

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, September 28, 2015.

Mayor Jordan called the meeting to order at 8:02 p.m.

ROLL CALL was answered by Councilmembers Judith F. Davis, Konrad E. Herling, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan.

ALSO PRESENT were Celia Craze, Acting City Manager; James Craze, Police Chief; Terri Hruby, Assistant Director of Planning; Jessica Bellah, Community Planner; and Cindy Murray, City Clerk.

Mayor Jordan asked for a moment of silence in memory of residents David Morrison and Michael Mullaney and former resident Ronald Corazz, Jr. Mr. Herling then led the pledge of allegiance to the flag.

APPROVAL OF CONSENT AGENDA: It was moved by Mr. Herling and seconded by Ms. Pope. that the consent agenda be approved. The motion passed 7-0.

Council thereby took the following actions:

Minutes:

Work Session, September 2, 2015

Approved as Presented

Letter of Support to General Services Administration – Use of State Property on Cherrywood Lane as a Security Buffer: Council approved sending a letter to the Maryland Department of Business and Economic Development indicating its continued support of the security easement on state owned land next to Cherrywood Lane for the possible Federal Bureau of Investigations Headquarters.

APPROVAL OF AGENDA: It was moved by Mr. Putens and seconded by Ms. Pope that the agenda be approved. The motion passed 7-0.

PRESENTATIONS:

Cooperative Month Proclamation: Mayor Jordan read a proclamation declaring October as National Cooperative Month. He recognized the following representatives of the City's cooperatives in attendance and provided each with a copy of the proclamation: Joe Gareri, Greenbelt Consumers Cooperative; Steve Skolnik, Greenbelt Homes, Inc.; Sylvia Lewis, *Greenbelt News Review*; Kateri Baker, Greenbelt Nursery School; and Ed James, Greenbelt Federal Credit Union. Mayor Jordan also recognized Lore Rosenthal of the Greenbelt Cooperative Incubator Group. He noted that proclamations will also be provided to the cooperatives not in attendance this evening including the New Deal Café, Rapidan Camps and The Evergreen Healthcare Cooperative.

Several of the representatives provided information on cooperative month events scheduled during October.

Oath of Office – New Greenbelt Police Officers: Chief James Craze introduced Greenbelt's newest police officers, Konetta Brown and Sean Kennedy. Mayor Jordan administered the oath of office to Ms. Brown and Mr. Kennedy.

PETITIONS AND REQUESTS: Bill Orleans, Greenbelt, asked and was provided answers to questions regarding executive sessions.

MINUTES OF COUNCIL MEETINGS:

Statement for the Record – Executive Session of September 16, 2015: Ms. Davis moved that in accordance with the General Provisions Article, Section 3-306(c)(2) of the *Annotated Code of Public General Laws of Maryland*, the minutes of tonight’s meeting reflect that Council met in executive session on Wednesday, September 16, 2015, at 7:00 p.m. in Room 201 of the Community Center. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(3) of the *Annotated Code of Public General Laws of Maryland*, to consult with legal counsel regarding an acquisition of real property issue.

Vote to close session:

	Yes	No	Abstain	Absent
Ms. Davis	X			
Mr. Herling	X			
Ms. Mach	X			
Ms. Pope	X			
Mr. Putens	X			
Mr. Roberts		X		
Mayor Jordan	X			

The following staff members were in attendance: Michael McLaughlin, City Manager; John Shay, City Solicitor; and Cindy Murray, City Clerk.

Other individuals in attendance: None

Council took no actions during this session.

Ms. Pope seconded.

ROLL CALL: Ms. Davis - yes
Mr. Herling - yes
Ms. Mach - yes
Ms. Pope - yes
Mr. Putens - yes
Mr. Roberts - yes
Mayor Jordan - yes

ADMINISTRATIVE REPORTS: Ms. Craze reported on the success of the 2015 Pooch Plunge. She also announced that the Forest Preserve Advisory Board was working on organizing a community cleanup in mid-October.

