCUPANT**

**ARCHITECT**

TYPE OF PERMIT : **DPIE RW**  
 WORK DESCRIPTION : **REVISE TO CHANGE LOCAITON OF FENCE 00:Installation of 6' fence**  
 EXISTING USE : **SFD**  
 USE (MNCPPC ZONING) : **DWELLING/SINGLE FAMILY DETACH**  
 SUBDIVISION : **COLLEGE HEIGHTS**  
 OWNERSHIP :  
 NUMBER : 40664 HEIGHT FT : 6  
 LOT : 545 WIDTH FT :  
 ED/ACCT NO. : 21 / 2379980 DEPTH FT :  
 LOT : 69 NO STORIES :  
 BLOCK : E DWELL UNTS :  
 TAX MAP : 042 PARKING SP : 0  
 SCD : LIVE LOAD :  
 SPEC EXCEPT : USE GROUP :  
 Conditions TYPE CONST :  
 PARCEL :

OCCUPANCY LOAD :  
 SITE CERTIFICATE :  
 STRUCTURE CERT :  
 SEWER : WSSC  
 WATER : WSSC  
 HEATING :  
 ELECTRICITY :  
 CENTRAL A/C :  
 ELEVATOR :  
 ESCALATOR :  
 BASEMENT :  
 BOILER NUMBER :  
 CBCA : N  
 HISTORICAL : N  
 SIGN NUMBER :

Must comply with Sec. 27-420. Fences and walls. Please note: Except for fences less than four (4) feet in height, fences not requiring a permit, and fences on land assessed as agricultural uses, all structural support (vertical posts and horizontal rails) shall face the interior of the subject lot. As outlined in County Code Subtitle 4-111 no work shall be performed during the hours of 9:00 p.m. to 7:00 a.m., unless work is performed pursuant to Section 4-120 of this Subtitle. Only the Licensed Contractor or Homeowner, named on the Permit as contractor, is permitted to perform the scope of work on the permit at the address specified.

YOU MUST COMPLY WITH MUNICIPAL, HOMEOWNER/CIVIC ASSOCIATION AND LOCAL COVENANTS. A FINE MAY BE IMPOSED IF CONSTRUCTION IS BEGUN WITHOUT REQUIRED APPROVALS.

THIS PERMIT IS VOID SIX (6) MONTHS FROM DATE ISSUED IF CONSTRUCTION HAS NOT STARTED, HAS BEEN SUSPENDED OR DISCONTINUED UNLESS OTHERWISE INDICATED  
 INSPECTION AREA :

*Melinda Bolling*

Melinda Bolling

**INSPECTION APPROVALS**

BUILDING INSPECTOR	HEALTH	ELECTRICAL	PLUMBING	FIRE MARSHALL
APPROVED :				

**PRINCE GEORGE'S COUNTY**  
**DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT**  
**PERMITTING CENTER**

**9400 PEPPERCORN PLACE, 1st FLOOR, LARGO, MD 20774 (301) 883-5900**



YOU MUST COMPLY WITH MUNICIPAL, HOMEOWNER/CIVIC ASSOCIATION AND LOCAL COVENANTS. A FINE MAY BE IMPOSED IF CONSTRUCTION IS BEGUN WITHOUT REQUIRED APPROVALS.

**PERMIT APPLICATION FILING FEES ARE NON-REFUNDABLE**

**Date :** 11/25/2019

**PERMIT APPLICATION**

**Case Number:** 55117-2019-00

**ACTIVITY:** Building Permit Application  
**WORK DESCRIPTION:** Installation of 6' fence  
**USE TYPE:**  
**EXISTING USE:** SFD  
**PROPOSED USE:** SFD

**LOT :** 69  
**BLOCK :** E  
**PARCEL :**

**SITE INFORMATION**

<b>SITE ADDRESS:</b> 4318 CLAGETT PINE WAY WEST HYATTSVILLE 20782	<b>PROJECT NAME:</b>  <b>SUBDIVISION:</b> COLLEGE HEIGHTS	<b>EST. CONSTRUCTION COST:</b> \$3,800.00 <b>ELECTION DISTRICT:</b> 21 <b>PROPERTY TAX ACCOUNT #:</b> 2379980
---	--	---

<u>OWNER</u>	<u>OCCUPANT</u>	<u>CONTRACTOR</u>	<u>ARCHITECT</u>
Mathieu Greenwood & Gunita Singh Etal 4318 Clagett Pine WAY University Park MD 20782		Greg Sullivan & Co 3244 Rose Arbor DR Hernando Beach FL 34607	

**FOR OFFICE USE ONLY**

Reviewer	Date	Reviewer	Date
M-NCPPC		Fire Eng.	
Site / Road Eng. <b>M.A.A</b>	<b>12-12-19</b>	Mechanical Eng.	
Structural Eng.		Health	
Electrical Eng.		Issuance	

The Maryland-National Capital  
 Park and Planning Commission  
**APPROVED**  
**PERMIT #**  
 OK for 6' Fence

**TJS**  
**12/12/19**  
**55117-2019**

I hereby certify that I have permission of the property owner to submit this application on his/her behalf and that the information is complete and correct.

**APPLICANT** Debbie Pappas Crown Fence (301) 262 - 7960 Debbie Pappas  
**NAME** **COMPANY** **PHONE** **SIGNATURE**

PRINCE GEORGE'S COUNTY DEPARTMENT OF PERMITTING INSPECTIONS AND ENFORCEMENT

Payment Date: December 12, 2019

Payment ID: 1168175

Page 1 of 1

Case Number	Fee Type	Fee	Total Fee	Fee Status
55117-2019-00	PERMIT	PARK AND PLANNING	\$5.00	PAID
55117-2019-00	PERMIT	FENCE/MISC RES	\$115.50	PAID
55117-2019-00	PERMIT	GRADING	\$42.00	PAID
<b>Total Fees:</b>			<b>\$162.50</b>	

Cash	Check	
Amount Tendered	Amount	Number
\$ 0.00	\$162.50	5985

<b>Amount Due</b>	<b>Amount Paid</b>	<b>Balance</b>	<b>Balance Type</b>
\$ 162.50	\$ 162.50	\$ 0.00	Exact

This is not your permit.

# PRIVACY

## PRIVACY FENCE

Our privacy fences feature an aluminum reinforced bottom rail with tongue-and-groove pickets. There are no brackets or glue in our systems which allows the products to easily rack up and down varied terrains.



WHITE



TAN



ADOBE



GREY

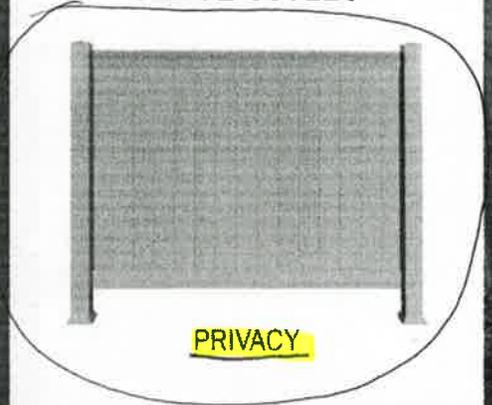


MOCHA  
WALNUT

## 5 Colors Available to Provide Endless Options

*NOTE: All colors shown in brochure are a result of the printing process and may vary from actual product color.*

## FENCE STYLES



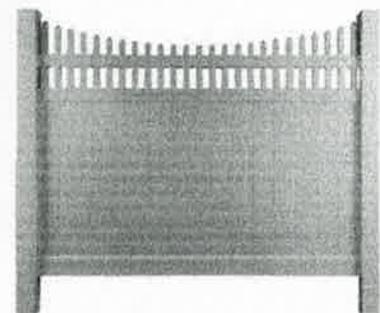
PRIVACY



LATTICE TOP



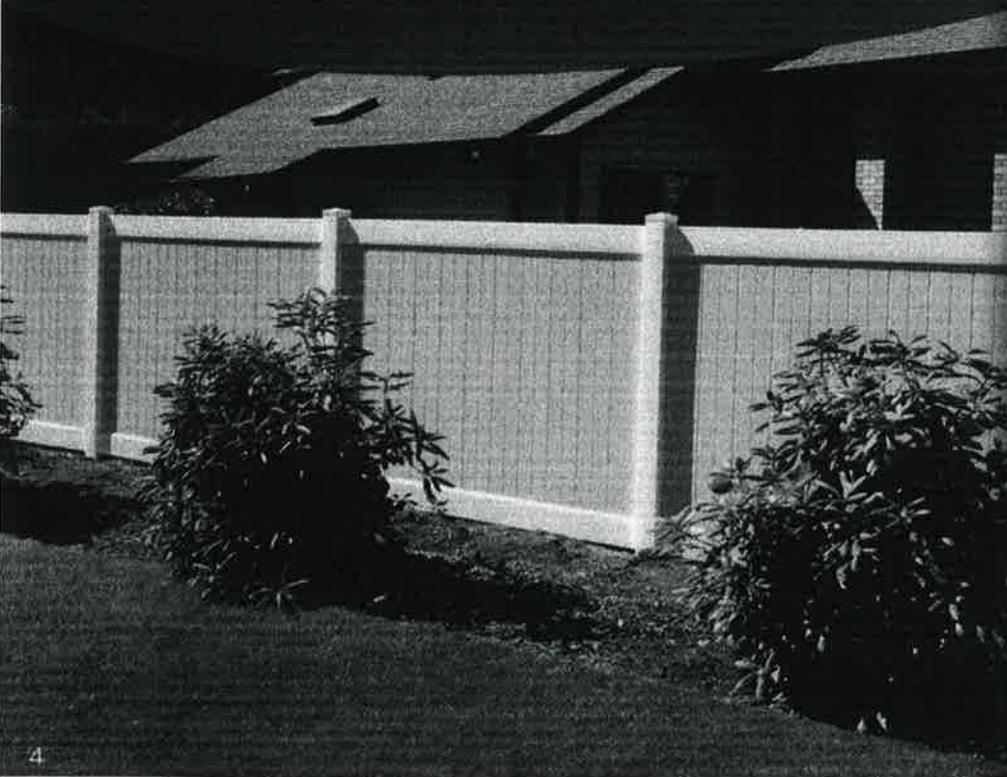
OPEN SPINDLE



OPEN SPINDLE SCALLOPED



CLOSED SPINDLE



**Agenda item 8A**  
**Legislative Resolution 2020-O-01**

Amending Section 9-104 Parking  
Sponsored by: Councilmember Schultz

LEGISLATIVE RESOLUTION 20-O-01

Resolution and Ordinance of the Town of University Park to amend Chapter 9 “Traffic and Vehicles”, Article 1, “Traffic”, Section 9-104, “Parking” and Section 9-106, “Restricted Traffic Flow” of the Code of Ordinances of the Town of University Park.

WHEREAS, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the Mayor and Common Council of the Town of University Park have the power to pass such ordinances as deemed necessary to protect the health, safety and welfare of the residents of the municipality and to prevent and remove nuisances; and

WHEREAS, the Transportation Article, Annotated Code of Maryland, authorizes the Town to adopt parking and traffic regulations; and

WHEREAS, the Mayor and Common Council have adopted Chapter 9, “Traffic and Vehicles”, of the Town Code to regulate parking and traffic in the Town; and

WHEREAS, issues with parking, traffic and pedestrian safety have arisen on Underwood Street adjacent to the University Park Elementary School during drop off and pick up of students; and

WHEREAS, the Mayor and Common Council, after consulting with the School and the Town Chief of Police, have determined that it is in the public interest to prohibit parking during school hours on the south side of Underwood Street 93 feet from its intersection with Queens

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

[Brackets] indicate matter deleted from existing law

\* \* Asterisks\* \* indicate existing law which are unchanged but not set forth in the ordinance

CAPITALS INDICATE MATTER ADDED BY AMENDMENT TO THE PROPOSED ORDINANCE

[Brackets] indicate matter deleted by amendment to the proposed ordinance

Chapel Road, 95 feet north on the east side of Queens Chapel Road from its intersection with Underwood Street, and to restrict turning onto Underwood Street in an eastbound direction from its intersection with Queens Chapel Road to assist with these issues.

Section 1: NOW THEREFORE be it resolved and ordained by the Mayor and Common Council of the Town of University Park that Chapter 9 “Traffic and Vehicles”, Article 1 “Traffic”, Section 9-104 “Parking”, of the Code of the Town of University Park, be repealed, re-enacted and amended to read as follows:

Section 9-104 Parking

A. Prohibitions \* \* \* \*

B. Limitations

(1) \* \* \* \*

(2) School parking.