Chief Craze introduced Dana Hill, the new Administrative Coordinator for the Police Department. Council welcomed Ms. Hill.

Chief Craze provided an update on the Police Department CALEA reassessment process conducted this past summer. He announced that the Police Department had been awarded the prestigious Gold Level of Accreditation by CALEA. Council congratulated Chief Craze and the Police Department.

COMMITTEE REPORTS: None

LEGISLATION:

A Resolution to Authorize the Negotiated Purchase of Professional Services to Develop a Series of Next Steps in Economic Development with the Hyattsville Community Development Corporation at a Cost Not to Exceed \$33,000

Mayor Jordan read the agenda comments.

Mr. Herling introduced the resolution for second reading and moved that it be adopted. Ms. Davis seconded.

Mr. Stuart Eisenberg, Hyattsville Community Development Corporation, provided a PowerPoint presentation on the economic development proposal. Mr. Eisenberg and Ms. Hruby, Assistant Planning Director, answered several questions related to the proposal.

Mayor Jordan and Ms. Davis said that having the economic development work done by a contractor is more efficient and less expensive than doing the work in-house which would require an increase in staff.

In response to a question from Ms. Mach, Mr. Eisenberg said he anticipates the entire project will be complete in six months.

Mr. Orleans asked and was provided answers to several questions.

ROLL CALL:	Ms. Davis	-	yes
	Mr. Herling	-	yes
	Ms. Mach	-	yes
	Ms. Pope	-	yes
	Mr. Putens	-	yes
	Mr. Roberts	-	yes
	Mayor Jordan	-	yes

The resolution was declared adopted (Resolution No. 2035, Book 8).

A Resolution to Authorize the Negotiated Purchase of Professional Services to Prepare a Greenbelt Forest Preserve Health Assessment with A. Morton Thomas and Associates, Inc. at a Cost of \$28,450

Mayor Jordan read the agenda comments.

Ms. Davis introduced the resolution for second reading and moved that it be adopted. Ms. Mach seconded.

Ms. Craze explained that Council directed staff to prepare a Request for Proposals (RFP) for the purpose of securing professional services to prepare a forest health assessment for the Greenbelt Forest Preserve. Staff, with review and input from the Forest Preserve Advisory Board (FPAB), prepared the RFP and it was sent to 145 consulting individuals and firms.

Ms. Craze said a total of five (5) responses to the RFP were received and evaluated by City staff and the FPAB. Council held a work session on August 31, 2015, to consider the responses (proposals) and the recommendations of staff and the FPAB. Based on the outcome of the work session, staff recommendation, and comments of the FPAB, A. Morton Thomas (AMT) was been identified as the preferred vendor.

Mr. Roberts said he wanted to strongly protest this action. He said he had originally made a motion to hire a forest biologist/ecologist to conduct the assessment and AMT is an engineering company. Mr. Roberts said the RFP process needs to be redone properly and the forest assessment needs to be done by a professional biologist/ecologist.

Mayor Jordan said he, along with all members of Council and members of the FPAB, had done a very thorough review of the RFP process, held public input sessions on the proposals received and listened to the views and opinions of many people.

Ms. Pope agreed and said that she was offended at accusations made by some residents that Council “doesn’t care” about the Forest Preserve. She stressed that all members of Council value the Forest Preserve greatly. Ms. Pope added that there are occasions when not everyone will agree.

Ms. Davis said that the City has a history of core passionate people with regards to the Forest Preserve. She added that when the Forest Preserve was established, there was to be regular health assessments conducted along with periodic review of the Management and Maintenance Guidelines. Ms. Davis noted the need to determine the health of the Forest Preserve through the assessment. She added that a team of several types of scientists were required to complete the assessment properly.

Mr. Herling expressed his support for the Forest Preserve health assessment by AMT. He said the AMT proposal set forth a delicate approach to the assessment and put value on the input of the community.

Ms. Mach mentioned that one of the first suggestions of the original Forest Preserve Task Force was to have a forest assessment conducted. She said AMT has a team that can access the Forest Preserve adequately. Ms. Mach noted that there was no requirement for the City to proceed with any recommendations received from AMT as a result of the assessment if they were not deemed appropriate.

In response to a question from Mr. Putens, Ms. Craze said academic as well as professional background experience had been used to access the qualifications of staff from the RFP respondents.

Valerie Elliott, Chair of the FPAB, said the FPAB spent a good deal of time evaluating all the proposals received for the Forest Preserve assessment. She added that she was an original member

of the Forest Preserve Task Force and one of its primary interests was to have the forest assessed. She said she personally believes a complete baseline and comprehensive assessment needs to be conducted.

Joe Murray, member of the FPAB, said he supported the proposal submitted by AMT for the Forest Preserve assessment.

Brian Almquist, 112 Hedgewood Drive, read a petition requesting Council oppose the resolution. (Petition attached to minutes.)

Bob Snyder, 12 Hillside, member and former Chair of the FPAB, objected to the way the City handled the Forest Preserve assessment process. He agreed with Mr. Almquist that the process had been flawed and should have included more public input opportunities.

Melissa Ehrenreich, 23-D Ridge Road, said she is a biologist and has worked for environmental consulting firms. She explained that these firms employ a wide array of staff members. Ms. Ehrenreich expressed her support of the AMT proposal.

Donna Almquist, member of the FPAB, expressed opposition to the Forest Preserve health assessment being conducted by A. Morton Thomas who is a consulting engineering firm. Ms. Almquist read a letter from Joan Maloof, Founder and Director of Old-Growth Forest Network. (Letter attached to minutes.)

Susan Barnett, 12-H Plateau, said she was excited about getting information from a health assessment of the Forest Preserve which will be helpful to everyone. She stressed that whatever recommendations are made as part of the assessment by AMT, they would be further evaluated and not necessarily acted upon. Ms. Barnett supported the education which was included as part of the AMT proposal.

Mr. Roberts said it was clear that AMT does not have the appropriate staff to conduct the Forest Preserve health assessment. He said Joan Maloof was the perfect person to conduct the assessment but she wasn't allowed to submit a proposal because of her location in Easton, MD.

In response to question from Ms. Davis, Ms. Craze said a RFP had been sent to Ms. Maloof but she did not respond. She added that Ms. Maloof's location did not make her ineligible to submit a bid.

Jean Snyder, former member of Forest Preserve Advisory Board, urged Council to have a professional ecologist/biologist assess the health of the Forest Preserve.

Mr. Orleans said the Forest Preserve health assessment is important. Noting that only five firms out of 145 responded to the RFP, he suggested Council consider reissuing the RFP in an attempt to obtain more responses.

Sue Stern, 5-K Gardenway, expressed concern with the use of AMT to conduct the health assessment of the Forest Preserve since AMT clearly identifies its focus on the "built environment."

Damien Ossi, member of the FPAB, expressed his support for the AMT proposal. He thanked Ms. Craze for including the FPAB in the drafting of the RFP and the RFP review process.

Susan Smithers, 10-J Laurel Hill, said there should be more public involvement in actions in the Forest Preserve.

Susan Stewart, 2-P Plateau Place, expressed support of the Forest Preserve health assessment.

Mr. Roberts again noted his opposition to the Resolution.

ROLL CALL:	Ms. Davis	-	yes
	Mr. Herling	-	yes
	Ms. Mach	-	yes
	Ms. Pope	-	yes
	Mr. Putens	-	yes
	Mr. Roberts	-	no
	Mayor Jordan	-	yes

The resolution was declared adopted (Resolution No. 2036, Book 8).

Ms. Davis moved to Special Order #15 “Greenbelt Station Neighborhood Park – Site Plan Approval” under Other Business to the next item of business. Ms. Mach seconded. The motion passed 7-0.