(a) No person shall park any vehicle from 7:00 a.m. to 7:00 p.m., except as otherwise noted, on school days on any of the following streets:

(i) – (iii) \* \* \* \*

	Name of Street	Side	Location
iv.	Queens Chapel Road	<del>North</del> WEST  EAST	From its intersection with Underwood Street to the driveway of the University Park Elementary School Parking Lot, which area shall be utilized as a student loading zone, between the hours of 7:30 a.m. and 8:30 a.m., and 1:30 p.m. and 2:30 p.m., <del>[on school days only]</del> NORTH FROM ITS INTERSECTION WITH UNDERWOOD STREET FOR A DISTANCE OF 95 FEET BETWEEN THE HOURS OF 7:00 A.M. AND 9:00 A.M.
v.	Underwood Street	South  SOUTH	West from its intersection with Queens Chapel Road for a distance of 470 feet, between the hours of 7:00 a.m. and 3:00 p.m. EAST FROM ITS INTERSECTION WITH QUEENS CHAPEL ROAD FOR A DISTANCE OF 93 FEET BETWEEN THE HOURS OF 7:00 A.M. AND 9:00 A.M.

C. – E. \* \* \* \*

\* \* \* \*

Section 2 Be it further resolved and ordained that Chapter 9 “Traffic and Vehicles”, Article 1 “Traffic”, Section 9-106 “Restricted traffic flow”, of the Code of the Town of University Park, be repealed, re-enacted and amended to read as follows:

**§ 9-106 Restricted traffic flow.**

A. No person shall operate a motor vehicle on Underwood Street between Forest Hill Drive and Adelphi Road except in a westbound direction, nor shall any person operate a motor vehicle on Underwood Street between Beechwood Road and the northern end of the circular driveway at the University Park Elementary School, except in a southbound direction, **NOR SHALL ANY PERSON OPERATE A MOTOR VEHICLE ONTO UNDERWOOD STREET IN AN EASTBOUND DIRECTION FROM ITS INTERSECTION WITH QUEENS CHAPEL ROAD BETWEEN 7:00 A.M. AND 9:00 A.M., MONDAY THROUGH FRIDAY.**

B. – I. \* \* \* \*

Section 2. Be it further resolved that this resolution shall become effective twenty (20) days after enactment by the Mayor and Common Council of University Park.

Section 3: Be it further resolved that a complete and exact copy of this proposed Ordinance shall be posted on the entrance door of the Town Building of University Park, Maryland, for a period of not less than ten (10) days, and a fair summary of this Ordinance shall be published at least once in a newspaper having general circulation in the community.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020

ATTEST:

MAYOR AND COMMON COUNCIL  
TOWN OF UNIVERSITY PARK

By: \_\_\_\_\_  
Lenford C. Carey, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Suellen M. Ferguson, Town Attorney

- Establish do not enter restriction on the 4400 block Underwood St. (south side), Monday-Friday, 7-9 a.m.
- Prohibit parking on the 4400 block Underwood St. (south side)—93' from the intersection with Queens Chapel Rd.
- Prohibit parking on the 6600 block Queens Chapel Rd. (east side)—95' from the intersection with Underwood St.

**Agenda Item 8B**  
**Charter Resolution 20-CR-01**

Sponsored by: Councilmember

CHARTER RESOLUTION 20-CR-01

**CHARTER RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF UNIVERSITY PARK, PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE CONSTITUTION OF MARYLAND AND §4-301 ET SEQ. OF LOCAL GOVERNMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AS AMENDED, TO AMEND THE CHARTER OF THE TOWN OF UNIVERSITY PARK, BY REPEALING AND RE-ENACTING ARTICLE V, “REGISTRATION, NOMINATIONS AND ELECTIONS”, SECTION 503, "REGISTRATION", AND SECTION 506, “CANDIDATES FOR OFFICE” TO CLARIFY THAT QUALIFIED PERSONS REGISTER TO VOTE IN THE TOWN THROUGH THE PRINCE GEORGE’S COUNTY BOARD OF ELECTIONS, DELETE THE PROVISION FOR A SUPPLEMENTAL VOTER REGISTRATION LIST, INCLUDE THE REQUIREMENT FOR CANDIDATES TO FILE A FINANCIAL DISCLOSURE FORM AT THE SAME TIME AS THE CANDIDATE PETITION, REQUIRE THAT THE CANDIDATE PETITION AND FINANCIAL DISCLOSURE STATEMENT BE FILED AT LEAST 29 DAYS PRIOR TO THE ELECTION, CLARIFY THE PETITION REQUIREMENTS FOR WRITE-IN CANDIDATES, DELETE OUTDATED REFERENCES, AND MAKE CONFORMING AND CLERICAL CHANGES.**

Section 1: Be it resolved and ordained by the Mayor and Common Council of University Park that Article V, “Registration, Nominations and Elections”, Section 503, "Registration", of the Charter of the Town of University Park be repealed, re-enacted and amended to read as follows:

Section 503 Registration

(a) The Supervisors shall give at least two weeks' notice of every election date by notices published in at least one newspaper of general circulation in the Town and posted in at least one prominent place in each Ward of the Town. Notices of election shall contain a summary of questions that may be on the ballot and the names of nominees for each Town office as those

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

[Brackets] indicate matter deleted from existing law

\*\*Asterisks\*\* indicate provisions of existing law which have been omitted from resolution and remain

1 names will appear on the ballot. The Supervisors may also cause notices required by this  
2 subsection to be published in the Town newsletter.

3 ~~(b) [Registration of voters shall be available at any time during Town office hours. Voter  
4 registration may be accomplished in person or by mail. Further, r] Registration with the Prince  
5 George's County Board of Elections, by a voter who resides in University Park, shall be deemed  
6 registration for elections in University Park. No registration date for municipal elections shall be  
7 established, whether by the County or the Town, within the thirty (30) day period immediately  
8 preceding an election. The Mayor and Common Council shall take those actions necessary to  
9 timely schedule and plan for implementing universal registration of voters in conjunction with  
10 Prince George's County. Registration shall be permanent if the individual votes at least once in  
11 every five years, and no person shall be entitled to vote in Town elections unless he/she is  
12 registered.]~~ ANY PERSON RESIDING WITHIN THE CORPORATE LIMITS OF THE TOWN

13 OF UNIVERSITY PARK WHO IS REGISTERED TO VOTE WITH THE PRINCE GEORGE'S  
14 COUNTY BOARD OF ELECTIONS AND WILL BE AT LEAST 18 YEARS OF AGE ON  
15 ELECTION DAY SHALL AUTOMATICALLY BECOME A REGISTERED VOTER OF THE  
16 TOWN AND BE ENTITLED TO VOTE AT GENERAL OR SPECIAL ELECTIONS OF THE  
17 TOWN.

18 ~~(c) [The Supervisors shall maintain, establish and amend registration lists in appropriate form  
19 containing the name, age, place of residence in the Town, ward, date of registration, and signature  
20 of each person registered to vote. Prior to each election, the Supervisors shall prepare a list  
21 containing the names and addresses of the registered voters of the Town and the ward in which  
22 each voter resides. Copies of the list shall be available to the public. The Common Council may  
23 establish and charge reasonable fees to the public for copies of such lists. The Supervisors shall~~

1 use the preliminary and certified lists of Town registered voters provided by Prince George's  
2 County, together with a supplemental list prepared by the Supervisors, of persons not registered to  
3 vote in the County but qualified to vote in the Town, in preparing any list required herein.] VOTER  
4 REGISTRATION FOR TOWN ELECTIONS SHALL CLOSE THIRTY (30) DAYS PRIOR TO  
5 THE ELECTION.

6 (d) ~~It shall be the duty of the Supervisors to keep the registration lists current by striking from the~~  
7 ~~list persons who are no longer qualified to vote and/or have not voted at least once within the~~  
8 ~~preceding five years.] THE PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS WILL~~  
9 ~~MAINTAIN THE TOWN'S OFFICIAL VOTER LIST. [Within twenty (20) days after receiving~~  
10 ~~any preliminary list of registered voters, t] The Supervisors shall notify the County BOARD OF~~  
11 ~~ELECTIONS of any potential errors [in the list of registered voters], including errors in residency~~  
12 ~~of registered voters, WITHIN TWENTY (20) DAYS AFTER RECEIVING ANY LIST OF~~  
13 ~~REGISTERED VOTERS FROM THE BOARD OF ELECTIONS. [Whenever the registration of~~  
14 ~~any voter is removed for any reason from the supplemental voter registration list maintained by~~  
15 ~~the Town, the Supervisors shall send a notice of this action and the reason for the action to the last~~  
16 ~~known address of the voter. The voter shall be given at least fifteen (15) days to respond to indicate~~  
17 ~~whether the voter wishes to remain on the Town's voter registration list. If the voter wishes to~~  
18 ~~remain on the Town's list and continues to be qualified under the town's voter registration~~  
19 ~~requirements, the voter's name shall be reinstated to the Town's supplemental voter registration list~~  
20 ~~upon written request of the voter.]~~

21 (e) Persons aggrieved by acts of the Supervisors may appeal to the Mayor and Common Council.  
22 Decisions of the Common Council on such appeals may be appealed to the Circuit Court of  
23 Prince George's County within the time allowed for such appeal.

1                   Section 2: Be it further resolved and ordained by the Mayor and Common  
2 Council of University Park that Article V, “Registration, Nominations and Elections”, Section  
3 506, “Candidates for Office” of the Charter of the Town of University Park be repealed, re-  
4 enacted and amended to read as follows:

5 Section 506 Candidates for Office

6 (a) The elective offices of the Town shall be those of Mayor and seven Common Council  
7 members. The Mayor shall be elected at large by the qualified voters of the Town, and the  
8 Council members shall be elected by the qualified voters in the ward in which the candidate  
9 resides.

10 (b) The Mayor and Council members from the first, third and seventh wards shall be elected at  
11 the general election for Town offices held during even-numbered years. Council members from  
12 the second, fourth, fifth and sixth ward shall be elected at the general election for Town office  
13 held during odd-numbered years.

14 (c) Any person desiring to run for Mayor [~~of said Town~~] shall file with the [~~Board of Election~~]  
15 Supervisors OF ELECTIONS [~~of said Town~~] a petition containing the names of at least twenty  
16 (20) persons, who are qualified voters IN THE TOWN; and any person desiring to run for  
17 Council member shall file a petition with said [~~Board of Election~~] Supervisors OF ELECTIONS  
18 containing the names of at least ten (10) qualified voters RESIDING in the ward at least [~~thirty~~  
19 (~~30~~)]TWENTY-NINE (29) CALENDAR days, including SATURDAYS, SundayS and legal  
20 holidays, prior to election. ANY PERSON DESIRING TO BE A CANDIDATE MUST ALSO  
21 FILE THE FINANCIAL DISCLOSURE STATEMENT AS REQUIRED BY § 12-105 OF THE  
22 TOWN CODE OF ORDINANCES. After the petitions have been filed and the time for filing has  
23 expired, the [~~Board of Election~~] Supervisors OF ELECTIONS shall cause to be published in

1 some manner as shall give general publicity the names of the candidates filing petitions under  
2 this paragraph (c) and the positions to which they aspire.

3 (d) Any person desiring to run for Mayor or Common Council of the Town who does not file a  
4 petition as provided in paragraph (c) of this section, may qualify to run for such office as a write-  
5 in candidate by filing with the [~~Board of Elections~~] Supervisors of [~~the Town~~]ELECTIONS, at  
6 least five (5) calendar days before the date of the election, a petition to run as a write-in  
7 candidate FOR MAYOR containing the names of at least TWENTY PERSONS WHO ARE  
8 QUALIFIED VOTERS IN THE TOWN OR AS A WRITE-IN CANDIDATE FOR COUNCIL  
9 MEMBER CONTAINING THE NAMES OF AT LEAST ten (10) persons RESIDING IN THE  
10 WARD who are qualified voters, and a financial disclosure statement as required by § 12-10~~4~~ 5  
11 of [~~this~~] THE TOWN'S code of ordinances.

12 (e) Any person desiring to run for Mayor or Common Council of the Town must qualify as a  
13 candidate under paragraph (c) or paragraph (d) of this section. All votes cast in an election for  
14 persons who are not qualified as candidates shall be void AND NOT COUNTED.

15 (f) Before entering upon the duties of their office, each elected officer shall take an oath of office  
16 as provided for in section [~~707~~] 708.

17 Section 3: Be it further resolved that this resolution shall become effective fifty days  
18 after enactment by the Mayor and Common Council of University Park, unless petitioned to  
19 referendum in a manner prescribed by law. If any section, subsection, provision, sentence,  
20 clause, phrase or word of this Charter Resolution is for any reason held to be illegal or  
21 otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable,  
22 and shall not affect or impair any remaining section, subsection, provision, sentence, clause,  
23 phrase or word included within this Charter Resolution, it being the intent of the City that

1 the remainder of the Charter Resolution shall be and shall remain in full force and effect,  
2 valid and enforceable.

3 Section 4: Be it further resolved that a complete and exact copy of this proposed Charter  
4 amendment shall be posted on the entrance door of the Town Hall of University Park, 6724  
5 Baltimore Avenue, University Park, Maryland, for a period of not less than forty (40) days, and a  
6 fair summary of this Charter amendment shall be published at least four times on four successive  
7 weeks within that forty day period in a newspaper having general circulation in the community.

8 APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

9  
10 ATTEST:

MAYOR AND COMMON COUNCIL  
TOWN OF UNIVERSITY PARK

11  
12  
13  
14  
15 \_\_\_\_\_  
16 Andrea Marcavitch, Clerk

By: \_\_\_\_\_  
Lenford C. Carey, Mayor

17  
18  
19  
20 APPROVED AS TO FORM AND LEGAL  
21 SUFFICIENCY

22  
23  
24  
25  
26 \_\_\_\_\_  
27 Suellen M. Ferguson, Town Attorney

**Agenda Item 9C**  
**Staff Memo re: Infrastructure Projects and Timeline**

# MEMO

Date: January 30, 2020  
To: Mayor Carey  
From: Mickey Beall  
Re: Infrastructure Projects Recommendations and Timeline

Mayor,

This provides a timeline and recommendations regarding the infrastructure projects currently being planned, including:

**1. Infrastructure Project – Phase 1, Non-Safe Routes to School (SRTS) Scope of Work**

Work on streets, sidewalks, and park paths. Budget -- Approximately \$999,486 funded from reserves, WSSC compensation for its water main replacement project, and a portion of the \$1.6 million bond.

**2. Adelphi Meadow – 9/11 Memorial Path and Fountain Project**

A new 450' pervious path to be constructed across the Adelphi Field from Adelphi Road and connecting to an existing asphalt and concrete path from Beechwood Rd. to the parking lot at the playground, which will be removed and replaced.

Budget – \$81,500 funded equally by FY20 operations funds and a grant from the Maryland Heritage Areas Authority.

**3. NEW- Queens Chapel Rd. (QCR)/Pineway Clean Water Partnership (CWP) Stormwater Project**

A stormwater BMP to be installed by the Clean Water Partnership (CWP) to address stormwater issues on Queens Chapel Rd from Pineway to Claggett Road. Budget – Presently unknown, funding to be provided entirely through the CWP.

**4. Infrastructure Project – Phase 2, Safe Routes to School (SRTS) Scope of Work**

Roads and new sidewalks that required engineering before construction, including traffic circle locations. Budget – Approximately \$1,628,189 funded by an \$80,000 design grant from SRTS, an anticipated construction grant from SRTS, and a portion of the \$1.6 million bond.

## **Project Description**

**1. Infrastructure Project – Phase 1, Non-Safe Routes to School (SRTS) Scope of Work**

Approximately \$879,106 of the Infrastructure Project involves work on streets, sidewalks, and park paths not included in the SRTS scope of work. These streets include:

Beechwood Rd. – \$17,876

Claggett Rd. – \$47,856

Holly Hill Rd. – \$27,345  
Pineway – \$7,000  
The Mews – \$2,000  
Van Buren St. – \$206,021  
Wells Pkwy. – \$71,471  
Woodberry St. – \$175,664  
Misc. Items – \$24,000  
Park Paths – \$85,765  
Contingency, Inspection Services, Bond Fees, etc. – \$214,138

All streets or portions of streets where sidewalk repairs are planned other than those disturbed by the WSSC Water Main Replacement Project: Combined total \$61,536

40<sup>th</sup> Ave.  
Beechwood Rd.  
Forest Hill Dr.  
Pineway  
Sheridan St.  
Tennyson Rd.  
Tuckerman St.  
Wells Pkwy.

Construction on these streets can begin at any time following contracting for construction. Construction may be overseen by an on-site inspector for the Town who would inspect quality of work and maintain records needed for reconciliation of construction invoices.

## **2. Adelphi Meadow - 9/11 Memorial Path and Fountain**

A 450' pervious path is to be constructed across the Adelphi Field which will connect to the existing asphalt and concrete path. The existing path will be removed and replaced from Beechwood Rd. to the parking lot at the playground.

The project is funded 50/50 by the Town and a grant from the Maryland Heritage Areas Authority (MHAA). Construction may begin at any time following contracting and after rough-in of the fountain water supply by Rivers Construction. The fountain and benches have been purchased. I will be meeting with representatives from the Bee Lab and Anacostia Watershed Society in early February to discuss content and design for interpretive signage.

## **3. NEW- Queens Chapel Rd. (QCR)/Pineway CWP Stormwater Project**

A stormwater BMP is proposed by the Clean Water Partnership (CWP) to address stormwater issues on Queens Chapel Rd from Pineway to Clagett (a very basic concept plan is attached). You may recall a stormwater BMP was proposed by staff as far back as 2010, however, the Town has been unsuccessful in its attempts to find outside funding

sources. Late last year, the Soltesz engineer who works with the Prince Georges County CWP program was asked if the County might reconsider the QCR location for the next round of BMP sites. The County has tentatively approved the site and a preliminary concept plan is under review.

The project as proposed will include a 5' wide sidewalk along the edge of the road from Pineway to the northeastern-most driveway at 6714 QCR where it will gradually curve back to the existing sidewalk. The existing sidewalk would be removed and replaced with a vegetative bioswale. The bioswale will continue past the driveway to the intersection at Clagett Rd. along the existing sidewalk but will include an underdrain southwest of the driveway. The underdrain is proposed to extend across QCR with an outfall into the gutter on the west side of 44<sup>th</sup> Ave. The existing asphalt curb and gutter will be replaced with concrete which will be located so as to widen the road by the width of the gutter. The engineer believes they would be ready for construction beginning in Spring of 2020.

#### **4. Infrastructure Project – Phase 2, Safe Routes to School (SRTS) Scope of Work**

Approximately \$1,628,189 of the Infrastructure Project budget includes roads that required engineering before construction. The required engineering is related to road redesign and new sidewalks. Although not part of the SRTS scope of work, it would also include traffic circle locations, as engineering is required. These roads include:

- Queens Chapel Rd. – \$694,080
- Clagett-Pineway – \$65,694
- College Heights Dr. (including intersection at Clagett Rd.) – \$194,894
- Underwood St. – \$55,819
- 43<sup>rd</sup> Ave. – \$4,000
- Clagett Rd./Wells Pkwy. intersection – \$15,000
- Misc. Items – \$218,708
- Contingency, Engineering and Design, Project Mgmt. – \$379,995

The Town has resolved issues related to right-of-way (ROW) requirements pertaining to the grant funding through the SRTS program. Presently, we have been approved for \$80,000 of grant funds from the SRTS program for engineering and design. Once the review has been completed, an RFP for the engineering and design will be placed out for bid. It is anticipated a contract could be awarded by late summer. The goal would be to then have required engineering and design plans to submit for construction funding in Spring 2021. Construction funding awards would be announced in October 2021. Our likely start date for construction of this portion of the Infrastructure Project would be Spring/Summer 2022.

The document provided to Council dated August 8, 2019 estimates the cost of the new sidewalk projects at \$264,000. Based on this estimate and the 80/20 cost sharing ratio associated with SRTS grants, the Town could anticipate a grant award of more than

\$200,000. However, it is possible we could successfully argue that certain aspects (specifically intersection redesign) of QCR are essential to the SRTS scope of work and that we could receive a greater amount of funding.

## **Recommendations**

### **1. Infrastructure Project - Non-Safe Routes to School (SRTS) Scope of Work**

The Town should ride existing Prince Georges County paving Contract # 925-H (F)/B executed with NZI Construction Inc. on February 22, 2017. This contract is a unit cost contract which encompasses all known, relevant construction operations necessary to complete the project scope of work excepting unit costs related to park paths and was used as the primary resource for estimating costs for the Town's Infrastructure Project. NZI was previously awarded the UP Contract 2011-01 paving contract and has done work for the Town on multiple other occasions in the past. Riding this contract will allow the Town to take advantage of unit costs submitted to the County in November of 2016 which will expire in November of 2020. It will further allow the Town to begin necessary sidewalk repairs and repave several roadways impacted by the WSSC CHE Water Main Replacement Project before the end of the current fiscal year, thereby restoring these roads to good condition before winter returns.

The Town should hire an inspector to perform necessary inspections and record keeping for invoice reconciliation. It is recommended the Town's engineer be chosen due to his more than 30 years of experience repairing and repaving the Town's roads.

The Town should ride an M-NCPPC contract which includes unit costs for park paths. This contract was bid in June 2019 and is to be executed imminently. However, if the Town chooses to ride the Prince Georges County Contract # 925-H (F)/B it is recommended NZI Construction Inc. be given the opportunity to match the pricing on the M-NCPPC contract. This would allow the Town to consolidate all FY20-21 infrastructure work into one primary contract which provides the best pricing currently available. It is further recommended the park path resurfacing portion of Infrastructure Project – Phase 1 be combined with this project for construction contracting.

### **2. Adelphi Meadow - 9/11 Memorial Path and Fountain**

The Town should ride an M-NCPPC contract which includes unit costs for park paths. This contract was bid in June 2019 and is to be executed imminently. However, if the Town chooses to ride the Prince Georges County Contract # 925-H (F)/B, NZI Construction Inc. should be given the opportunity to match the pricing on the M-NCPPC contract. This would allow the Town to consolidate all FY20-21 infrastructure work into one primary contract which provides the best pricing currently available.

### **3. NEW- Queens Chapel Rd. (QCR)/Pineway CWP Stormwater Project**

After reviewing and approving a design plan, the Town should accept this CWP stormwater project. It will not only treat and reduce stormwater flows within the drainage area, it will also reduce the amount of stormwater flowing down Queens Chapel Rd. by redirecting it to 44<sup>th</sup> Ave, thereby bypassing half of the town. It is possible the CWP will not approve construction costs related to installing the new sidewalk or curb and gutter, however, the Town should allow the CWP to engineer, design, and permit the construction while using Town funds allocated for the Infrastructure Project to cover the cost of these items.

#### **4. Infrastructure Project - Safe Routes to School (SRTS) Scope of Work**

The Town should delay construction of the scope of work for the Infrastructure Project related to the SRTS design grant application in order to apply for construction grant funding from the SRTS program. Once the issues being negotiated are worked out and the SRTS review (4-6 months) has been completed, the Town should release an RFP for engineering and design for this project. The goal would be to have, at minimum, 30% design plans by the Spring 2021 deadline for the next cycle of the SRTS grant funding and to begin the permitting process with the County. SRTS awards are formally announced in October each year. There would be an 8-week review process before procurement authorization can be obtained from SRTS. As a result, construction could not begin until Spring 2022 at the earliest. At that time, the Town may consider placing separate request for proposals (RFP) out to bid for construction and project management. The Town may also consider riding the County's FY21 paving contract for construction.

#### **Projected Timeline as of February 2020**

##### February 2020

- Council authorizes Mayor to enter into a contract with NZI Construction Inc. for Infrastructure Project - Phase 1.
- Council authorizes Mayor to enter into a contract with the successful bidder of the M-NCPPC paving contract or NZI Construction Inc. for the Adelphi Meadow - 9/11 Memorial Path and Fountain Project.
- Begin SRTS grant engineering and design review and procurement authorization process.
- Begin development of RFP for inspector services for Infrastructure Project - Phase 1 unless the town engineer is approved as the inspector.
- Begin development of RFP for engineering and design of Infrastructure Project - Phase 2.

##### April/May 2020

- Award inspector contract for Infrastructure Project - Phase 1.
- Begin Infrastructure Project - Phase 1 construction.
- Begin Adelphi Meadow - 9/11 Memorial Path and Fountain Project construction.
- Begin Park Path resurfacing construction.

- Authorization of procurement from SRTS and approval of RFP for engineering and design for Infrastructure Project - Phase 2.

May/June 2020

- Begin construction of the CWP Stormwater Project on QCR.

June/July 2020

- Award Infrastructure Project - Phase 2 engineering and design contract.

October/November 2020

- Completion of Infrastructure Project - Phase 1 construction.
- Completion of the CWP Stormwater Project construction on QCR.
- Completion of Adelphi Meadow - 9/11 Memorial and Fountain Project construction.
- Completion of Park Path resurfacing construction.

May 2021

- Submit SRTS construction grant application for Infrastructure Project - Phase 2.
- Begin permitting process for Infrastructure Project – Phase 2.