GREENBELT STATION NEIGHBORHOOD PARK – SITE PLAN APPROVAL: Mayor Jordan read the agenda comments.

Ms. Bellah, Community Planner, and Justin Frye, Woodlawn Development, reviewed the park site plan for Greenbelt Station South Core including the modifications suggested in the public review process.

In response to a question from Mr. Roberts, Mr. Frye said Greenbelt Station South Core will have approximately 803 units when all three phases are constructed. He said there are currently 100 units complete and approximately 50 under construction in Phase I.

Mr. Roberts said the amphitheater should be left out of the park site plan until more residents are in place in Greenbelt Station to offer their opinions. Ms. Pope, Ms. Mach, Ms. Davis and Mr. Herling disagreed, noting their support for inclusion of the amphitheater in the park site plan.

Ms. Davis moved that Council approve the park site plan for Greenbelt Station South Core with modifications suggested in the public review process. Ms. Pope seconded. The motion passed 7-0.

LEGISLATION (CONTINUED):

A Resolution to Repeal Resolution Number 2005 and to Provide for the Number of Judges and Clerks of Election, their Rate of Compensation, and the Rate of Compensation to be paid to the Chairperson and Members of the Board of Elections for the 2015 Regular Election

Mayor Jordan read the agenda comments.

Ms. Pope introduced the resolution for first reading.

AWARD OF PURCHASE – POLICE VEHICLES: Mayor Jordan read the agenda comments.

Sgt. Tim White answered several questions related to the replacement vehicle purchase.

Ms. Pope moved that Council approve the purchase of five (5) Ford Police SUV units at a cost of \$26,368.00 each from Apple Ford and two (2) Ford Fusion Hybrid vehicles at a cost of \$23,894.08 each from Lindsay Ford in accord with State of Maryland Bid documents at a total cost of \$179,628.16. Mr. Putens seconded. The motion passed 7-0.

COUNCIL REPORTS: Councilmembers commented on their attendance at the following events.

Clean Air Partners Board Meeting - Ms. Mach
Maryland Municipal League (MML) Communications Committee Meeting – Ms. Mach
Cookies at the Bridge – Ms. Mach and Ms. Pope
National Public Lands Day Event at Greenbelt Elementary School – Mayor Jordan, Ms. Davis, Mr. Putens, Ms. Mach, Mr. Herling and Ms. Pope
Explore NASA/Goddard Open House – Mayor Jordan, Ms. Davis, Mr. Putens, Ms. Mach, Mr. Herling and Ms. Pope
Greenbelt Volunteer Fire Department Crab Feast – Ms. Davis, Mr. Putens, Mr. Roberts, Mr. Herling and Ms. Pope
Senior Open Forum – Mayor Jordan, Ms. Davis, Mr. Putens, Mr. Roberts, Mr. Herling and Ms. Pope
CHEARS Celebration for Jeannie Bellina – Mr. Putens, Ms. Mach, Mr. Herling and Ms. Pope
New Deal Café Blues Festival – Mayor Jordan, Ms. Davis and Ms. Mach
Sustainable Maryland Executive Committee Meeting at MML – Ms. Davis
MML Legislative Committee Meeting – Ms. Davis
Pooch Plunge – Ms. Davis and Ms. Pope
Harvest Festival – Mayor Jordan, Ms. Davis, Mr. Putens and Ms. Pope

Mayor Jordan reported on his attendance at the Let's Move Cities, Towns and Counties (LMCTC) event hosted by First Lady Michelle Obama at the White House. He said the City had been invited to the event for having achieved Gold Medal Status with LMCTC.

MEETINGS: Council reviewed the upcoming meeting schedule.

Change to Meeting Schedule: Ms. Mach moved that Council cancel the regular meeting scheduled for October 5, 2015. Mr. Putens seconded. The motion passed 7-0.