October 2021

- Award notification for SRTS Infrastructure Project – Phase 2 construction grant.
- Begin SRTS construction grant review and procurement authorization process for Infrastructure Project – Phase 2.
- Begin development of RFP for Infrastructure Project – Phase 2 project management contract.
- Begin development of RFP for Infrastructure Project – Phase 2 construction contract.

January/February 2022

- Authorization of procurement from SRTS and approval of RFP for construction of Infrastructure Project - Phase 2.
- Obtain permits for infrastructure Project – Phase 2.

March/April 2022

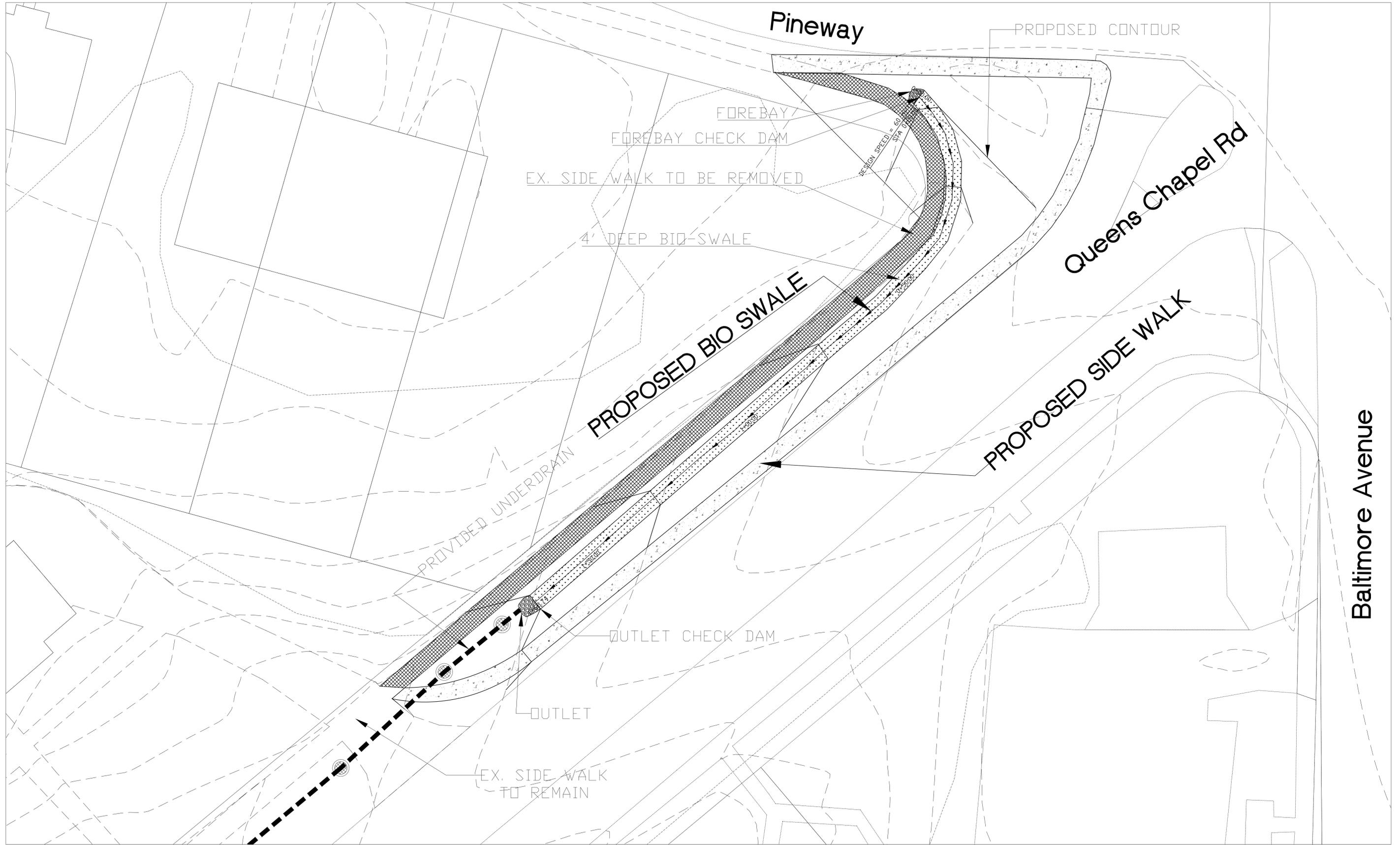
- Award Infrastructure Project - Phase 2 project management contract.
- Award Infrastructure Project - Phase 2 construction contract.

May/June 2022

- Begin construction of Infrastructure Project – Phase 2.

November/December 2022

- Completion of Infrastructure Project – Phase 2 construction.



**ARYA CIVIL LLC**

Design Engineers  
 4700 Stamp Road, Unit D2, Temple Hill, MD 20784  
 Contact: Nandini Sevaris, PE  
 Phone: (443) 535-2325, email: nsevaris@aryacivil.com

DES.	DRN.	CHK.	DATE	REVISION	BY	APPR.

PROFESSIONAL CERTIFICATION  
 I HEREBY CERTIFY THAT THESE PLANS  
 WERE PREPARED OR APPROVED BY  
 ME, AND THAT I AM A DULY LICENSED  
 PROFESSIONAL ENGINEER UNDER THE  
 LAWS OF THE STATE OF MARYLAND,  
 LICENSE NO. 00089567  
 EXPIRATION DATE: 09/15/2026



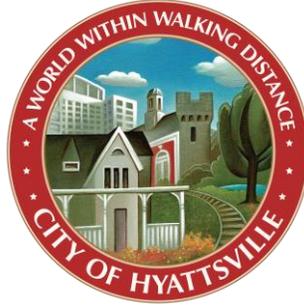
Concept Plan

DOE CLEAN WATER PARTNERSHIP  
 Micro Bio-retention Device  
 University Park  
 6714 Queens Chapel Road  
 University Park MD 20782

SCALE	ZONING	
DATE		SHEET
		OF

## **Agenda Item 9D**

Candace B. Hollingsworth  
Mayor



Tracey E. Douglas  
City Administrator

January 7, 2020

Delegate Anne Healey  
House Office Building, Room 361  
6 Bladen Street  
Annapolis, MD 21401

Dear Delegate Healey,

The City of Hyattsville fully supports State legislation adopting a Community Choice Aggregation (CCA) Act. We urge you to co-sponsor legislation in support of a CCA and vote in favor of a bill that reflects our residents' interest as described herein.

Adoption of a Community Choice Aggregation Act would empower Hyattsville to significantly increase the proportion of City residents using clean, renewable, power while reducing the cost of electricity. Although specific statistics are not available at the City level, Potomac Electric Power Company (PEPCO) has estimated that just 5.42% of Maryland electricity is generated from renewable sources in 2018, a figure that could dramatically increase if CCA legislation is implemented.

Hyattsville residents can currently meet their electricity demands with PEPCO, the default provider, or by selecting an electricity retail provider of their choice. However, the process of shopping for an electricity provider can prove to be complicated and many predatory providers offering misleading contracts are abound, resulting in an overwhelming majority of consumers who do not entertain any choice outside of the default provider. Furthermore, without the ability to form a CCA and negotiate rates with a large block of consumers, individual residents have limited negotiating power to lower costs.

If passed, a Community Choice Aggregation Act would allow local governments like Hyattsville the opportunity to negotiate with electricity providers on behalf of its residents creating a great deal more flexibility in negotiating the purchase of renewable energy at competitive rates.

Sincerely,



Candace B. Hollingsworth  
Mayor

CC: Hyattsville City Council  
Tracey E. Douglas, City Administrator  
Jim Chandler, Assistant City Administrator

**Agenda Item 9D**  
**Senate Bill 315**

# SENATE BILL 315

C5, L6  
SB 660/19 – FIN

01r2402  
CF 01r0595

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By: **Senators Beidle, Augustine, Elfreth, Feldman, Kagan, Lam, Lee, and Rosapepe**  
Introduced and read first time: January 22, 2020  
Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Electric Industry – Community Choice Energy**

3 FOR the purpose of applying certain laws regarding net energy metering and community  
4 solar generating systems to customers served by a community choice aggregator;  
5 repealing a provision that prohibits a county or municipal corporation from acting as  
6 an aggregator under certain circumstances; establishing a process by which,  
7 beginning on a certain date, a county or municipal corporation or group of counties  
8 or municipal corporations may form or join a community choice aggregator; requiring  
9 a county or municipal corporation to develop and give certain notice of a certain  
10 aggregation plan under certain circumstances; providing for the contents of a certain  
11 aggregation plan; prohibiting a county or municipal corporation from excluding  
12 certain customers from the ability to participate in certain aggregation activities  
13 under certain circumstances; establishing a process under which certain customers  
14 shall be deemed to have given permission to a certain county or municipal  
15 corporation to act as the customers' community choice aggregator; providing that  
16 certain customers may refuse to participate in certain aggregation activities under  
17 certain circumstances; requiring a certain electricity supplier to give certain notice  
18 to a community choice aggregator regarding the end of a certain contract term;  
19 authorizing a community choice aggregator to impose a certain penalty under certain  
20 circumstances; prohibiting a community choice aggregator from assessing certain  
21 new fees, taxes, or charges in the aggregation charges or rates under certain  
22 circumstances; exempting a community choice aggregator from certain requirements  
23 relating to the licensing of electricity suppliers; authorizing a community choice  
24 aggregator to own a certain electric generating facility for a certain purpose;  
25 requiring a community choice aggregator to submit a certain plan to the Public  
26 Service Commission for the use or disposition of a certain electric generating facility  
27 under certain circumstances; authorizing a community choice aggregator to contract  
28 for service from an electric generating facility under certain circumstances; requiring  
29 a county or municipal corporation to give or provide for certain notices to certain  
30 persons and to the Commission under certain circumstances; providing for the  
31 contents of certain notices; requiring the Commission to notify a certain county or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 municipal corporation as to its approval of the aggregation plan and certain proposed  
2 terms of service, rates, and categories of certain charges, fees, or other costs under  
3 certain circumstances; providing that a community choice aggregator may award  
4 contracts for competitive generation service supply only at certain times; authorizing  
5 the Commission to establish a schedule by which a community choice aggregator  
6 may transfer load from standard offer service to retail or wholesale contracts under  
7 an aggregation plan; providing that a certain county or municipal corporation is  
8 deemed to have obtained certain customer authorization to retrieve certain data;  
9 requiring an electric company to provide certain data to a community choice  
10 aggregator; requiring the Commission to review certain fees, request formats, and  
11 the format of certain data provided to facilitate the intent of certain provisions of  
12 law; requiring the Commission to adopt certain regulations and establish certain  
13 procedures; authorizing the Commission to make a certain allocation under certain  
14 circumstances; requiring an electric company to provide certain billing services;  
15 requiring certain bills to contain a certain notice; requiring the Commission to  
16 determine the terms and conditions under which a certain electric company provides  
17 certain services; requiring the Commission to consider certain factors; defining  
18 certain terms; altering certain definitions; and generally relating to the ability of a  
19 county or municipal corporation to aggregate demand for electricity within the  
20 county or municipal corporation.

21 BY renumbering

22 Article – Public Utilities  
23 Section 1–101(f) through (tt), respectively  
24 to be Section 1–101(g) through (uu), respectively  
25 Annotated Code of Maryland  
26 (2010 Replacement Volume and 2019 Supplement)

27 BY repealing and reenacting, without amendments,

28 Article – Public Utilities  
29 Section 1–101(a), 7–306(a)(1), (4), and (7) and (f)(1), and 7–306.2(d)(1) and (2)  
30 Annotated Code of Maryland  
31 (2010 Replacement Volume and 2019 Supplement)

32 BY repealing and reenacting, with amendments,

33 Article – Public Utilities  
34 Section 1–101(b), 7–306(f)(5) and (h), 7–306.2(d)(3), and 7–507(a)  
35 Annotated Code of Maryland  
36 (2010 Replacement Volume and 2019 Supplement)

37 BY adding to

38 Article – Public Utilities  
39 Section 1–101(f), 7–306(h), and 7–510.3  
40 Annotated Code of Maryland  
41 (2010 Replacement Volume and 2019 Supplement)

42 BY repealing

1 Article – Public Utilities  
2 Section 7–510(f)  
3 Annotated Code of Maryland  
4 (2010 Replacement Volume and 2019 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
6 That Section(s) 1–101(f) through (tt), respectively, of Article – Public Utilities of the  
7 Annotated Code of Maryland be renumbered to be Section(s) 1–101(g) through (uu),  
8 respectively.

9 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
10 as follows:

11 **Article – Public Utilities**

12 1–101.

13 (a) In this division the following words have the meanings indicated.

14 (b) (1) “Aggregator” means an entity or an individual that acts on behalf of a  
15 customer to purchase electricity or gas.

16 (2) “Aggregator” does not include:

17 (i) an entity or individual that purchases electricity or gas **ONLY** for  
18 its own use or for the use of its subsidiaries or affiliates;

19 (ii) a municipal electric utility or a municipal gas utility serving only  
20 in its distribution territory; or

21 (iii) a combination of governmental units that purchases electricity  
22 or gas for use by the governmental units.

23 **(F) “COMMUNITY CHOICE AGGREGATOR” MEANS A COUNTY OR MUNICIPAL**  
24 **CORPORATION OR A GROUP OF COUNTIES, MUNICIPAL CORPORATIONS, OR BOTH,**  
25 **THAT SERVES AS AN ELECTRIC AGGREGATOR FOR THE PURPOSE OF NEGOTIATING**  
26 **THE PURCHASE OF ELECTRIC GENERATION SERVICES FROM AN ELECTRICITY**  
27 **SUPPLIER LICENSED BY THE COMMISSION OR FROM AN ELECTRIC GENERATING OR**  
28 **STORAGE FACILITY, OR PROVIDING ELECTRICITY FROM AN ELECTRIC GENERATING**  
29 **FACILITY OWNED BY THE AGGREGATOR FOR RESIDENTIAL ELECTRIC CUSTOMERS,**  
30 **INCLUDING MASTER METERED MULTIPLE OCCUPANCY RESIDENCES AND SMALL**  
31 **COMMERCIAL ELECTRIC CUSTOMERS, AS DEFINED IN § 7–510.3 OF THIS ARTICLE,**  
32 **THAT:**

33 **(1) ARE LOCATED, FOR A MUNICIPAL CORPORATION, IN THE**  
34 **MUNICIPAL CORPORATION OR, FOR A COUNTY, IN ANY AREA IN THE COUNTY**

1 **OUTSIDE A MUNICIPAL CORPORATION;**

2 **(2) HAVE NOT:**

3 **(I) SELECTED AN ELECTRICITY SUPPLIER OTHER THAN THE**  
4 **STANDARD OFFER SERVICE SUPPLIER; OR**

5 **(II) REFUSED TO PARTICIPATE IN THE AGGREGATION**  
6 **ACTIVITIES OF THE COUNTY, MUNICIPAL CORPORATION, OR GROUP OF COUNTIES**  
7 **OR GROUP OF MUNICIPAL CORPORATIONS; AND**

8 **(3) ARE NOT LOCATED IN THE SERVICE TERRITORY OF:**

9 **(I) A MUNICIPAL ELECTRIC UTILITY; OR**

10 **(II) AN ELECTRIC COOPERATIVE.**

11 7-306.

12 (a) (1) In this section the following words have the meanings indicated.

13 (4) "Eligible customer-generator" means a customer that owns and  
14 operates, leases and operates, or contracts with a third party that owns and operates a  
15 biomass, micro combined heat and power, solar, fuel cell, wind, or closed conduit hydro  
16 electric generating facility that:

17 (i) is located on the customer's premises or contiguous property;

18 (ii) is interconnected and operated in parallel with an electric  
19 company's transmission and distribution facilities; and

20 (iii) is intended primarily to offset all or part of the customer's own  
21 electricity requirements.

22 (7) "Net energy metering" means measurement of the difference between  
23 the electricity that is supplied by an electric company and the electricity that is generated  
24 by an eligible customer-generator and fed back to the electric grid over the eligible  
25 customer-generator's billing period.

26 (f) (1) The electric company shall calculate net energy metering in accordance  
27 with this subsection.

28 (5) (i) An eligible customer-generator under paragraph (4) of this  
29 subsection may accrue net excess generation for a period:

30 1. not to exceed 12 months; and

1                                   2.     that ends with the billing cycle that is complete  
2 immediately prior to the end of April of each year.

3                                   (ii)    The electric company shall carry forward net excess generation  
4 until:

5                                   1.     the eligible customer-generator's consumption of  
6 electricity from the grid eliminates the net excess generation; or

7                                   2.     the accrual period under subparagraph (i) of this  
8 paragraph expires.

9                                   (iii)  1.     The dollar value of net excess generation shall be equal to  
10 the generation or commodity portion of the rate that the eligible customer-generator would  
11 have been charged by the electric company averaged over the previous 12-month period  
12 ending with the billing cycle that is complete immediately prior to the end of April  
13 multiplied by the number of kilowatt-hours of net excess generation.

14                                   2.     For customers served by **A COMMUNITY CHOICE**  
15 **AGGREGATOR OR** an electricity supplier, the dollar value of the net excess generation shall  
16 be equal to the generation or commodity rate that the customer would have been charged  
17 by the **COMMUNITY CHOICE AGGREGATOR OR** electricity supplier multiplied by the  
18 number of kilowatt-hours of net excess generation.

19                   **(H) AN ELIGIBLE CUSTOMER-GENERATOR UNDER A NET ENERGY**  
20 **METERING CONTRACT MAY PARTICIPATE IN THE AGGREGATION ACTIVITIES OF A**  
21 **COMMUNITY CHOICE AGGREGATOR UNDER § 7-510.3 OF THIS TITLE.**

22                   **[(h)] (I)**     On or before September 1 of each year, the Commission shall report to  
23 the General Assembly, in accordance with § 2-1257 of the State Government Article, on the  
24 status of the net metering program under this section, including:

25                                   (1)    the amount of capacity of electric generating facilities owned and  
26 operated by eligible customer-generators in the State by type of energy resource;

27                                   (2)    based on the need to encourage a diversification of the State's energy  
28 resource mix to ensure reliability, whether the rated generating capacity limit in subsection  
29 (d) of this section should be altered; and

30                                   (3)    other pertinent information.

31 7-306.2.

32                   (d)    (1)    (i)    The Commission shall establish a pilot program for a Community  
33 Solar Energy Generating System Program.

1 (ii) The structure of the pilot program is as provided in this  
2 subsection.

3 (2) All rate classes may participate in the pilot program.

4 (3) Subscribers served by electric standard offer service, **COMMUNITY**  
5 **CHOICE AGGREGATORS**, and electricity suppliers may hold subscriptions to the same  
6 community solar energy generating system.

7 7-507.

8 (a) A person, other than an electric company providing standard offer service  
9 under § 7-510(c) of this subtitle [or], a municipal electric utility serving customers solely  
10 in its distribution territory, **OR A COMMUNITY CHOICE AGGREGATOR UNDER § 7-510.3**  
11 **OF THIS SUBTITLE**, may not engage in the business of an electricity supplier in the State  
12 unless the person holds a license issued by the Commission.

13 7-510.

14 [(f) A county or municipal corporation may not act as an aggregator unless the  
15 Commission determines there is not sufficient competition within the boundaries of the  
16 county or municipal corporation.]

17 **7-510.3.**

18 (A) **IN THIS SECTION, "SMALL COMMERCIAL ELECTRIC CUSTOMER" MEANS**  
19 **A COMMERCIAL ELECTRIC CUSTOMER THAT HAS A PEAK ELECTRIC LOAD OF NOT**  
20 **MORE THAN 25 KILOWATTS.**

21 (B) **BEGINNING OCTOBER 1, 2021, A COUNTY OR MUNICIPAL CORPORATION**  
22 **OR GROUP OF COUNTIES OR MUNICIPAL CORPORATIONS MAY FORM OR JOIN A**  
23 **COMMUNITY CHOICE AGGREGATOR UNDER THIS SECTION.**

24 (C) (1) **AT LEAST 60 DAYS BEFORE INITIATING THE PROCESS TO JOIN OR**  
25 **FORM A COMMUNITY CHOICE AGGREGATOR, A COUNTY OR MUNICIPAL**  
26 **CORPORATION SHALL:**

27 (I) **DEVELOP AN AGGREGATION PLAN;**

28 (II) **GIVE WRITTEN NOTICE OF THE AGGREGATION PLAN TO**  
29 **EACH RESIDENTIAL AND SMALL COMMERCIAL ELECTRIC CUSTOMER IN THE**  
30 **JURISDICTION;**

31 (III) **PUBLISH A FAIR SUMMARY OF THE AGGREGATION PLAN IN**

1 AT LEAST ONE NEWSPAPER OF GENERAL CIRCULATION IN THE JURISDICTION;

2 (IV) IF THE JURISDICTION MAINTAINS A WEBSITE, PUBLISH THE  
3 FULL TEXT OF THE AGGREGATION PLAN ON THE WEBSITE; AND

4 (V) GIVE, FOR THE COMMISSION'S APPROVAL, WRITTEN NOTICE  
5 OF ITS INTENTION TO INITIATE A PROCESS TO JOIN OR FORM A COMMUNITY CHOICE  
6 AGGREGATOR.

7 (2) THE AGGREGATION PLAN SHALL:

8 (I) DETAIL THE PROCESSES RELATED TO PARTICIPATING IN  
9 THE AGGREGATION ACTIVITIES OF A COMMUNITY CHOICE AGGREGATOR;

10 (II) CONTAIN INFORMATION ON THE OPERATIONS, FUNDING,  
11 AND ORGANIZATIONAL STRUCTURE OF THE COMMUNITY CHOICE AGGREGATOR;

12 (III) PROVIDE DETAILS ON:

13 1. THE RATE SETTING AND COSTS TO PARTICIPANTS;

14 2. METHODS THAT THE COMMUNITY CHOICE  
15 AGGREGATOR MUST USE FOR ENTERING INTO AND TERMINATING AGREEMENTS  
16 WITH OTHER ENTITIES;

17 3. THE RIGHTS AND RESPONSIBILITIES OF  
18 PARTICIPATING ELECTRIC CUSTOMERS; AND

19 4. THE TERMINATION OF THE AGGREGATION PROGRAM,  
20 IF ANY; AND

21 (IV) PROVIDE FOR UNIVERSAL ELECTRICITY ACCESS,  
22 RELIABILITY, AND EQUITABLE TREATMENT OF ALL RESIDENTIAL AND SMALL  
23 COMMERCIAL ELECTRIC CUSTOMERS IN THE JURISDICTION.

24 (D) (1) AT LEAST 60 DAYS AFTER DEVELOPING AN AGGREGATION PLAN  
25 AND GIVING THE NOTICE REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, A  
26 COUNTY OR MUNICIPAL CORPORATION OR GROUP OF COUNTIES OR MUNICIPAL  
27 CORPORATIONS MAY INITIATE THE PROCESS OF FORMING OR JOINING A  
28 COMMUNITY CHOICE AGGREGATOR BY FILING WITH THE COMMISSION:

29 (I) A NOTICE OF INTENT TO FORM OR JOIN A COMMUNITY  
30 CHOICE AGGREGATOR;

1           **(II) A COPY OF THE AGGREGATION PLAN DEVELOPED IN**  
2 **ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION;**

3           **(III) A DRAFT LOCAL LAW FORMING OR JOINING A COMMUNITY**  
4 **CHOICE AGGREGATOR; AND**

5           **(IV) PROPOSED TERMS OF SERVICE, RATES, AND CATEGORIES**  
6 **OF CHARGES, FEES, OR OTHER COSTS TO CUSTOMERS UNRELATED TO THE ACTUAL**  
7 **COST OF THE ELECTRICITY SUPPLY.**

8           **(2) THE NOTICE OF INTENT SHALL INCLUDE:**

9           **(I) THE NAME OF EACH COUNTY OR MUNICIPAL CORPORATION**  
10 **IN THE COMMUNITY CHOICE AGGREGATOR; AND**

11           **(II) WHETHER THE COUNTY OR MUNICIPAL CORPORATION IS**  
12 **FORMING A COMMUNITY CHOICE AGGREGATOR OR JOINING AN EXISTING**  
13 **COMMUNITY CHOICE AGGREGATOR.**

14           **(3) A COUNTY OR MUNICIPAL CORPORATION IS A COMMUNITY**  
15 **CHOICE AGGREGATOR AFTER:**

16           **(I) SUBMITTING THE NOTICE OF INTENT AND AGGREGATION**  
17 **PLAN REQUIRED UNDER THIS SUBSECTION;**

18           **(II) THE COMMISSION HAS APPROVED ITS AGGREGATION PLAN**  
19 **AND PROPOSED TERMS FILED IN ACCORDANCE WITH PARAGRAPH (1)(IV) OF THIS**  
20 **SUBSECTION; AND**

21           **(III) ENACTING A LOCAL LAW THAT PROVIDES THAT THE COUNTY**  
22 **OR MUNICIPAL CORPORATION SHALL ACT AS A COMMUNITY CHOICE AGGREGATOR.**