ADJOURNMENT: Ms. Mach moved to adjourn the meeting. Mr. Putens seconded. The motion passed 7-0.

Mayor Jordan adjourned the regular meeting of Monday, September 28, 2015, at 11:29 p.m.

Respectfully submitted,

Cindy Murray
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held September 28, 2015."

Emmett V. Jordan
Mayor

Council Should Stop the Award to AMT

September, 28, 2015 Council Meeting

I petition council to NOT pass the Resolution to Authorize the Negotiated Purchase of Professional Services to Prepare a Greenbelt Forest Preserve Health Assessment with A. Morton Thomas and Associates, Inc., at a cost of \$28,450.

The resolution references the November 24, 2014 council meeting where council directed staff to hire a forest biologist or ecologist (not a firm) to assess the health of the Preserve

The resolution references the August 31, 2015 work session. There were inaccuracies in the information reported at this meeting which I would like to bring to your attention.

1. It was reported that the AMT proposal outlines the required services to undertake and complete the study. The services proposed by AMT are more extensive in scope than those envisioned by Roberts, which has caused the cost of the health assessment to increase from an anticipated cost of less than \$10,000 to almost \$30,000.
2. It was reported that the AMT proposal includes appropriately trained and experienced staff to undertake and complete the study. Roberts' motion, which passed 7-0, was to proceed with contracting with a professional forest biologist or ecologist to assess the health of the forest preserve – not a firm. AMT is a multidisciplinary firm with a staff of more than 430 professionals and 14 offices throughout the Mid-Atlantic region. The project manager is referred in the proposal as a registered landscape architect (RLA) and a certified arborist – not a forest biologist or ecologist.
3. It was reported that AMT has the relevant professional experience necessary to undertake and complete the study. AMT's professional experience includes site analysis, master

planning, and design services for new recreational facilities and infrastructure for a regional, multi-phase park and sports complex in Bowie (additional examples in their proposal show similar engineering experience). AMT is a Forest Conservation Act (FCA) Service Provider. FCA Service Providers generally act as consultants to developers.

4. It was reported that the Board approved the final version of the Request for Proposals (RFP) by consensus at its March meeting. According to the minutes, the Board did not officially vote on the RFP.
5. It was reported that efforts to distribute the RFP were broad and far reaching. Staff sent out 145 RFPs, 97% of which were sent to FCA Service Providers (who generally act as consultants to developers). FCA Service Providers received 30 times more RFPs than forest biologists or ecologists. Only 5 responses were received.
6. It was reported (for the first time) that staff selected FCA Service Providers with expertise in development of Forest Conservation Plans (FCP). Such expertise is not asked for in the RFP. An FCP is not needed to assess the health of the Preserve. An FCP outlines the strategies for retaining, protecting, planting, and replanting trees in areas marked for construction and development. An FCP is not appropriate for the preserve because it is not subject to construction and development. According to City Code the areas that comprise the Preserve are to be protected in their existing natural state – not managed under an FCP.
7. It was reported that the AMT proposal includes public involvement, but this kind of public involvement would be after the award. There needs to be more public involvement prior to the award. Involvement after the award will be too late for the public to have significant influence on the outcome.

8. The citizens (i.e. the stewards of the Preserve) have been left out of the process. The Forest Preserve Advisory Board meeting agendas used acronyms such as FP and RFP which made it confusing for residents to appreciate the significance of the meetings. The time allotted for discussion of the RFP was approximately 50 minutes (total).

The information provided to the public contains numerous inaccuracies. And it appears the public has no official place to turn to find accurate information regarding this process.

As of last night, the minutes for the November 17, 2014 work session, November 24, 2014 council meeting and the August 31, 2015 work session have not been posted on the City of Greenbelt webpage. Also the minutes for the August 10, 2015 council meeting, which would include the petition submitted by Donna Almquist to stop the award have not been posted.