23           **(E) (1) IN ACCORDANCE WITH A SCHEDULE ESTABLISHED BY THE**  
24 **COMMISSION UNDER SUBSECTION (K) OF THIS SECTION, IF A COUNTY OR**  
25 **MUNICIPAL CORPORATION ENACTS A LOCAL LAW TO ACT AS A COMMUNITY CHOICE**  
26 **AGGREGATOR, THE COUNTY OR MUNICIPAL CORPORATION SHALL PROVIDE OR**  
27 **CAUSE ITS SELECTED ELECTRICITY SUPPLIER, IF ANY, TO PROVIDE WRITTEN**  
28 **NOTICE OF THE FORMATION OF THE COMMUNITY CHOICE AGGREGATOR TO ALL**  
29 **RESIDENTIAL AND SMALL COMMERCIAL ELECTRIC CUSTOMERS IN ITS**  
30 **JURISDICTION.**

31           **(2) THE NOTICE REQUIRED UNDER THIS SUBSECTION SHALL**

1 INCLUDE:

2 (I) THE IDENTITY AND COMMISSION-ISSUED LICENSE  
3 NUMBERS OF ANY SELECTED ELECTRICITY SUPPLIER;

4 (II) TERMS AND CONDITIONS OF SERVICE;

5 (III) NEW RATES, CHARGES, AND FEES FOR SERVICE UNDER THE  
6 COMMUNITY CHOICE AGGREGATOR;

7 (IV) A COMPARISON OF THE NEW RATES AND THE RATES UNDER  
8 THE CURRENT STANDARD OFFER SERVICE;

9 (V) INFORMATION ON HOW TO ACCESS THE STANDARD OFFER  
10 SERVICE AVAILABLE FROM AN ELECTRIC COMPANY; AND

11 (VI) THE TOTAL RENEWABLE COMPONENT OF THE ELECTRICITY  
12 TO BE SUPPLIED THROUGH A COMMUNITY CHOICE AGGREGATOR, INCLUDING THE  
13 SPECIFIC SOURCES OF ANY RENEWABLE ENERGY COMPARED TO THE  
14 REQUIREMENTS UNDER CURRENT LAW, IF ANY.

15 (3) IN THE NOTICE REQUIRED UNDER THIS SUBSECTION, THE  
16 COUNTY OR MUNICIPAL CORPORATION SHALL PROVIDE TO THE RESIDENTIAL AND  
17 SMALL COMMERCIAL ELECTRIC CUSTOMERS IN ITS JURISDICTION THE  
18 OPPORTUNITY TO REFUSE TO PARTICIPATE IN THE AGGREGATION ACTIVITIES OF  
19 THE COMMUNITY CHOICE AGGREGATOR:

20 (I) BY RETURN SUBMISSION OF THE NOTICE TO THE  
21 COMMUNITY CHOICE AGGREGATOR AND THE ELECTRIC COMPANY INDICATING THE  
22 CUSTOMER'S DECISION TO REFUSE TO PARTICIPATE IN THE AGGREGATION  
23 ACTIVITIES OF THE COMMUNITY CHOICE AGGREGATOR; OR

24 (II) BY CONTRACTING FOR SERVICE WITH A RETAIL  
25 ELECTRICITY SUPPLIER OR BY CHOOSING STANDARD OFFER SERVICE FROM AN  
26 ELECTRIC COMPANY.

27 (4) A COUNTY OR MUNICIPAL CORPORATION THAT ENACTS A LOCAL  
28 LAW TO ACT AS A COMMUNITY CHOICE AGGREGATOR UNDER THIS SECTION MAY NOT  
29 EXCLUDE FROM THE ABILITY TO PARTICIPATE IN THE AGGREGATION ACTIVITIES OF  
30 THE COMMUNITY CHOICE AGGREGATOR:

31 (I) ANY RESIDENTIAL OR SMALL COMMERCIAL ELECTRIC  
32 CUSTOMER IN ITS JURISDICTION; OR

1           **(II) FOR THE PROVISION OF ELECTRIC SERVICE FOR FACILITIES**  
2 **LOCATED WITHIN THE JURISDICTION OF THE COMMUNITY CHOICE AGGREGATOR,**  
3 **ANY GOVERNMENTAL ENTITY.**

4           **(F) A RESIDENTIAL OR SMALL COMMERCIAL ELECTRIC CUSTOMER IS**  
5 **DEEMED TO HAVE GIVEN PERMISSION TO THE COUNTY OR MUNICIPAL**  
6 **CORPORATION TO ACT ON THE CUSTOMER'S BEHALF AS A COMMUNITY CHOICE**  
7 **AGGREGATOR:**

8           **(1) WHEN THE COUNTY OR MUNICIPAL CORPORATION RECEIVES**  
9 **FROM THE CUSTOMER:**

10           **(I) A REPLY FROM THE NOTICE REQUIRED UNDER SUBSECTION**  
11 **(E) OF THIS SECTION BY WHICH THE CUSTOMER EXPLICITLY GRANTS PERMISSION**  
12 **FOR THE CUSTOMER TO RECEIVE SERVICE WITH THE COMMUNITY CHOICE**  
13 **AGGREGATOR; OR**

14           **(II) AN APPLICATION TO RECEIVE SERVICE WITH THE**  
15 **COMMUNITY CHOICE AGGREGATOR;**

16           **(2) IN THE CASE OF A CUSTOMER RECEIVING STANDARD OFFER**  
17 **SERVICE, WITHIN 30 DAYS AFTER THE NOTICE REQUIRED BY SUBSECTION (E) OF**  
18 **THIS SECTION IS GIVEN IF:**

19           **(I) THE COUNTY OR MUNICIPAL CORPORATION HAS NOT**  
20 **RECEIVED A RETURNED NOTICE BY THAT DATE; OR**

21           **(II) AFTER THE CREATION OF THE COMMUNITY CHOICE**  
22 **AGGREGATOR AND RECEIPT OF THE NOTICE, THE CUSTOMER HAS NOT CONTRACTED**  
23 **WITH A RETAIL ELECTRICITY SUPPLIER OR CONTACTED AN ELECTRIC COMPANY TO**  
24 **SELECT STANDARD OFFER SERVICES; OR**

25           **(3) ON APPLYING FOR NEW ELECTRIC SERVICE WITHIN THE**  
26 **TERRITORY SERVED BY THE COMMUNITY CHOICE AGGREGATOR, UNLESS THE**  
27 **CUSTOMER HAS:**

28           **(I) CONTRACTED WITH A RETAIL ELECTRICITY SUPPLIER FOR**  
29 **SERVICE; OR**

30           **(II) CONTACTED AN ELECTRIC COMPANY TO SELECT STANDARD**  
31 **OFFER SERVICE.**

1           **(G) EXCEPT FOR A CONTRACT THAT AUTOMATICALLY RENEWS, AT THE END**  
2 **OF A CONTRACT TERM WITH AN ELECTRICITY SUPPLIER A RESIDENTIAL OR SMALL**  
3 **COMMERCIAL ELECTRIC CUSTOMER IN THE JURISDICTION OF A COMMUNITY**  
4 **CHOICE AGGREGATOR SHALL BE AUTOMATICALLY ENROLLED AS A PARTICIPANT IN**  
5 **THE AGGREGATION ACTIVITIES OF THE COMMUNITY CHOICE AGGREGATOR UNLESS**  
6 **THE CUSTOMER:**

7           **(1) GIVES WRITTEN NOTICE TO THE COUNTY OR MUNICIPAL**  
8 **CORPORATION DECLINING TO PARTICIPATE IN THE AGGREGATION ACTIVITIES OF**  
9 **THE COMMUNITY CHOICE AGGREGATOR; OR**

10           **(2) CONTRACTS FOR SERVICE WITH A RETAIL ELECTRICITY SUPPLIER**  
11 **OR CONTACTS AN ELECTRIC COMPANY TO SELECT STANDARD OFFER SERVICE.**

12           **(H) (1) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT A**  
13 **RESIDENTIAL OR SMALL COMMERCIAL ELECTRIC CUSTOMER IN THE JURISDICTION**  
14 **OF THE COUNTY OR MUNICIPAL CORPORATION FROM CHOOSING AT ANY TIME:**

15           **(I) TO ENTER INTO A CONTRACT WITH AN ELECTRICITY**  
16 **SUPPLIER OTHER THAN THE COMMUNITY CHOICE AGGREGATOR; OR**

17           **(II) THE STANDARD OFFER SERVICE OFFERED BY AN ELECTRIC**  
18 **COMPANY.**

19           **(2) A COMMUNITY CHOICE AGGREGATOR MAY IMPOSE A PENALTY ON**  
20 **AN ELECTRIC CUSTOMER FOR OPTING OUT OF PARTICIPATION IN THE**  
21 **AGGREGATION ACTIVITIES OF THE COMMUNITY CHOICE AGGREGATOR ONLY IF THE**  
22 **ELECTRIC CUSTOMER OPTS OUT OF PARTICIPATION MORE THAN 180 DAYS AFTER**  
23 **THE CUSTOMER IS ENROLLED AS A PARTICIPANT.**

24           **(I) A COMMUNITY CHOICE AGGREGATOR MAY NOT ASSESS ANY NEW FEE,**  
25 **TAX, OR OTHER CHARGE IN THE AGGREGATION CHARGES OR RATES THAT IS NOT**  
26 **RELATED TO THE COST OF:**

27           **(1) PROVIDING ELECTRICITY SUPPLY AND ELECTRICITY SUPPLY**  
28 **SERVICE, INCLUDING SERVICE FROM A GENERATING STATION OWNED BY THE**  
29 **COMMUNITY CHOICE AGGREGATOR;**

30           **(2) PROMOTING THE USE OF RENEWABLE ENERGY; AND**

31           **(3) PROVIDING AND PROMOTING ENERGY EFFICIENCY MEASURES**  
32 **THAT ARE COMPLEMENTARY TO THOSE OFFERED IN ACCORDANCE WITH § 7-211 OF**  
33 **THIS TITLE.**

1           **(J) (1) EXCEPT FOR THE PURPOSES OF MEETING THE REQUIREMENTS OF**  
2 **THE RENEWABLE ENERGY PORTFOLIO STANDARD UNDER SUBTITLE 7 OF THIS**  
3 **TITLE, A COMMUNITY CHOICE AGGREGATOR MAY NOT BE CONSIDERED TO BE AN**  
4 **ELECTRICITY SUPPLIER UNDER § 7-507(A) OF THIS SUBTITLE.**

5           **(2) (I) A COMMUNITY CHOICE AGGREGATOR MAY OWN AN**  
6 **ELECTRIC GENERATING FACILITY OR AN ELECTRIC STORAGE FACILITY IN**  
7 **ACCORDANCE WITH THIS ARTICLE IF THE FACILITY IS DESIGNED TO PROVIDE**  
8 **ENERGY PRIMARILY FOR USE BY THE PARTICIPANTS OF THE COMMUNITY CHOICE**  
9 **AGGREGATOR.**

10           **(II) WHEN A COMMUNITY CHOICE AGGREGATOR BUILDS OR**  
11 **ACQUIRES AN ELECTRIC GENERATING FACILITY OR ELECTRIC STORAGE FACILITY,**  
12 **THE COMMUNITY CHOICE AGGREGATOR SHALL SUBMIT TO THE COMMISSION A PLAN**  
13 **FOR THE USE OR DISPOSITION OF THE FACILITY IF THE COMMUNITY CHOICE**  
14 **AGGREGATOR IS DISSOLVED.**

15           **(3) A COMMUNITY CHOICE AGGREGATOR MAY CONTRACT FOR**  
16 **SERVICE FROM AN ELECTRIC GENERATING FACILITY IN ACCORDANCE WITH THIS**  
17 **ARTICLE IF THE AMOUNT OF CONTRACTED ELECTRICITY SUPPLY FROM THE**  
18 **FACILITY IS NOT GREATER THAN THE AMOUNT ESTIMATED TO BE NECESSARY TO**  
19 **MEET THE ELECTRICAL DEMAND OF THE PARTICIPANTS OF THE COMMUNITY**  
20 **CHOICE AGGREGATOR.**

21           **(K) (1) BASED ON A DETERMINATION OF THE MITIGATION OF**  
22 **VOLUMETRIC RISK, THE COMMISSION MAY ESTABLISH BY ORDER OR REGULATION A**  
23 **SCHEDULE, WHICH MAY NOT EXCEED A PERIOD OF 2 YEARS, BY WHICH A COMMUNITY**  
24 **CHOICE AGGREGATOR MAY TRANSFER LOAD FROM STANDARD OFFER SERVICE TO**  
25 **RETAIL OR WHOLESALE CONTRACTS UNDER AN AGGREGATION PLAN.**

26           **(2) THE COMMISSION SHALL CONSIDER THE IMPACTS TO THE PRICE**  
27 **AND STABILITY OF THE PROCUREMENT OF STANDARD OFFER SERVICE WHEN**  
28 **CONSIDERING A SCHEDULE UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

29           **(L) (1) A COUNTY OR MUNICIPAL CORPORATION THAT IS FORMING OR**  
30 **JOINING A COMMUNITY CHOICE AGGREGATOR IS DEEMED TO HAVE OBTAINED**  
31 **ELECTRIC CUSTOMER AUTHORIZATION TO RETRIEVE PREENROLLMENT USAGE**  
32 **DATA FOR RESIDENTIAL AND SMALL COMMERCIAL ELECTRIC CUSTOMERS IN THE**  
33 **JURISDICTION OF THE COMMUNITY CHOICE AGGREGATOR.**

34           **(2) IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE**  
35 **COMMISSION, AN ELECTRIC COMPANY SHALL PROVIDE TO A COMMUNITY CHOICE**

1 AGGREGATOR ANY RELEVANT DATA FOR CUSTOMERS IN THE JURISDICTION OF THE  
2 COMMUNITY CHOICE AGGREGATOR, INCLUDING:

3 (I) PREENROLLMENT USAGE DATA; AND

4 (II) ANY OTHER APPROPRIATE BILLING AND ELECTRICAL LOAD  
5 DATA.

6 (3) AN ELECTRIC COMPANY SHALL PROVIDE TO A COUNTY OR  
7 MUNICIPALITY THAT IS FORMING OR JOINING A COMMUNITY CHOICE AGGREGATOR  
8 DATA UNDER THIS SUBSECTION AS FOLLOWS:

9 (I) ONLY AGGREGATE DATA WHEN THE COUNTY OR  
10 MUNICIPALITY INITIATES THE PROCESS OF JOINING OR FORMING A COMMUNITY  
11 CHOICE AGGREGATOR; AND

12 (II) ANY CUSTOMER-SPECIFIC DATA AFTER THE AGGREGATION  
13 PLAN IS APPROVED BY THE COMMISSION.

14 (M) THE COMMISSION SHALL REVIEW APPLICABLE FEES, REQUEST  
15 FORMATS, AND THE FORMAT OF DATA PROVIDED TO FACILITATE THE INTENT OF  
16 THIS SECTION.

17 (N) THE COMMISSION SHALL ESTABLISH PROCEDURES FOR AN ELECTRIC  
18 CUSTOMER THAT IS RECEIVING ELECTRICITY SUPPLY THROUGH A COMMUNITY  
19 CHOICE AGGREGATOR TO RECEIVE ANY BILL ASSISTANCE CREDIT OR ARREARAGE  
20 ASSISTANCE TO WHICH THE CUSTOMER MAY BE ENTITLED UNDER § 7-512.1 OF THIS  
21 SUBTITLE OR ANY OTHER FEDERAL OR STATE BILL AND ARREARAGE ASSISTANCE  
22 ADMINISTERED BY THE OFFICE OF HOME ENERGY PROGRAMS.

23 (O) THE COMMISSION MAY ALLOCATE THE PORTION OF DELINQUENT  
24 ACCOUNT RECEIVABLES THAT IS ATTRIBUTABLE TO ELECTRICITY SUPPLY BETWEEN  
25 THE ELECTRIC CUSTOMERS PARTICIPATING IN THE AGGREGATION ACTIVITIES OF A  
26 COMMUNITY CHOICE AGGREGATOR AND THE ELECTRIC CUSTOMERS THROUGHOUT  
27 THE ELECTRIC COMPANY'S SERVICE TERRITORY IF THE COMMISSION DETERMINES  
28 THAT:

29 (1) THE AMOUNT OF DELINQUENT ACCOUNTS RECEIVABLE  
30 ATTRIBUTABLE TO ELECTRIC CUSTOMERS RECEIVING STANDARD OFFER SERVICE IS  
31 PROJECTED TO INCREASE TO AN EXTENT THAT WILL MATERIALLY ADVERSELY  
32 IMPACT THE COST OF PROVIDING STANDARD OFFER SERVICE; AND

33 (2) THE PROJECTED INCREASE IN THE AMOUNT OF DELINQUENT

1 ACCOUNTS RECEIVABLE ATTRIBUTABLE TO ELECTRIC CUSTOMERS RECEIVING  
2 STANDARD OFFER SERVICE IS DIRECTLY OR INDIRECTLY CAUSED BY THE  
3 MIGRATION OF A SUBSTANTIAL NUMBER OF ELECTRIC CUSTOMERS FROM  
4 STANDARD OFFER SERVICE TO PARTICIPATION IN THE AGGREGATION ACTIVITIES  
5 OF A COMMUNITY CHOICE AGGREGATOR.

6 (P) (1) AN ELECTRIC COMPANY SHALL PROVIDE BILLING SERVICES FOR  
7 A COMMUNITY CHOICE AGGREGATOR.

8 (2) BILLS SENT TO ELECTRIC CUSTOMERS THAT PARTICIPATE IN THE  
9 AGGREGATION ACTIVITIES OF A COMMUNITY CHOICE AGGREGATOR SHALL  
10 IDENTIFY THE COMMUNITY CHOICE AGGREGATOR AS THE ELECTRICITY SUPPLIER.

11 (3) THE COMMISSION SHALL DETERMINE THE TERMS AND  
12 CONDITIONS UNDER WHICH THE ELECTRIC COMPANY PROVIDES METERING,  
13 BILLING, COLLECTION, AND CUSTOMER SERVICES TO A COMMUNITY CHOICE  
14 AGGREGATOR AND ELECTRIC CUSTOMERS THAT PARTICIPATE IN THE  
15 AGGREGATION ACTIVITIES OF A COMMUNITY CHOICE AGGREGATOR.

16 (Q) (1) THE COMMISSION SHALL BY REGULATION ESTABLISH  
17 STANDARDS AND PROCEDURES TO PROTECT THE CONSUMER RIGHTS OF  
18 RESIDENTIAL CUSTOMERS WITHIN THE TERRITORY OF A COMMUNITY CHOICE  
19 AGGREGATOR THAT RECEIVE ELECTRICITY SUPPLY THROUGH THE COMMUNITY  
20 CHOICE AGGREGATOR.

21 (2) THE REGULATIONS SHALL PROHIBIT DISCRIMINATION AGAINST A  
22 CUSTOMER OR ON THE BASIS OF THE LOCATION OF THE CUSTOMER.

23 (R) ON OR BEFORE JULY 1, 2021, THE COMMISSION SHALL ADOPT  
24 REGULATIONS TO IMPLEMENT THIS SECTION, INCLUDING REGULATIONS FOR:

25 (1) CONSUMER PROTECTION;

26 (2) A TARIFF STRUCTURE FOR COMMUNITY CHOICE AGGREGATION  
27 NONCOMMODITY FEES AND CHARGES, INCLUDING A CAP ON ANY POTENTIAL EXIT  
28 FEE;

29 (3) A PROTOCOL FOR DATA EXCHANGE BETWEEN COMMUNITY  
30 CHOICE AGGREGATORS, RETAIL SUPPLIERS, AND ELECTRIC COMPANIES;

31 (4) PROCEDURES BY WHICH A COMMUNITY CHOICE AGGREGATOR  
32 MAY TRANSFER LOAD FROM STANDARD OFFER SERVICE TO RETAIL OR WHOLESALE  
33 CONTRACTS UNDER AN AGGREGATION PLAN;

1           **(5) THE METHOD BY WHICH THE COST OF DELINQUENT ACCOUNTS OF**  
2 **A COMMUNITY CHOICE AGGREGATOR MAY BE RECOVERED FROM CUSTOMERS;**

3           **(6) PROCEDURES FOR ENROLLING A CUSTOMER FOR SERVICE WITH A**  
4 **COMMUNITY CHOICE AGGREGATOR ON EXPIRATION OF THE CUSTOMER'S RETAIL**  
5 **SUPPLY CONTRACT;**

6           **(7) PROCEDURES TO PROTECT CUSTOMER'S PRIVACY AND**  
7 **CONFIDENTIAL DATA COLLECTED OR HELD BY A COMMUNITY CHOICE AGGREGATOR;**

8           **(8) PROCEDURES TO MITIGATE ANY RISK TO STANDARD OFFER**  
9 **SERVICE CUSTOMERS CAUSED BY THE POTENTIAL FOR CUSTOMERS TO MIGRATE**  
10 **FROM A COMMUNITY CHOICE AGGREGATOR TO STANDARD OFFER SERVICE;**

11           **(9) PROCEDURES BY WHICH A COMMUNITY CHOICE AGGREGATOR**  
12 **MAY BE DISSOLVED, INCLUDING PROCEDURES FOR THE TRANSFER OF CUSTOMERS**  
13 **TO STANDARD OFFER SERVICE AND THE RESALE OF CONTRACTED ELECTRICITY**  
14 **SUPPLY; AND**

15           **(10) PROCEDURES TO REQUIRE THAT:**

16           **(I) A COMMUNITY CHOICE AGGREGATOR THAT TRANSFERS ALL**  
17 **CUSTOMERS BACK TO STANDARD OFFER SERVICE IS CONSIDERED TO BE DISSOLVED;**  
18 **AND**

19           **(II) IF A COMMUNITY CHOICE AGGREGATOR IS CONSIDERED TO**  
20 **BE DISSOLVED, IT MAY NOT BE REFORMED EXCEPT THROUGH THE PROCESS OF**  
21 **FORMING A NEW COMMUNITY CHOICE AGGREGATOR IN ACCORDANCE WITH THIS**  
22 **SECTION.**

23           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2020.

**Agenda Item 10**  
**Draft Minutes from January 27 Council Meeting**



**MEETING OF  
UNIVERSITY PARK MAYOR AND COMMON COUNCIL  
UNIVERSITY PARK ELEMENTARY SCHOOL  
4315 UNDERWOOD STREET**

**7:30 p.m.  
January 27, 2020  
MINUTES**

*A closed session began at 9:30 p.m. See agenda item 11.*

**1. CALL TO ORDER: Mayor Carey** at 7:30 p.m.

**Present:** Mr. Brosch, Mr. Schultz, Ms. Morrissey, Ms. Verrill, Mr. Caskey, Mr. Stephen  
**Absent:** None  
**Excused:** Ms. Wells

**2. PLEDGE OF ALLEGIANCE** was led by Mr. Caskey.

**3. APPROVAL OF THE AGENDA**

**Moved by:** Ms. Verrill

**Seconded by:** Mr. Stephen

**Yea:** 6

**Nay:** 0

**Abstain:** 0

**4. PRESENTATION**

**A. PRINCE GEORGE’S COUNTY SCHOOL BOARD REPRESENTATIVE**

Ms. Morrissey introduced Prince Georges County Public School Board District 3 representative Ms. Pamela Boozer-Strother. Ms. Boozer-Strother introduced fellow Board Member Mr. Paul Monteiro. Ms. Boozer-Strother said that the Board of Education is asking for everyone to engage in some sort of lobbying effort for full funding of the Kirwan Commission also known as the blueprint of Maryland’s future. Updates were given on the following: the shortage of bus drivers and crossing guards; the demand for more school counselors; expansion of the pre-K programs; focusing on building meaningful CT programs and plans for the local feeder schools.

Comments from Councilmembers and residents:

- A Councilmember said that the way the school district takes care of its business is a challenge and much more needs to be done; more Charter schools are needed and change is needed in the process of hiring teachers.
- A Councilmember expressed a concern about the already crowded schools in the area and the new housing units being proposed.
- A Councilmember asked what is the procedure for parents who have a concern with a teacher or the principal? Ms. Boozer-Strother said there is a page on the County Public School’s website that

*focuses on how to get a resolution to a problem.*

- A resident is concerned with the continuing use of zero grades, the new severe absence policy and the lack of class discussion amongst the students in the classroom.
- A resident who is involved with Northwestern High School would like to see a more realistic assessment of the graduating rate. The school should consider going to a “semester system” rather than a “quarter system”, as this allows flexibility to have an opportunity to make corrections and to have a clearer assessment of what was learned. Northwestern needs to have a library with updated computers and technology.
- A resident who does not have any children in the school system said that a generous portion of his taxes goes to fund the school and the graduation rate at Northwestern is a concern and it shouldn’t be blamed on funding. The system needs to look for ways to operate more efficiently, possibly by reprioritizing where money is spent. The school system gets a lot of money and it is shameful that Northwestern PTA had to ask for donations to help with upgrading their computers.