Acceptance of the AMT proposal is not an appropriate response to council's direction to hire a forest biologist or ecologist. And council appears to have turned a blind eye to the numerous flaws in the process and may be looking to break the promise made to the public twelve (12) years ago, and upheld by every council since, to leave the areas in the Preserve undisturbed for future generations of Greenbelters.



OLD-GROWTH FOREST NETWORK

*Connecting people with nature by creating a
national network of protected, mature, native forests*

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Monday, September 28, 2015

Dear Greenbelt City Council,

I would like to comment on the Greenbelt Forest Preserve.

I feel qualified to do so because I have a PhD in ecology, I have written three books about forests, and I run a national organization called the Old-Growth Forest Network.

I am aware that Greenbelt recently advertised for a health assessment to be completed on the Preserve. It is my understanding that this assessment is to be completed by a biologist or an ecologist. I encourage you to follow that guidance. I believe that foresters and landscape architects do not have the appropriate mindset to complete this type of assessment. According to City Code the Preserve is meant to be left undisturbed in its existing natural state - not to be managed for timber or turned into a park.

It is challenging to come up with a plan to manage the "health of the forest." First of all, most foresters (and many people) believe they need to manage a forest, but they really don't; forests have been managing themselves for thousands of years. The healthiest forests in terms of biodiversity are those with the least management. The way people behave in and treat forests must be managed – but not really the forests themselves. The term "forest health" is very nebulous. Foresters tend to define it as the desired tree species growing quickly. Of course this is a bias related to economic return.

The 2013 Department of Natural Resources (DNR) report, which is included on the City's webpage as a key document, shows this bias by referring to the tree size classes "pole timber" and "saw timber" and by referring to the stands of trees as "overstocked" which would cause the stand to be "less vigorous" (read "grow more slowly"). As an interesting side note, one of the oldest and most beautiful forests in Maryland, Swallow Falls, was considered "overstocked" by the calculations used by DNR foresters! I would also like to point out three examples of forests in the United States: Cook Forest in Pennsylvania has been untended (i.e. unmanaged) and it is the tallest and healthiest in the northeast, Congaree Forest has been untended and it is the tallest and healthiest in the Southeast, and Redwoods State Park has been untended and is the tallest and healthiest in the west.

I wonder if the DNR forester who wrote the report took time to read the existing Forest Preserve Management and Maintenance Guidelines. I ask this because he contradicts it on occasion. For instance the Guidelines say: "under any circumstance, trail clearing should be minimized" and "trails shall be planned and maintained to avoid the removal of trees and vegetation" and "the designated trail shall not be widened." Yet he suggests new and widened trails in the report.



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Your existing Guidelines note that “maintenance” can be viewed as an intrusive activity and one which could change the essential character of the preserve. It notes that, “regular maintenance of any of the Preserve areas is not recommended.”

The DNR report was the type that might be written for a private forest owner who wants to take advantage of the lower forestry tax bracket. This approach is not needed in the case of the Greenbelt Preserve.

I like the way the Guidelines handle invasive plants: each species must be considered individually with a clear plan for each one. And the Guidelines never say that invasive plants **MUST** be managed. The Guidelines recognize that managing invasive plants can sometimes disturb the forest and one option is to just leave them alone.

I hope the assessment will follow the Guidelines. For each invasive species consider if it should be removed, and if so from where (the Guidelines call for the least invaded areas to be first), and finally how it should be removed. I encourage a non-chemical approach if it is determined that invasive plants are to be removed from the Preserve. Please keep in mind that for many of the herbicides we do not yet have complete information regarding how they might persist in the environment or affect wildlife, including microbial species.

Greenbelt should be proud that they have a community that includes forests. I know that many people have worked hard to insure that your forest was not lost to development. It is now my hope that this forest will always be understood as the “Preserve” it was meant to be, and will never be treated like a privately owned woodlot.

For the Forests,

Joan Maloof, PhD

Old-Growth Forest Network

Founder and Director

Professor Emeritus, Salisbury University