**5. CONSENT AGENDA**

**Motion:** To approve the following consent agenda items.

**Moved by:** Mr. Stephen

**Seconded by:** Ms. Verrill

**Yea:** 6

**Nay:** 0

**Abstain:** 0

**A. BUILDING PERMIT APPLICATION TO INSTALL TWO WINDOWS**

**(Colen and Elaine Kennell, 6905 Wells Parkway) Ward 7**

*To install 2 – 3’x 2’ windows, one on each side of the chimney in the living room, located on Lot 13 and Block 30 at 6905 Wells Parkway.*

**B. BUILDING PERMIT APPLICATION TO REPLACE SHED**

**(Jason Taliaferro, 4443 Wells Parkway) Ward 3**

*To replace a 5’x 6’ shed located on Lot 5, Block 3 and Section 1 at 4443 Wells Parkway.*

**6. PUBLIC COMMENT**

None

**7. CONTINUING BUSINESS**

**A. INTRODUCTION OF LEGISLATIVE RESOLUTION 2020-O-01: RESTRICTED PARKING AND RESTRICTED ENTRY ALONG UNDERWOOD STREET AND QUEENS CHAPEL ROAD NEARBY UNIVERSITY PARK ELEMENTARY SCHOOL (Introduction)**

**Motion:** To approve introduction of Legislative Resolution 2020-O-01 to amend Town Code, Chapter 9 to restrict parking on the east (Baltimore Ave.) side of Queens Chapel Road for 95 feet north of Underwood, and on the south (Wells Run) side of Underwood for 93 feet east of Queens Chapel Road, Monday through Friday 7 a.m. to 9 a.m., and also prohibit entry onto Underwood eastbound (towards Baltimore Ave.) from Queens Chapel Road during those same hours as recommended by the Police, Traffic and Public Safety Committee.

*The earliest date this motion may be considered for passage is February 3, 2020.*

**Moved by:**

**Seconded by:**

**Yea:**

**Nay:**

**Abstain:**

**8. NEW BUSINESS**

**A. APPROVE A UPPD GENERAL ORDER TO AUTHORIZE A POLICE BENEVOLENT FUND**

**Motion:** To approve amending the General Order Manual to include General Order 604.0 establishing a *Police Benevolent Fund* and approving the uses of the Fund.

**Moved by:** Mr. Caskey

**Seconded by:** Ms. Verrill

**Yea:** 6

**Nay:** 0

**Abstain:** 0

**B. INTRODUCTION OF CHARTER RESOLUTION 20-CR-01: AMENDING ARTICLE V, “REGISTRATION, NOMINATIONS AND ELECTIONS”, SECTION 503 “REGISTRATIONS” AND SECTION 506 “CANDIDATES FOR OFFICE” (*Introduction*)**

**Motion:** To approve the introduction of Charter Resolution 20-CR-01 to repeal and re-enact Article V, “Registration, Nominations and Elections”, Section 503 “Registration” and Section 506 “Candidates for Office” to clarify that qualified persons register to vote in the Town through Prince George’s County Board of Elections, delete the provision for a supplemental voter registration list, include the requirement for candidates to file a financial disclosure statement at the same time as the candidate petition, require that the candidate petition and financial disclosure statement be filed at least 29 days prior to the election, clarify the petition requirements for write-in candidates, delete outdated references, and make conforming and clerical changes.

*The earliest date this motion may be considered for passage is February 24, 2020.*

**Moved by:** Ms. Verrill

**Seconded by:** Ms. Morrissey

**Yea:** 6

**Nay:** 0

**Abstain:** 0

**C. DATE FOR THE NEXT TOWN ELECTION AND POLL HOURS**

**Motion:** Per Section 504(a) of the Town Charter, to set a May 5, 2020 date for General Election in the Town of University Park for the Offices of Mayor and Councilmember for Wards 1, 3 and 7 and to approve the poll hours of operation from 8 a.m. to 8 p.m. at the Word of God Baptist Church at 6513 Queens Chapel Road in University Park.

**Moved by:** Mr. Caskey

**Seconded by:** Mr. Stephen

**Yea:** 6

**Nay:** 0

**Abstain:** 0

**9. APPROVAL OF MINUTES:** *January 6, 2020*

**Moved by:** Mr. Schultz

**Seconded by:** Ms. Verrill

**Yea:** 6

**Nay:** 0

**Abstain:** 0

**10. DEPARTMENT AND COUNCIL REPORTS**

**A. MAYOR'S REPORT**

- Mayor Carey will attend a meeting on Wednesday, January 29 with the Maryland Municipal League Legislative Committee and a topic of discussion will be what is being done to implement the Kirwan Commission recommendation.
- Mr. Beall said that in reference to replacing the 230 streetlights to LED in Town, University Park is now allowed to participate with Metropolitan Washington Council of Government (MWCOG) in cooperative purchasing, negotiations, etc.
- The Hyattsville Volunteer Fire Department will give a presentation at the February 3 Council meeting.

**B. COUNCIL AND COMMITTEE REPORTS**

**Public Facilities and Services Committee - Mr. Caskey**

The next meetings are scheduled for Thursday, February 20 and March 19. Discussion will include the future of Town Hall. Mr. Caskey asked for suggestions on how to prioritize the needs for Town Hall.

**Trees, Parks and the Environment Committee - Ms. Morrissey**

- The Committee had a retreat/meeting at Town Hall to discuss what it would take to introduce a tree ordinance in Town.

**Policy, Rules and Municipal Structure Committee - Ms. Verrill**

The next meeting scheduled for February 6 will be rescheduled due to lack of a quorum. Ms. Verrill will contact the Committee with a new meeting date.

**Helping Hands University Park - Ms. Verrill**

- A program on "Aging Choices" was co-sponsored by Helping Hands and other aging groups along Rt. 1 on Saturday, January 25 at the Hyattsville Municipal Building. The event was successful with approximately 75 participants and a very interesting presentation.
- Mayor Carey commended Helping Hands for their efforts on behalf of seniors in Town. He said that Helping Hands does a lunch once a month and all are invited, and encouraged the Council to participate.

**C. REPORT FROM THE TOWN ATTORNEY ~ *Suellen Ferguson***

No Report

**D. REPORT FROM THE TOWN CLERK ~ *Andrea Marcavitch***

- Ms. Marcavitch reminded the Council to mark their calendars for the upcoming Maryland Municipal League Summer Conference scheduled for June 28 - July 1. Those interested in attending the Conference should contact Ms. Marcavitch.
- Residents interested in running for election this year, Mayor and Council candidate petitions and financial disclosure statements are due on Monday, April 6.

- Households will begin receiving invitations via mail on how to respond to the 2020 Census March 12-20. Helping Hands have been asked to reach out to seniors who may need help with the Census.

**E. REPORT FROM THE CHIEF OF POLICE ~ *Chief Baker***

- Chief Baker distributed the University Park Police 2019 Annual Report.
- Crime Report January 1-27: two incidents (Wards 1 and 2).
- Training for January included: Residential Bombing Training in New Mexico.
- Lieutenant Enig received a Project Safe Neighborhood award from the US Attorney Robert K. Hur for a traffic stop he made in 2016, which led to solving several other more serious crimes.
- On January 24, all personnel were issued Body Worn Cameras.

**F. REPORT FROM THE DIRECTOR OF PUBLIC WORKS ~ *Michael Beall***

- The new trucks have arrived but have not been put to use.
- Leaf season is over and approximately 360 tons were collected.
- The Compost Program currently has 270 participants.
- There has been an increase in participants for the Tree Reimbursement Program.
- There were two unexpected purchases made for the Public Works Department – a welder and a diagnostic tool.
- Mr. Brosch said that the Town should consider increasing items for composting such as meat, dairy, cheese and fish. Mr. Schultz said that this is on the agenda for the next Sustainability Committee meeting scheduled for February 5.

**11. CLOSED SESSION**

**A. CLOSE OPEN SESSION AND ENTER INTO CLOSED SESSION**

**Motion:** To adjourn the public meeting and enter Closed Session to consult with Counsel to obtain legal advice. The Council will not be returning to Open Session.

**Moved by:** Ms. Verrill

**Seconded by:** Mr. Schultz

**Yea:** 6

**Nay:** 0

**Abstain:** 0

**12. ADJOURNMENT** by consent at 9:30 p.m.

## **Agenda Item 11**

### **Closed Session Minutes from January 27 Council Meeting**

## Record of Closed Session

<b>Motion: To close public meeting</b> Moved by: <u>Verrill</u> Seconded by: <u>Schultz</u> Yea: <u>6</u> Nay: <u>0</u> Abstain: <u>0</u>	<b>Motion: To resume public meeting and adjourn</b> Moved by: <u>Caskey</u> Seconded by: <u>Stephen</u> Yea: <u>6</u> Nay: <u>0</u> Abstain: <u>0</u>
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TIME: 9:32 pm

DATE: January 27, 2020

PLACE (IF OTHER THAN TOWN HALL): University Park Elementary School

PERSONS PRESENT: Ferguson (Attorney) Caskey, Stephen, Brosch, Morrissy, Verrill and Schultz

AUTHORITY FOR CLOSING SESSION:

THE COUNCIL VOTED TO MEET IN CLOSED SESSION UNDER THE FOLLOWING PART(S) OF SECTION 10-508 TO:

- 1) DISCUSS (I) THE APPOINTMENT, EMPLOYMENT, ASSIGNMENT, PROMOTION, DISCIPLINE, DEMOTION, COMPENSATION, REMOVAL, RESIGNATION OR PERFORMANCE EVALUATIONS OF APPOINTEES, EMPLOYEES, OR OFFICIALS OVER WHOM IT HAS JURISDICTION; OR (II) ANY OTHER PERSONNEL MATTER THAT AFFECTS ONE OR MORE SPECIFIC INDIVIDUALS; OR
- 2) PROTECT THE PRIVACY OR REPUTATION OF INDIVIDUALS WITH RESPECT TO A MATTER NOT RELATED TO PUBLIC BUSINESS; OR
- 3) CONSIDER THE ACQUISITION OF REAL PROPERTY FOR A PUBLIC PURPOSE AND MATTERS DIRECTLY RELATED THERETO; OR
- 4) CONSIDER A MATTER THAT CONCERNS THE PROPOSAL FOR A BUSINESS OR INDUSTRIAL ORGANIZATIONS TO LOCATE, EXPAND OR REMAIN IN THE STATE; OR
- 5) CONSIDER THE INVESTMENT OF PUBLIC FUNDS; OR
- 6) CONSIDER THE MARKETING OF PUBLIC SECURITIES; OR

**\*CONFIDENTIAL\***

7) CONSULT WITH COUNSEL TO OBTAIN LEGAL ADVICE; OR

8) CONSULT WITH STAFF, CONSULTANTS, OR OTHER INDIVIDUALS ABOUT PENDING OR POTENTIAL LITIGATION; OR

9) CONDUCT COLLECTIVE BARGAINING NEGOTIATIONS OR CONSIDER MATTERS THAT RELATE TO NEGOTIATIONS; OR

10) DISCUSS PUBLIC SECURITY, IF THE PUBLIC BODY DETERMINES THAT PUBLIC DISCUSSION WOULD CONSTITUTE A RISK TO THE PUBLIC OR TO PUBLIC SECURITY, INCLUDING:

- (i) DEPLOYMENT OF FIRE AND POLICE SERVICE AND STAFF; AND
- (ii) THE DEVELOPMENT AND IMPLEMENTATION OF EMERGENCY PLANS;

11) PREPARE, ADMINISTER, OR GRADE A SCHOLASTIC, LICENSING, OR QUALIFYING EXAMINATION; OR

12) CONDUCT OR DISCUSS AN INVESTIGATIVE PROCEEDING ON ACTUAL OR POSSIBLE CRIMINAL CONDUCT; OR

13) COMPLY WITH A SPECIFIC CONSTITUTIONAL, STATUTORY, OR JUDICIALLY IMPOSED REQUIREMENT THAT PREVENTS PUBLIC DISCLOSURES ABOUT A PARTICULAR PROCEEDING OR MATTER; OR

14) BEFORE A CONTRACT IS AWARDED OR BIDS ARE OPENED, DISCUSS A MATTER DIRECTLY RELATED TO A NEGOTIATING STRATEGY OR DISCLOSURE WOULD ADVERSELY IMPACT THE ABILITY OF THE PUBLIC BODY TO PARTICIPATE IN THE COMPETITIVE BIDDING OR PROPOSAL PROCESS.

LIST OF TOPICS DISCUSSED: The attorney advised the  
Mayor and Council on the process for  
renewing Town permits when opposed.

**\*CONFIDENTIAL\***

ACTIONS TAKEN: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEETING ADJOURNED: 10:02 p.m.

SIGNED: 

**\*CONFIDENTIAL\***